

*The* OFFICIAL PLAN  
*of the* TOWNSHIP  
*of* CLEARVIEW



CLEARVIEW



Public Consultation Draft: August 2023

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The Corporation of the Township of Clearview recognizes the First Nations, Métis, and Inuit peoples of Canada as traditional stewards and caretakers of the land. We acknowledge that Clearview Township is located within the boundaries of Treaty 18, the traditional lands of the Anishinaabeg, Haudenosaunee, Tionontati, Wendat, and is the home of many First Nations, Métis, and Inuit peoples as part of an intricate nationhood that reaches across Turtle Island. At this time of truth and reconciliation, we welcome the opportunity to work together towards new understandings and new relationships and ask for guidance in all we do.

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This Official Plan was adopted by the Council of the Township of Clearview through the passing of By-law No. \_\_\_\_ on [adoption date]. This Plan was approved by the County of Simcoe on [approval date] and came into effect as the Official Plan of the Township of Clearview on [effective date].



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Cover photograph: **Landscape looking east from Fairgrounds Road South, just south of 12/13 Sideroad Nottawasaga.**

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# PART I

# Introduction

*The OFFICIAL PLAN of the TOWNSHIP of CLEARVIEW*



# Introduction

PURPOSE · VISION · PRIORITIES

Photo: Looking southwest from the shoulder of Sunnidale Concession No. 9.

**On a clear day,** you can stand at the side of Sunnidale Concession No. 9 and look out for miles across the land, which stretches out before you in every direction, **broad and level.** To the west and south, the landscape starts to undulate, its hills rolling up into the Niagara Escarpment, whose ridge you can make out, off in the distance, as a jagged line marking the horizon. It's easy to see why the members of the small farming community that settled nearby, between the 9th and 10th concessions, chose this place for their home. It's also easy to see why that community chose the name it did – a name that, some 150 years later, would be given to the entire Township.

## 1.1 An Official Plan for Clearview Township

**Clearview Township was officially established** on January 1, 1994, by the *County of Simcoe Act, 1993*, which amalgamated four former municipalities – the Village of Creemore, the Township of Nottawasaga, the Town of Stayner, and the Township of Sunnidale – into a single Township. Occupying approximately 556 square kilometres in the Nottawasaga Valley, Clearview Township



enjoys a remarkable natural setting, between the Niagara Escarpment in the west and the Minesing Wetlands and the Nottawasaga River in the east.

Clearview Township is located on the traditional lands of the Anishinaabeg, Haudenosaunee, Tionontati, and Wendat. The lands that now make up the Township were conveyed to the British Crown from the Chippewa Nation as part of the “Lake Simcoe – Nottawasaga Purchase” (Treaty No. 18), signed on October 17, 1818. Europeans from diverse immigrant communities began arriving in the 1830s, with many of the first settlers establishing themselves along the original Sunnidale Road (now Simcoe County Road 10). The area became known for agriculture early on, a legacy that has continued to this day. Most of the Township’s present-day communities were founded in the 1840s and 1850s, including Creemore in 1842 and Nottawasaga Station – now Stayner – between 1851 and 1855.

**Today, the connections between its neighbouring towns and villages are what make Clearview a unique place, a true “community of communities.”**

### 1.1.1 Community Profile

**At the time of its amalgamation in 1994**, Clearview Township was home to around 12,000 people.<sup>1</sup> By the 2021 Census, the population had grown to 14,814 people – an increase of almost 28% over thirty years. Like many places in Canada, Clearview has an aging demographic profile, with a median age that rose from 38.4 years in the 2001 Census to 44.8 years in 2021, although it is worth noting that this is a slight decrease from the median age of 45.3 years reported in the 2016 Census. Clearview remains a multi-generational community, with just over a third of its population (34.2%) being between the ages of 15 and 44 and another 30% being between 45 and 64, according to the 2021 Census.

The Township’s predominantly rural setting, dotted with small towns and villages, means that agriculture is important not just economically but also as an integral part of the community’s identity. Other sectors employing significant portions of the labour force include construction (14.0%), health care and social assistance (11.2%), manufacturing (11.0%), and retail trades (9.1%). According to Statistics Canada, employment within Clearview has increased by over 30% since 2001, with the 2021 Census reporting an employed labour force of 4,145 people working in Clearview.<sup>2</sup> Just over half of the people working in Clearview live within the Township, with the remainder travelling from

<sup>1</sup> Statistics Canada reported the Township’s population as 11,598 in the 1991 Census and as 12,407 in 1996.

<sup>2</sup> According to the 2021 Census, there were 1,360 residents who commuted to a usual place of work in Clearview Township, another 1,455 residents who worked at home, and 1,330 people who commuted to Clearview from a different municipality. (The 2021 Census reports a further 1,275 residents with no fixed workplace address.) The increase from 3,160 people working in Clearview, according to the 2001 Census, to 4,145 people in 2021 is an increase of 985 people, or 31.2% of the 2001 figure.

Collingwood, Wasaga Beach, and other nearby communities to work here. On top of this, a fair portion of the Township's residents commute to work in other municipalities, the most common destinations being Collingwood, New Tecumseth, and Barrie. Thus, maintaining connections with our municipal neighbours remains important for life in Clearview.

### 1.1.2 Updating the Official Plan

**An official plan establishes principles,** goals, and policies that will direct a community's growth and development; it also provides for the range of tools that will help the community achieve its vision and goals. Official plan policies can cover a wide range of subjects: they direct the efficient use and orderly development of a municipality's lands, provide for the responsible stewardship and protection of the natural environment, and shape the design of buildings and communities to promote compatibility and continuity of character.

Clearview Township's previous Official Plan, adopted in 2001, was based on forecasts for population growth and housing needs to 2021. The Township therefore requires an updated Official Plan, one that will better reflect the current needs of the community and that will plan for the growth in population, housing, and employment projected between now and 2031. There have also been a number of changes to policy at different levels of government since the adoption of Clearview's previous Official Plan, including:

- (1) significant amendments to the *Planning Act*;
- (2) updates to the Provincial Policy Statement ("PPS"), most recently in 2020;
- (3) the introduction of the Province's Growth Plan in 2006, and now in its third generation as the 2019 Growth Plan (as amended in 2020);
- (4) recent updates to the Niagara Escarpment Plan in 2017; and
- (5) the approval of a new Simcoe County Official Plan in 2016.

Clearview Township's Official Plan is statutorily required to be consistent with or conform with all of these plans and policies.

Preparing an official plan is fundamentally a public process requiring significant contributions from residents and members of the community. These community contributions, combined with the more specialized knowledge of policy-makers and planners, help create policies that accurately reflect the community's vision for itself and that will be effective in achieving the community's goals. In addition to the public meetings required by provincial statute, this Plan has benefitted from the results of an online survey, from workshop discussions on specific issues and challenges, and from numerous conversations with stakeholder groups and community members. These various methods of engaging the public have been crucial for establishing the priorities this Plan needs to address and for directing policy-makers' attention to the issues that matter the most to the community.

### 1.1.3 Community Vision & Planning Priorities

**One important outcome of the public engagement process** is the formulation of a “vision statement” that encapsulates how a community sees itself now and into the future. Clearview’s vision statement, built from key words and ideas provided by residents and stakeholders, reflects our aspirations for the future of the Township:

**Clearview Township is a thriving community of small, family-friendly towns that features a successful agricultural sector and a robust economy. Clearview is a safe and peaceful place to live. We prioritize a clean and healthy natural environment, with the principles of sustainability guiding the future of planning for growth and development in the Township.**

The public engagement process also helped express the community’s planning priorities, identifying important directions for policy to pursue:

**Making sure development happens where it makes the most sense.** This means directing housing development to areas with municipal services in order to optimize the use of existing infrastructure, focusing commercial and retail growth in community hubs, and ensuring that new employment uses are located on appropriate sites.

**Growing as a sustainable community.** We prioritize the protection, restoration, and enhancement of our water resources, along with becoming a resilient community as we adapt to climate change while doing what we can to mitigate its impacts. All residents of Clearview deserve to live in and enjoy a healthy natural environment that provides opportunities for recreation and that promotes a diverse and innovative agricultural sector, with an eye to supporting future generations of farmers.

**Enhancing community identity and sense of place.** We will promote the unique aspects of our community’s cultural heritage, and we place an emphasis on ensuring continuity of character in the built environment. In the years to come, Clearview will be a place where people of all ages love to live, where businesses seek to invest, and to which visitors often return.

## 1.2 Basis & Scope of the Official Plan

**Section 16 of the *Planning Act*** grants municipalities the authority to prepare and adopt official plans in order “to manage and direct physical change and the effects on the social, economic, built and natural environment of the municipality,” and allows an official plan to contain “a description of the measures and procedures” that will be used to attain its objectives, which can include zoning by-law’s, community improvement plans, site plan control, and other tools authorized under various sections of the *Planning Act* (and other Acts).

## 1.2.1 Hierarchy of Planning Policy in Ontario

**Land use planning in Ontario** takes place within a multi-tiered hierarchy, and the contents and policies included in a local municipality's official plan, which guide decision-making at the local level, must be consistent or conform with plans and policies established at higher levels of government and by other authorized agencies. These plans and policies all play their own roles within the overall policy framework, which helps ensure that decisions are made consistently and that the objectives of various plans support and reinforce one another.

**The 2020 Provincial Policy Statement ("PPS")** came into effect on May 1, 2020. Issued by the Province of Ontario under Section 3 of the *Planning Act*, the PPS (2020) introduces a number of changes to the previous PPS (from 2014). The changes are intended to encourage increases to the housing supply and a greater variety of housing types, to support job creation and the economy, to reduce barriers and costs in the planning and development system, to protect public safety and the natural environment, and to support rural communities. The PPS (2020) states that a municipality's official plan is "the most important vehicle" for implementing the Province's policies, and the *Planning Act* requires that official plans be consistent with the PPS.

The PPS (2020) can be accessed through the website of the Ontario Ministry of Municipal Affairs and Housing ("OMMAH"), at <https://www.ontario.ca/page/provincial-policy-statement-2020>.

**The Growth Plan for the Greater Golden Horseshoe** (usually just referred to as the "Growth Plan") is a provincial plan that covers a large portion of southwestern Ontario, including all of Simcoe County (which in fact has its own chapter in the Growth Plan). The Growth Plan's goal is to manage the significant population and employment growth projected to occur within the Greater Golden Horseshoe ("GGH") in the coming decades. It identifies specific projections and targets for municipalities, including density targets for existing built-up areas and for new residential development. The *Planning Act* requires that official plans conform with provincial plans (or not conflict with them, as the case may be) like the Growth Plan.

The Growth Plan's policies are meant to direct growth to the areas where it is most appropriate, promoting intensification and supporting the achievement of "complete communities." In doing so, the Growth Plan not only provides for the optimization of existing infrastructure and public service facilities, but also encourages the efficient use of land, thereby helping rural areas remain rural and preserving land for agricultural uses.

The Growth Plan can be accessed through the OMMAH's website, at <https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe>.

**The Niagara Escarpment Plan ("NEP")** was first established in 1985 to protect the Escarpment's "unique ecologic and historic areas" as a "continuous natural environment," while also providing for public access and recreational opportunities. The NEP covers an area stretching from Niagara Falls to the tip of the Bruce Peninsula, including about 11,305 hectares of land within Clearview



Township, just over 20% of the total municipal territory. The NEP applies its own set of land use designations, which establish permitted uses and standards for development within the area covered by the plan. Applications proposing development in the NEP Area are subject to the development permit system administered by the Niagara Escarpment Commission ("NEC").

The NEP's policies contribute towards the preservation of a healthy natural environment that provides recreational opportunities to the residents of Clearview. The Escarpment itself is also a prominent geographic landmark, providing much of Clearview with its unique character and distinct natural features. The NEP is a provincial plan, meaning that this Official Plan must conform with it (or not conflict with it).

The most recent version of the NEP is available through the NEC's website, at <https://escarpment.org/land-use-planning/niagara-escarpment-plan>.

**The Nottawasaga Valley Conservation Authority ("NVCA")** is an important partner in understanding, protecting, and improving the natural environment in the Nottawasaga Valley and in protecting public health and safety from erosion, flooding, and other natural hazards. The NVCA's efforts towards reducing erosion also help preserve agricultural lands. The NVCA is one of the three conservation authorities that authored the South Georgian Bay Lake Simcoe Source Protection Plan, authorized in 2015 under the *Clean Water Act, 2006*. Development within the area regulated by the NVCA, as described in Ontario Regulation 172/06 under the *Conservation Authorities Act*, requires a permit from the NVCA under that Act.

**The Simcoe County Official Plan ("SCOP")** provides policy direction for the sixteen local, "lower-tier" municipalities that make up Simcoe County, including Clearview Township. Among other things, the SCOP establishes a framework of land use designations – Settlements, Rural Areas, Agricultural Lands, and Greenlands – and directs the growth management strategies of its local municipalities by allocating projected population and employment growth. According to the most recent amendment to the SCOP (Amendment No. 7, adopted by the County on August 9, 2022, but not yet approved by the Province), Clearview is projected to accommodate 21,820 residents and 6,470 jobs by 2051. The SCOP's growth management strategy directs that the "vast majority" of this growth be directed to the Township's Urban Settlement Areas (as settlement areas with delineated built boundaries and with existing municipal services).

The most recent version of the SCOP came into effect in 2016 and is available through the County of Simcoe's website, at <https://www.simcoe.ca/Planning/Pages/official-plan.aspx>.

## 1.2.2 Scope of Clearview Township's Official Plan

**This Official Plan is intended** as an enabling document that provides a "big picture" look at how we want our community to grow and that identifies the range of implementation tools that may be used to achieve the Township's policy objectives. This Plan has been prepared with reference to population and employment projections to the year 2031 provided by the SCOP. Clearview

Township intends to evaluate this Plan's effectiveness by monitoring development activity within the municipality, including the issuance of building permits, the creation of lots, and the changing of land uses resulting from any amendments to this Official Plan or to the implementing Zoning By-law. When necessary, either because of changes in the Township's physical, environmental, social, or economic circumstances, or because of policy changes made by Simcoe County or the Province of Ontario, this Official Plan will be updated as appropriate.

## 1.3 How to Read the Official Plan

**This document shall be known** formally as the "Official Plan of the Township of Clearview." References within this document to "this Official Plan" or to "this Plan" should be understood as representing the document's full title. The words "Official Plan" have been capitalized whenever the text refers to this Plan or refers specifically to another municipality's Official Plan (such as Simcoe County's). These words have not been capitalized when referring to official plans in general.

### 1.3.1 Contents of this Official Plan

**The Official Plan of the Township of Clearview** consists of the written text (divided into 13 sections, including this Introduction), three appendices, and eight accompanying map schedules, identified by the letters "A" through "G", plus Schedule "SP" for special policy areas. Each map schedule shows the entirety of Clearview Township, and some include sub-schedules (identified by appending a number to the schedule's letter, such as "B-1", "B-2", etc.) to provide greater detail for individual Settlement Areas. Any reference to one of the schedules in the text of this Official Plan should be understood as referring to all such sub-schedules, where they exist. (For instance, a reference to "Schedule B" should be understood as including "Schedule B-1" through "Schedule B-12".)

References (by number) to individual policies within this Official Plan are preceded by the subsection number, which itself consists of three numbers (for example, this sentence appears in Subsection 1.3.1). Where necessary, an individual policy may include sub-items, referred to as clauses, indicated by lowercase letters (a, b, c, etc.), and sub-clauses under these, indicated by lowercase Roman numerals (i, ii, iii, etc.). Any reference to a policy by number should be understood as referring to any clauses and sub-clauses as may appear under that policy.

This Official Plan needs to be read in its entirety in order for its meaning to be fully understood, correctly interpreted, and properly applied.

### 1.3.2 Interpretation of Specific Terms

**Some of the policies in this Plan** use terms in a specific sense that needs to be distinguished from the ordinary definition of the term or that requires some form of clarification, while some other terms are used in a specific sense in another document (such as the Growth Plan or the SCOP). In these cases, the term in question will be underlined in green, like so, and the corresponding definition can

be found in Section 12.6 (Definitions). When a word or term is used without being underlined, it should be understood according to its ordinary meaning or dictionary definition.

This Official Plan refers to various ministries of the Province of Ontario, the names of which appear in the text underlined in blue. The specific names of Provincial ministries can change from time to time – for example, the ministry referred to in this Plan as the Ministry of the Environment has changed its name multiple times since the late 1990s, having been referred to as the “Ministry of the Environment” from 1997 to April 2002, as the “Ministry of the Environment and Energy” from April 2002 to August 2002, the “Ministry of the Environment” again from August 2002 until 2014, the “Ministry of the Environment and Climate Change” from 2014 to 2018, and the “Ministry of the Environment, Conservation and Parks” since 2018.

Despite these name changes, the ministry in question is, by definition, presided over by the Minister who is responsible for administering the *Ministry of the Environment Act* (R.S.O. 1990, c M.24) and who has charge of the Ministry pursuant to Subsection 2 (2) of that Act. Therefore, this Official Plan uses the term “Ministry of the Environment” and the names of other ministries according to their statutory definitions, which are specified in Section 12.3.2 of this Plan. The purpose of the blue underlining is to remind the reader that references to Provincial ministries should be understood according to the definitions in that section of this Plan. This avoids the need for a housekeeping amendment to the Official Plan every time a ministry changes its name. (It has the added benefit of brevity, in situations like that of the Ministry of Natural Resources, which for a few months in 2021 was referred to as the “Ministry of Northern Development, Mines, Natural Resources and Forestry”, or “MNDMNRF”.)

### 1.3.3 “May” & “Shall”

**Throughout this Plan, you will** find many statements that use the verbs “may” and “shall.” These verbs have specific legal meanings when they are used in policy documents and in legislation, but they can strike the modern reader as somewhat odd. For example, in everyday conversation, “may” usually indicates some mixture of possibility and uncertainty (as in “maybe, maybe not”). In legal language, however, “may” is what is called a “permissive” – in other words, it grants someone permission to do something (that they would not otherwise be allowed to do). Along with permission, though, comes the option of not doing the something you are now permitted to do. Thus, the statement, “The Township may do so-and-so” is probably best understood as meaning, “The Township has the legal authority to do so-and-so (but is not obligated to do so-and-so).” In ordinary conversation, we would likely express this by saying, “The Township *can* do so-and-so,” but in policy documents like this Official Plan, “can” would be interpreted as meaning, “is capable of, but is not necessarily permitted to.” In certain instances, “may” is also used to express or introduce a conditional circumstance: for example, in a statement like, “Such-and-such a land use may be permitted if the following conditions are met...” This use of the verb “may” still carries the permission-without-obligation sense of the word.

The word “shall,” on the other hand, is referred to as an “imperative”: to say, “The Township shall do so-and-so” means that it is no longer a matter of permission or choice – the Township now has the legal obligation of doing so-and-so. Today, we would probably express this in conversation using the word “must” or the phrase “has to.” In some places, “shall” is also used to indicate mandatory conditions and to establish criteria that must be met – as, for example, in the statement, “Before permitting such-and-such a use, Council shall be satisfied that...”

Finally, some statements in this Official Plan use the verb “will” (which in ordinary conversation we might consider similar to “shall”). In this document, however, the use of “will” should be understood as indicating intent. Thus, “The Township will do so-and-so” should be interpreted as meaning “The Township has every intent of doing so-and-so” – but, as with “may,” there is no legal obligation to do so-and-so.



## PART II

# Development & Land Use

Making sure development happens where it makes the most sense

*The OFFICIAL PLAN of the TOWNSHIP of CLEARVIEW*





Photo: Looking southward down Mill Street in Downtown Creemore.

## It doesn't take long to go from the countryside to Downtown

**Creemore.** You come around the final bend of Fairgrounds Road, cross the highway, and within a few blocks you're passing those red brick façades with their distinctive yellow accents. It's a fitting representation of the Township's overall character: a thriving community with a small-town feel, nestled in the landscape. We sometimes speak of an "urban-rural divide" like it's some unbridgeable gap, but here it's more like a seam on a quilt, holding different parts of the Township together, each with a distinct role to play as part of a greater whole.

**Clearview Township's many settlement areas** range in size from small rural communities to the larger population centres of Stayner and Creemore. This section of the Official Plan explains how these Settlement Areas have been organized into a multi-level hierarchy, which provides the basis for the Township's growth management policies. The goal is to direct most growth and new development to the largest population centres (designated as "Urban Settlement Areas"),



supporting their role as centres for community activity featuring a mix of land uses, thereby helping to retain the small-town character of the Township's less populated Settlement Areas and to preserve the overall rural landscape that the residents of Clearview value and cherish.

## 2.1 Goals & Principles

**The policies presented in this section** are based on the following goals and principles:

1. Manage new population and employment growth in a way that makes optimal use of infrastructure and municipal services.
2. Direct the majority of new housing and employment growth to the Township's Urban Settlement Areas, and permit a limited amount of development in Community Settlement Areas and Rural Settlement Areas.
3. Maintain and enhance the role and unique character of the established downtown cores in Stayner and Creemore.
4. Foster the development of complete communities in the Township's more populated Settlement Areas while preserving their small-town character and the Township's predominantly rural landscape.

## 2.2 Community Structure

**The Simcoe County Official Plan ("SCOP")** directs local municipalities with multiple settlement areas to establish a hierarchy for those areas, based on factors including population, existing levels of municipal water and sewage services, and characteristics of the built environment. These local Official Plans must identify the intended distribution of population and employment growth among their settlement areas, using forecasts, projections, and targets for intensification and density established in the Province's Growth Plan and the SCOP.

In accordance with those requirements, Clearview Township's community structure has been organized into a four-tiered hierarchy that consists of:

- (1) Urban Settlement Areas;
- (2) Community Settlement Areas;
- (3) Rural Settlement Areas; and
- (4) Rural Crossroads and other lands located outside Settlement Areas.

The term "Settlement Areas" is used throughout this plan to refer collectively to Urban Settlement Areas, Community Settlement Areas, and Rural Settlement Areas.

The following paragraphs describe these different parts of the community structure and identify how County and Provincial targets apply to each level in the hierarchy:

**Urban Settlement Areas** are intended to serve as focal points for the majority of the population and employment growth projected for the Township. The Township's Urban Settlement Areas are **Creemore** and **Stayner**.

Urban Settlement Areas are meant to be the primary locations for new development in the Township and for community activity in general. They are the only Settlement Areas in the Township that have delineated built boundaries, within which the intensification targets established in the Growth Plan and the SCOP apply. The area outside the built boundary but within the settlement area boundaries constitutes the designated greenfield area, within which new development must meet density targets established by the County and Province.

**Community Settlement Areas** have some potential for development, but that potential is more limited than it is in Urban Settlement Areas. The Township's Community Settlement Areas are **New Lowell** and **Nottawa**.

Community Settlement Areas feature some mix of land uses, and have larger populations than the Township's Rural Settlement Areas. They are intended to see some population and employment growth, although this will depend on the availability of municipal water and sewage services. Community Settlement Areas do not have delineated built boundaries, meaning that development in these areas does not contribute towards the achievement of intensification targets or towards density targets for the designated greenfield area. They are considered settlement areas, as that term is defined in the Growth Plan, and the area within the settlement area boundaries (as shown on Schedule B-8 and Schedule B-9) has been designated for development, subject to the policies of this Official Plan.

**Rural Settlement Areas** are small communities with very limited potential for new development, due to a lack of available land or municipal services, to environmental constraints, or to other factors. The Township's Rural Settlement Areas are **Avening**, **Batteaux**, **Brentwood**, **Dunedin**, **Duntroon**, **Glen Huron**, **Old Sunnidale**, and **Singhampton**.

Rural Settlement Areas are considered "rural settlements" (as defined in the Growth Plan), and some do have lands remaining within the settlement area boundaries that are designated for development. Any new development that might occur in Rural Settlement Areas will not contribute towards the achievement of intensification targets or density targets for designated greenfield areas.

**Rural Crossroads** are specific places, some of them known and recognized locally by a particular name, that feature existing small clusters of buildings and land uses, often at or near the intersection of two rural roads. However, Rural Crossroads are not designated as Settlement Areas for the purposes of this Plan (and are not considered "rural settlements" as defined in the Growth Plan): they are acknowledged here as historic settlements and, in some cases, may serve

as important hubs of activity for the agriculture industry and the rural economy. Some Rural Crossroads also provide commercial uses intended to serve the travelling public, and thus play an important role in attracting and accommodating visitors to the Township. The Township's Rural Crossroads include Cashtown, Maple Valley, and Sunnidale Corners; the full list is provided in Section 2.2.4 below.

Rural Crossroads have not been allocated any defined share of the Township's projected population or employment growth. The intent here is to recognize existing small concentrations of development in the Township's rural area and to provide for very limited amounts of new development within these clusters to support the viability of the agricultural economy or on existing vacant lots of record.

**Other lands located outside Settlement Areas** (and outside Rural Crossroads) constitute the remainder of the Township's municipal territory.<sup>3</sup> These areas consist primarily of the "Rural", "Agricultural", and "Greenlands" land use designations, as shown on Schedule B to this Plan, with some important exceptions (such as the NEP designations and the Collingwood Regional Airport). Any development that might occur on lands outside of Settlement Areas should be extremely limited and should predominantly be for agricultural purposes.

### 2.2.1 Urban Settlement Areas

**This Official Plan's vision** for the Urban Settlement Areas of Stayner and Creemore is that these areas will:

- (1) serve as focal points for community activity organized around Community Hubs, with Transition Corridors to provide for a smooth transition from the denser commercial downtown cores and the surrounding lower-density residential neighbourhoods;
- (2) accommodate the majority of new growth and development in a manner that respects and maintains the unique historical character of each Urban Settlement Area and of existing residential neighbourhoods; and
- (3) provide appropriate locations so that major development can be efficiently provided with full municipal water and sewage services.

**Community Hubs** are the established downtown cores of the two Urban Settlement Areas. They are meant to serve as primary activity centres for the community and to feature a mix of uses, with a predominantly commercial orientation, while also accommodating residential uses to support local businesses and promote activity. **Stayner's** Community Hub extends along Main Street/Highway 26 between Airport Road/County Road 42 and Scott Street, and is primarily centred on the block

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<sup>3</sup> To be clear, Rural Crossroads, although mentioned separately, are included in this level of the hierarchy as lands located outside Settlement Areas.

between Perry Street and Huron Street. **Creemore's** Community Hub is centred at the intersection of Mill Street and Caroline Street, running north-south along Mill Street from Wellington Street to George Street, as well as along Caroline Street from Collingwood Street to Library Street.

The compact, pedestrian-friendly nature of Community Hubs is vital to fostering a healthy downtown economy and attracting visitors who come to experience the unique small-town charm of these areas. Therefore, one of this Official Plan's main objectives is to help maintain and improve the Community Hubs while retaining each area's historical built form and architectural legacy.

**Transition Corridors** in Urban Settlement Areas are located along principal routes into the Community Hubs, and are meant to provide an appropriate transition from the downtown core to surrounding lower-density neighbourhoods while retaining the area's historical built form.

The policies below provide general direction for development in Urban Settlement Areas, with a particular focus on Community Hubs and Transition Corridors.

1. New development in Urban Settlement Areas shall be provided with municipal water services and municipal sewage services, subject to the policies in Section 7.2 of this Official Plan.
2. Development within the designated greenfield area should be contiguous with, or should abut upon, the delineated built boundary or the existing built-up area.
3. Notwithstanding the overall intent of this Official Plan to direct major development to Urban Settlement Areas, certain industrial and employment uses may be directed away from Urban Settlement Areas to areas that are more appropriate for such uses (such as lands designated for industrial uses in another Settlement Area).
4. As land uses that generally require little to no municipal servicing and that feature low employment densities, commercial storage units and self-storage facilities are generally inappropriate for the Township's Urban Settlement Areas, and shall therefore only be permitted within an Urban Settlement Area through an amendment to this Official Plan.
5. Within Urban Settlement Areas, Council may permit reduced parking requirements to facilitate the provision of affordable housing or housing for senior citizens, to facilitate the adaptive re-use of an existing building, or in other circumstances where additional parking is not considered necessary or where a reduction is considered appropriate.
6. Council may prepare Secondary Plans to foster the continuing development of complete communities in Urban Settlement Areas, to support the viability and growth of local businesses, or to address the needs of the local community, which may include the preparation of Secondary Plans that specifically focus on Community Hubs or Transition Corridors.

### Community Hubs

7. Community Hub areas should be composed of street-oriented buildings, with ground floors devoted primarily to small-scale retail and service commercial uses and with upper floors having the potential to accommodate various residential and office commercial uses.
8. Commercial buildings that incorporate a residential component, such as dwelling units on upper floors and live-work units, will be strongly encouraged in Community Hubs.
9. Community Hub areas and land uses within those areas shall promote accessibility for residents and visitors of all ages and of all ability levels.
10. The Township may use site plan control, architectural control, design guidelines, and any other instruments at its disposal:
  - (a) to ensure that new development and redevelopment in Community Hubs is compatible with the historic character of adjacent properties and the surrounding area;
  - (b) to maintain Community Hubs as compact areas with street-oriented frontages that promote pedestrian access; and
  - (c) to promote the retention of distinctive architectural features and features of cultural heritage value or interest, wherever possible.
11. Wherever feasible, the Township will encourage and facilitate the adaptive re-use of buildings and structures, especially those with cultural heritage value or of potential heritage interest.
12. Council will continue to seek out opportunities to support and facilitate the improvement of the Township's Community Hubs, including:
  - (a) opportunities to make improvements to streetscape appearances and amenities, particularly along main streets and other highly used routes;
  - (b) opportunities to improve connections for active transportation and for public transit, both within Community Hubs and between Community Hubs and surrounding areas; and
  - (c) opportunities to enhance the role of main routes into Community Hubs as gateways to the downtown cores.
13. Open storage areas are strongly discouraged within Community Hub areas, and where permitted shall be subject to extensive buffering and screening requirements.
14. Large-format buildings, as well as uses primarily oriented towards automobile and motorized vehicular traffic, should be directed away from Community Hubs to other areas that are more appropriate for and better able to support such uses.
15. Vehicular parking in Community Hubs should prioritize the effective and optimal use of existing facilities wherever possible to avoid increases to surface parking area.

16. In order to maintain a pedestrian-friendly environment, off-street parking facilities in Community Hubs shall have minimal (if any) direct frontage along a public street, especially along main thoroughfares and important corridors, and large surface parking areas shall not be located between the front of the building and the street.
17. Council will encourage, and may permit, at its discretion, alternative methods to provide some or all required parking for new uses in Community Hubs, such as parking on another site within reasonable walking distance or shared parking agreements between owners of neighbouring or nearby properties.
18. Council may, at its discretion, permit a reduction in, or exemption from, off-street parking requirements in Community Hubs, especially where such a reduction or exemption would facilitate the adaptive re-use of buildings and structures, which may include the establishment of a parking exemption agreement pursuant to Section 40 of the *Planning Act*.
19. The implementing Zoning By-law may define and delineate areas in Community Hubs within which off-street parking requirements will be reduced or waived through a parking exemption agreement.
20. New development and redevelopment in Community Hubs will be encouraged to provide bicycle parking and storage facilities.
21. Loading facilities and curb-side pick-up points in Community Hubs should be located off-street or at the rear of buildings so as not to impede traffic along main thoroughfares.

### Transition Corridors

22. The permitted commercial uses in Transition Corridors will generally be limited to small-scale retail establishments, personal service stores, professional and business services, and other uses that are compatible with the existing built environment in the area.
23. The establishment of a new commercial plaza in a Transition Corridor in an Urban Settlement Area shall not be permitted.
24. The development of new commercial uses in Transition Corridors should proceed in an orderly manner with minimal impacts on existing adjacent residential uses, and preference will be given to development proposals that represent a natural extension of established commercial areas, particularly Community Hubs.
25. The establishment of new land uses in Transition Corridors should primarily take place by adaptive re-use, and development in Transition Corridors shall prioritize the preservation of existing buildings and structures to the fullest extent possible.
26. Council will strongly encourage the adaptive re-use of existing dwellings in Transition Corridors for permitted commercial uses, provided that any alterations made maintain the overall residential character of the property.



27. Council will encourage the provision of residential units on the upper floors of commercial buildings in Transition Corridors, especially within walking distance (approximately 800 metres) of Community Hubs.
28. Council will encourage the conversion of existing single dwellings in Transition Corridors to multiple dwellings, provided that:
  - (a) the conversion maintains the appearance of the existing dwelling and the character of the property; and
  - (b) the converted dwelling will be compatible with adjacent residential uses.
29. Where an application proposes to replace an existing building in a Transition Corridor with a new building, the Township may require the applicant to demonstrate that adaptive re-use of the existing building has been considered and has been determined not to be feasible.

## 2.2.2 Community Settlement Areas

**The Community Settlement Areas of New Lowell and Nottawa** are intended to serve as secondary centres that will accommodate a modest amount of population and employment growth, with the potential to accommodate some development, depending on the availability of appropriate water and sanitary sewage services. Community Settlement Areas do not have delineated built boundaries, meaning that development in these areas does not contribute towards the achievement of intensification targets and is not included when calculating the density of development in the designated greenfield area. The Township intends to monitor development activity in the two Community Settlement Areas to assess whether their possible future “promotion” to Urban Settlement Areas might warrant consideration.

In contrast to the Community Hubs found in the downtowns of the two Urban Settlement Areas, the Community Settlement Areas have smaller “Community Core” areas that serve as local activity centres. Nottawa’s “Community Core” is located along County Road 124, primarily between Queen Street and Batteaux Road, while the commercial and institutional uses along the south side of County Road 9 represent New Lowell’s “Community Core.” (Community Cores are informally defined areas that are not subject to any specific policies in this Official Plan.) Transition Corridors in Community Settlement Areas are meant to serve as “gateways” to the Community Cores and, like their counterparts in the Urban Settlement Areas, should provide a transition to the surrounding low-density residential areas.

This Official Plan’s overall objectives for the Township’s Community Settlement Areas are:

- (1) to provide for and maintain an appropriate mix of land uses that will support the achievement of complete communities;
- (2) to encourage infilling and intensification that maintain the area’s existing built character; and
- (3) to provide for some development as a logical extension of the existing built-up area.

The policies below provide overall guidance for planning and development in the Community Settlement Areas.

1. Development and redevelopment in Community Settlement Areas should occur in a way that maintains the area's existing small-town character and that is compatible with the use and built form of adjacent properties.
2. Development in Community Settlement Areas is encouraged to occur through infilling and intensification within the existing built-up area in a manner that is compatible with the use and built form of adjacent sites and with the built character of the neighbourhood.
3. New residential development occurring on individual sites will be encouraged to maintain consistency with the use and form of adjacent properties and to have regard for the neighbourhood's existing built character.
4. Residential infilling and new residential development on individual sites may be subject to architectural control, where such infilling or development will result in a parcel of land that contains ten or more dwelling units.
5. Council may consider proposals for development by plan of subdivision in a Community Settlement Area, but such development shall only be approved if Council is satisfied that:
  - (a) the development can be provided with water and sewage services to the full satisfaction of the Township without requiring the construction of new, or the major extension of existing, facilities or infrastructure;
  - (b) the proposed development represents appropriate growth for the community; and
  - (c) the proposed development represents either a logical rounding-out of existing development or a logical extension of the existing built-up area.
6. Council may prepare Secondary Plans to foster the development of complete communities within Community Settlement Areas, to address the needs of the local community, or to support the viability and growth of local businesses.

### Re-classification as Urban Settlement Area

7. Council may, at its discretion, consider the re-classification of an existing Community Settlement Area as an Urban Settlement Area through the preparation of a Secondary Plan, community master plan, Master Environmental Servicing Plan, environmental assessment, or similar studies that address the following matters:
  - (a) Municipal water services and municipal sewage services are, or will be, generally available in the Settlement Area to accommodate the majority of planned growth, and development using individual on-site water services and individual on-site sewage services or using partial services will not be permitted or will be limited to infilling and the rounding out of existing development, as appropriate.

- (b) The Settlement Area is capable of accommodating, or has experienced, sustained population growth, meaning reasonably consistent growth over a period of five or more consecutive years, that is comparable to the growth that would be expected in an Urban Settlement Area (generally meaning population growth that corresponds to an average annual growth rate of 1.8% or greater).
  - (c) Employment growth or potential employment growth in the Settlement Area makes it desirable to plan for a larger Settlement Area population than is currently provided for in this Official Plan, so that a greater number of people can live closer to their place of work.
  - (d) The demand for growth in the Settlement Area is such that the number of residential building permits issued is, or is capable of, significantly outpacing the target number of dwelling units presented in Table 2.3.
  - (e) Development patterns and activity make it desirable to consider the delineation of a built boundary and the establishment of a designated greenfield area within the Settlement Area, in consultation with Simcoe County and the Province.
  - (f) The mix of land uses in the Settlement Area, including residential uses featuring a range of densities and dwelling types, commercial uses, and public service facilities, are capable of supporting the creation of a complete community.
8. A Community Settlement Area does not necessarily need to meet all of the criteria listed in No. 2.2.2.7 to warrant re-classification as an Urban Settlement Area, but as a general rule:
- (a) the Settlement Area under consideration should fulfill a majority of the criteria listed in No. 2.2.2.7; and
  - (b) the servicing criterion in No. 2.2.2.7(a) should be considered a requirement.
9. The process of preparing a Secondary Plan or of undertaking any other studies for the purposes of No. 2.2.2.7 shall involve community consultation, both with the residents of the affected Settlement Area and with Township residents in general.
10. The regular review of this Official Plan, described in Policy No. 11.1.1.2, shall include a review of whether any existing Community Settlement Area sufficiently fulfills the criteria identified in No. 2.2.2.7 to warrant re-classification as an Urban Settlement Area.
11. The re-classification of a Community Settlement Area as an Urban Settlement Area shall require an amendment to this Official Plan for the purposes of:
- (a) amending the hierarchy of Settlement Areas presented in Section 2.2 to reflect the promotion;
  - (b) identifying and describing an appropriate Community Hub area, based on existing and approved land uses, in the introduction to Section 2.2.1;

- (c) removing all references to the Settlement Area as a Community Settlement Area in Section 2.2.2;
- (d) adjusting the target distribution of population growth and population projections presented in Table 2.1, as well as amending the text of Section 2.3.1 as necessary to reflect the adjustment;
- (e) adjusting the target distribution of dwelling units presented in Table 2.3, based on the adjusted target population distribution referred to in No. 2.2.2.11(d), which will include identifying in Table 2.3 the target number of units within the built boundary and the designated greenfield area of the promoted Settlement Area;
- (f) adjusting the projected number of dwelling units presented in Table 2.4 and, if necessary, adjusting the target distribution of units by density presented in that table;
- (g) amending Schedule A to this Official Plan to identify the Settlement Area as an Urban Settlement Area;
- (h) amending Schedule B to this Official Plan to identify the Community Hub area referred to in No. 2.2.2.11(b) and, where applicable, to delineate a built boundary in the promoted Settlement Area;
- (i) amending the text of this Official Plan to remove any references to the re-classified Settlement Area as a “Community Settlement Area”, wherever they appear, and to replace them with references to the Settlement Area as an “Urban Settlement Area”, which will include changes to any parts of the text that refer to the specific number of Urban Settlement Areas or of Community Settlement Areas in the Township; and
- (j) making any other amendments as may be necessary as a consequence of the amendments described in Nos. 2.2.2.11(a)-(i) above.

### 2.2.3 Rural Settlement Areas

**Clearview Township’s Rural Settlement Areas** are small communities that have very limited potential for growth, and new development will generally be directed away from these areas towards larger Settlement Areas. Development within the Rural Settlement Areas of Dunedin, Glen Huron, and Singhampton is also subject to the development permit system established under the *Niagara Escarpment Planning and Development Act* and to the criteria established in the NEP.

This Official Plan’s objectives for the Township’s Rural Settlement Areas are:

- (1) to allow only very limited amounts of development, generally only such development as is necessary to meet the needs of the local population or to support the agricultural economy;
- (2) to preserve the existing character and historic built heritage of Rural Settlement Areas and maintain the rural setting of these areas; and

- (3) to ensure that any development that does occur protects the natural environment and can exist in harmony with its surroundings.

The following policies provide general guidance for development in these areas, with the intent of supporting the achievement of the objectives listed above:

1. Any development occurring in a Rural Settlement Area shall:
  - (a) be compatible with the predominantly rural character of the Settlement Area and with the broader agricultural landscape;
  - (b) be undertaken in a manner that minimizes any impacts on adjacent properties and on the natural environment; and
  - (c) be provided with water and sewage services in a manner that is fully acceptable to, and approved by, the Township.
2. Proposals for development by plan of subdivision in a Rural Settlement Area shall generally not be approved.
3. New non-residential uses in Rural Settlement Areas should generally be of a scale and nature that is appropriate for the area.

#### Re-classification as Community Settlement Area

4. This Official Plan does not generally contemplate the re-classification of a Rural Settlement Area as a Community Settlement Area, but Council may consider such a re-classification if:
  - (a) a Community Settlement Area has been re-classified as an Urban Settlement Area in accordance with the policies in Section 2.2.2;
  - (b) an existing Rural Settlement Area:
    - (i) has exhibited sustained population growth comparable to what would be expected in a Community Settlement Area (meaning growth corresponding to an average annual rate of 1.4%–1.6% over a period of five or more consecutive years); or
    - (ii) has experienced demand for growth is such that the number of residential building permits being issued is significantly outpacing the target number of dwelling units presented in Table 2.3;
  - (c) a sufficient mix of uses is present to allow for the creation of a complete community in the Settlement Area; and
  - (d) development in the Settlement Area can be provided with water services and sewage services in a manner that is consistent with the policies in Section 7.2.3 of this Plan.

5. Outside of the circumstances listed in No. 2.2.3.4, Council may only consider the re-classification of a Rural Settlement Area as a Community Settlement Area if a unique situation or opportunity has arisen (such as a significant funding opportunity) that warrants or requires such a promotion.
6. The re-classification of a Rural Settlement Area as a Community Settlement area shall require an amendment to this Official Plan for the purposes listed, *mutatis mutandis*, in Policy No. 2.2.2.11 (with the exception of No. 2.2.2.11(h), which would not apply in such a situation).

## 2.2.4 Rural Crossroads

**The areas referred to as “Rural Crossroads”** are not designated as Settlement Areas for the purposes of this Official Plan, but are recognized as established small clusters of existing buildings and land uses. Some very limited development may occur on vacant lots of record within the Rural Crossroads areas, where such development supports the agricultural industry and the rural economy. The general intent is that Rural Crossroads will serve as focal points for small-scale development to provide economic opportunities outside of Settlement Areas while maintaining the existing character of the rural landscape.

This Official Plan identifies three named Rural Crossroads – Cashtown, Maple Valley, and Sunnidale Corners – and two other unnamed Rural Crossroads, each of them defined by drawing a “conceptual radius” around the associated intersection, as described in Policy No. 2.2.4.1(a) below. These “conceptual radii” are illustrated in Appendix B. In addition, the area along County Road 124 between Nottawa and the Town of Collingwood and within the 250-metre “conceptual buffer” (also shown in Appendix B), as described in Policy No. 2.2.4.1(b), is identified as a “Rural Crossroad”.

The land use designations shown on Schedule B to this Official Plan and the corresponding policies in Section 4 continue to apply within Rural Crossroads, as do all other applicable policies, including those in Section 7.5 regarding development adjacent to Provincial Highways and County Roads.

1. For the purposes of this section of the Official Plan, the following shall be considered “Rural Crossroads”:
  - (a) any lands located within the 400-metre conceptual radius around one of the following:
    - (i) the intersection of Highway 26 and County Road 10 (referred to informally as “Sunnidale Corners”);
    - (ii) the intersection of County Road 9 and County Road 42 (referred to informally as “Cashtown”);
    - (iii) the intersection of County Road 9 and County Road 124 (referred to informally as “Maple Valley”);
    - (iv) the intersection of County Road 7 and Concession Road 12 (Sunnidale); and
    - (v) the intersection of County Road 10 and Concession Road 9 (Sunnidale); and

- (b) any existing lot of record that directly abuts County Road 124 north of the Community Settlement Area of Nottawa and south of the municipal boundary with the Town of Collingwood, provided that, where any such lot has an area greater than 2 hectares, only those portions of the lot that are within 250 metres of County Road 124 shall be considered as being within the Rural Crossroads area.
- 2. The 400-metre conceptual radius referred to in No. 2.2.4.1 is intended as an approximation, and slight variations from this numerical value may be permitted in accordance with Section 12.2 of this Plan without requiring an amendment to this Official Plan.
- 3. The precise limits of each Rural Crossroads will be established in the implementing Zoning By-law using appropriate “Rural Crossroads” zones, based on the direction provided by No. 2.2.4.1, and amendments to the Zoning By-law that alter the limits of a Rural Crossroads may be permitted without an amendment to this Official Plan, provided that Council is satisfied that the proposed alteration maintains the general intent of this section of the Plan and is consistent with this Plan’s policies.
- 4. Further to No. 2.2.4.3, the final determination regarding whether any lands are or are not situated within a Rural Crossroads shall be made by Council at its sole discretion.
- 5. Lands designated “Agricultural” in a Rural Crossroads should be considered a preferred location for agriculture-related uses, subject to the policies in Section 3.3.2 of this Official Plan, and the Zoning By-law may identify one or more agriculture-related uses that are permitted “as of right” on such lands, provided that Council is satisfied that such uses meet the criteria set out in Policy No. 3.3.2.4 and Policy No. 3.3.2.6 in this Plan.
- 6. Where existing or former buildings or structures on a lot in the “Agricultural” designation in a Rural Crossroads have significantly reduced the ability of that lot to support agricultural operations, the lot in question:
  - (a) should be considered “lower-priority agricultural lands” for the purposes of evaluating alternative locations for agriculture-related uses or for non-agricultural uses; and
  - (b) should be considered as being lower in priority than lands in prime agricultural areas that are located outside Rural Crossroads.
- 7. Lands not designated “Agricultural” in a Rural Crossroads, other than lands in one of the “Greenlands” designations, should be considered a preferred location for non-agricultural uses, subject to the policies in Section 3.4.4 of this Official Plan, and the Zoning By-law may place any such lands in a zone within which:
  - (a) one or more agriculture-related uses may be permitted “as of right,” provided that Council is satisfied that such uses are consistent with the applicable policies in this Official Plan; or



- (b) one or more non-agricultural uses may be permitted “as of right,” provided that Council is satisfied that such uses comply with the relevant policies in Section 3.4.4 of this Plan and are consistent with this Plan’s overall intent for Rural Crossroads.
- 8. Agriculture-related uses, as defined in Section 3.3.2 of this Official Plan, will be encouraged to locate within Rural Crossroads areas, as will non-agricultural uses that are more suitable for locations outside Settlement Areas, such as farm equipment sales and service, veterinary clinics, kennels, landscaping companies, and garden centres.
- 9. Where a new agriculture-related use or a new non-agricultural use is proposed in the “Agricultural” designation outside of the Rural Crossroads areas, the Township may require the proponent to demonstrate that lands within the Rural Crossroads areas have been considered as alternative locations for the proposed use.
- 10. No land use that requires municipal water services or municipal sewage services shall be permitted in a Rural Crossroads.
- 11. The following uses shall not be permitted within a Rural Crossroads area:
  - (a) automobile-related uses, including towing companies, auto mechanic shops, auto wrecking or salvage yards, and the sale or servicing of motor vehicles or recreational vehicles;
  - (b) storage uses, including commercial self-storage facilities and the seasonal storage of boats, trailers, or other vehicles;
  - (c) “in-between” uses, other than those specifically identified in No. 2.2.4.8 above;
  - (d) recreational uses, including rural retreats, campgrounds, and fairgrounds;
  - (e) conference centres, banquet halls, wedding venues, hotels, and restaurants;
  - (f) institutional uses;
  - (g) facilities for the storage of biosolids or for the composting of non-agricultural source materials;
  - (h) uses that require or occupy large amounts of land; and
  - (i) any use that requires large amounts of water, that generates large amounts of effluent, or that is otherwise better suited for locations with full municipal water services and municipal sewage services.
- 12. New residential uses shall generally not be permitted within Rural Crossroads areas.
- 13. Anyone proposing development in a Rural Crossroads shall be required to demonstrate that site conditions are suitable for the provision of individual on-site water services and individual on-site sewage services with no negative impacts.



14. Development in Rural Crossroads shall be designed to be compatible with the character of the rural landscape and with existing uses in the area.
15. Lot creation in a Rural Crossroads may be permitted according to the policies in Section 11.9 that apply to the land use designation or designations in which the subject land is located.

## 2.3 Growth Management

**The overall goal of the Township's growth management policies** is to manage and direct future population and employment growth according to the hierarchy established in the previous section. This Official Plan envisions a fair portion of this growth being accommodated through infilling and intensification within Urban Settlement Areas – particularly within the established downtown areas of Stayner and Creemore – and, to a lesser extent, within Community Settlement Areas. At the same time, this Plan intends for such growth and intensification to take place in a way that maintains the existing character and that respects the unique history of the Township's various Settlement Areas.

Aside from infilling and intensification, development in designated greenfield areas in Stayner and Creemore is expected to accommodate most of the Township's planned growth. Depending on the amount of growth that takes place, the boundaries of the Urban Settlement Areas may be expanded at some point in the future, whereas the outward growth of Community Settlement Areas is intended to be limited to lands within the current settlement area boundaries.

The expansion of the boundaries of any Settlement Area shall only be permitted in accordance with Section 1.1.3 of the PPS (2020), Section 2.2.8 of the Growth Plan, and all other applicable policies and Provincial Plans as may be in effect at the time.

### 2.3.1 Population & Employment Forecasts

**The forecasts for population and employment growth** presented here are based on forecasts from Amendment No. 7 to the SCOP, which was adopted by Simcoe County on August 9, 2022, but has not yet been approved by the Province. Once Amendment No. 7 is approved, the SCOP will direct the Township of Clearview to plan for a total population of 21,820 people and for total employment of 6,470 jobs by 2051. Assuming a net Census under-coverage rate of about 2.8%, the population of Clearview Township in 2021 was 15,229 people.<sup>4</sup> The projected population of 21,820 people

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<sup>4</sup> It is generally necessary to adjust Census results to account both for under-coverage (people who were not counted in the Census) and for over-coverage (people who were counted more than once). The net under-coverage rate for Ontario in both the 2011 Census and the 2016 Census was around 2.8% (the studies on which these rates are based are not yet complete for the 2021 Census). For a detailed explanation, see Statistics Canada, "Differences between Statistics Canada's census counts and population estimates" (<https://www.statcan.gc.ca/en/hp/estima>).

would therefore represent an increase of 6,591 people over a period of thirty years, corresponding to an average annual growth rate of approximately 1.2%.

Estimates calculated using Census Dissemination Block<sup>5</sup> data from Statistics Canada suggest that, in 2021, over half of Clearview's population lived in the Township's Urban and Community Settlement Areas. These estimates also indicate that almost 40% of the population lived outside the Township's Settlement Areas. If the population growth projected for the Township were to follow this same distribution, then by 2051 there would be just over 8,500 people living outside of Settlement Areas. The municipal services and infrastructure that would be required to support this population would place immense strain on the Township's financial resources – not to mention the severe detrimental impact it would have on agriculture and on the Township's rural landscape. This Official Plan therefore directs the majority of the population growth projected to take place between 2021 and 2051 to the two Urban Settlement Areas, with much of the remaining growth being directed to the Community Settlement Areas. The specific distribution of population growth among the Township's Settlement Areas is shown in Table 2.1 (p. 30), including the share directed to each Urban Settlement Area and each Community Settlement Area. Table 2.1 directs three quarters of the growth in Urban Settlement Areas to Stayner ( $52.5\% = 0.75 \times 70\%$ ) and the remaining quarter to Creemore, while the population growth in Community Settlement Areas has been divided with 60% occurring in Nottawa ( $12\% = 0.6 \times 20\%$ ) and the other 40% in New Lowell.

It should be noted that the full build-out of available land in Stayner combined with potential intensification as envisioned in this Plan could result in growth that exceeds this Official Plan's population and housing forecasts. This Plan therefore provides for the consideration of additional development that might exceed these forecasts within the "Future Development" designation (see Section 4.2.3). The Township may establish new and different growth forecasts for the purposes of infrastructure planning and related studies and initiatives, based on the full build-out potential of Stayner and the other Settlement Areas. However, the expansion of the boundaries of any Settlement Area, or the conversion of any employment area to a non-employment use, shall only be permitted where it is needed to accommodate the growth forecasts presented in this section of the Plan and in accordance with all applicable policies of this Official Plan, the County of Simcoe, and the Province as may be in effect at the time. It should be further noted that the forecasts presented here are for the entire Township and are not meant to be applied on a site-specific level as the basis for approving or refusing proposed development that otherwise conforms with the policies of this Plan, the SCOP, and the Growth Plan.

<sup>5</sup> Dissemination Blocks are the smallest geographical areas for which Census data are available. Most Census results are given at the Census Subdivision level (where a "Census Subdivision" is the same as a municipality). Census Subdivisions are usually divided into multiple Dissemination Areas, which are themselves subdivided into Dissemination Blocks. In places where there is a well-established street network, a Dissemination Block essentially covers the same area as a city block.



**Table 2.1 – Target distribution of population growth to 2051**

Settlement Area	Estimated population, 2021 <sup>(a)</sup>	Target share of popul'n growth	Projected population		
			2031	2041	2051
Urban Settlement Areas	6,401	70%	7,759	9,289	11,015
Stayner	5,056	52.5%	6,074	7,222	8,516
Creemore	1,345	17.5%	1,685	2,067	2,499
Community Settlement Areas	2,101	20%	2,489	2,926	3,419
New Lowell	965	8%	1,120	1,295	1,492
Nottawa	1,136	12%	1,369	1,631	1,927
Rural Settlement Areas	793	6%	909	1,041	1,188
Lands outside Settlement Areas	5,934	4%	6,012	6,099	6,198
<b>Total, Clearview Township</b>	<b>15,229</b>	<b>100%</b>	<b>17,169</b>	<b>19,355</b>	<b>21,820</b>

<sup>(a)</sup>Based on 2021 Census Dissemination Block data from Statistics Canada.

**Table 2.2 – Projected employment growth in Clearview, 2021-2051**

Employment type	No. of jobs				Job growth, 2021-2051
	2021	2031	2041	2051	
Population-Related	2,360	2,650	3,000	3,180	+820
Employment Land	390	560	850	1,190	+800
Rural	1,600	1,730	1,860	1,910	+310
<b>Total Employment</b>	<b>4,350</b>	<b>4,940</b>	<b>5,710</b>	<b>6,280</b>	<b>+1,930</b>

Source: Hemson Consulting, *Growth Forecasts and Land Needs Assessment* (31 March 2022), Appendix D (Detailed Forecast Results).

Table 2.2 shows projected employment growth in the Township by job type, based on forecasts prepared for Simcoe County. The table does not allocate jobs to specific Settlement Areas, although it is expected that employment growth will be located according to the following:

- (1) Population-related employment – that is, jobs that primarily serve the resident population, such as jobs in the service industry, retail, and education – will be predominantly located in areas designated for commercial and institutional land uses.
- (2) Employment land-based employment – generally consisting of more traditionally “industrial-type” jobs – will, as the name suggests, be located in industrial and employment land use designations.
- (3) Rural-based employment – jobs primarily related to agriculture and to the extraction of natural resources – will, by definition, be located outside of Settlement Areas.

Table 2.2 forecasts a relatively even split between growth in the number of population-related employment and employment land based-jobs, at about 42% of all job growth for each of the two job types, with the remaining 16% of projected job growth being rural-based employment.

Overall, this Official Plan intends for growth to take place according to the principles articulated in this section and based on the hierarchy of Settlement Areas presented in Section 2.2 above. At the same time, the Township intends to monitor development activity for possible emerging trends (such as a greater-than-anticipated need for housing in Community Settlement Areas, for example), and Council may consider amendments to this Official Plan to accommodate growth patterns that differ significantly from what is anticipated.

1. The objectives of this Official Plan’s policies for the Township’s Settlement Areas are:
  - (a) to facilitate a rational approach to growth and development;
  - (b) to maintain the small-town character and the built heritage of Settlement Areas;
  - (c) to emphasize Urban Settlement Areas as focal points for development and as centres for community activity;
  - (d) to preserve and protect natural heritage features and areas, prime agricultural areas, and the predominantly rural landscape; and
  - (e) to monitor population growth in Settlement Areas, using the targets and distributions presented in this section as a reference point.
2. Wherever possible, new development should take place on municipal water services and municipal sewage services and in a way that optimizes the use of existing infrastructure.
3. New residential development should occur as a logical extension to existing built-up areas.
4. It is the intent of this Plan to direct most commercial uses and activity to Community Hubs in Urban Settlement Areas, while recognizing that other Settlement Areas will also require some commercial uses to serve the needs of their residents.



5. Industrial and employment uses should be located as close as reasonably possible to where the majority of the population resides, while balancing other factors such as servicing requirements and potential impacts on surrounding land uses.
6. The Township will use the policy tools at its disposal to ensure that major development is compatible with the surrounding area and appropriately integrated with the established character of the built environment.
7. Any development taking place outside of Settlement Areas will occur in a manner that ensures that agriculture remains the defining characteristic of the rural landscape.

### 2.3.2 Intensification & Density

**In general, intensification involves** development and redevelopment that increases density and can take place in many different ways. Residential intensification, which increases population density, includes residential infilling (i.e., the development of residential uses on vacant sites), the redevelopment of under-utilized sites, and the creation of additional residential units on existing residential properties. Commercial intensification, which increases employment density (the number of jobs within a given area), includes commercial infilling and redevelopment, which may involve the adaptive re-use of existing structures.

Intensification efforts will be predominantly focused on Urban Settlement Areas, specifically on Community Hubs, as the most appropriate locations for higher-density development. The Township also foresees that a significant amount of development will take place outside of existing built-up areas in order to address the needs of a growing population. It is the intent of this Plan to direct much of this new development to the designated greenfield area in Urban Settlement Areas.

1. The Township will encourage intensification and infilling in order to achieve a target of at least 30% of new residential units each year being located within the delineated built boundaries of the Urban Settlement Areas.
2. The Township intends to achieve its intensification target by permitting intensification on individual residential properties and by encouraging and promoting infilling, redevelopment, and adaptive re-use.
3. The Township will ensure that development in designated greenfield areas is planned and designed to achieve a minimum density of 45 residents and jobs per hectare.
4. The Township intends to achieve its density target using the various policy tools at its disposal, which include zoning standards, the approval process for plans of subdivision, site plan control, and other such methods.

### Residential Infilling

5. Residential infilling, defined as redevelopment on individual vacant or under-utilized residential lots within the delineated built boundary or within an existing built-up area, will be encouraged in the Community Hub areas of the two Urban Settlement Areas.
6. Residential infilling may be permitted in Urban Settlement Areas and in Community Settlement Areas, so long as Council is satisfied that:
  - (a) the proposed method of servicing is in accordance with standards established by the Township and will not require the major extension of municipal services;
  - (b) the proposed development will have access to a public road that meets the Township's minimum standards, and access to the site can be provided without unduly impeding the flow of traffic along Arterial and Collector Roads or creating a traffic hazard; and
  - (c) adequate public service facilities, including parks and schools, are available.
7. Residential infilling will be subject to site plan control and architectural control, where such measures are authorized under the *Planning Act*, to ensure appropriate integration with the existing built character of the area.
8. Council may, at its discretion, permit the entering into of parking exemption agreements or other alternative parking arrangements, in order to facilitate residential infilling, adaptive re-use, the provision of affordable housing units, or the achievement of intensification targets.

### Commercial Infilling

9. Commercial infilling, defined as redevelopment on a vacant or under-developed lot within a Commercial land use designation, may be permitted in Urban Settlement Areas.
10. Commercial infilling may be permitted in circumstances where Council is satisfied that:
  - (a) the property can be provided with municipal water services and municipal sewage services capable of accommodating the proposed use without requiring the major extension or expansion of municipal services or infrastructure;
  - (b) the proposed development will have access to a public road that meets the Township's minimum standards; and
  - (c) access to the site can be provided without unduly impeding the flow of traffic along Arterial and Collector Roads or creating a traffic hazard.
11. Commercial infilling projects that incorporate residential units may be permitted, provided that Council is satisfied regarding the adequacy of municipal services, the availability of public service facilities, and the sufficiency of on-site parking facilities.
12. The proponent of a commercial infilling project may be required to submit studies or reports, including Commercial Impact Studies, as part of a complete application.

13. Commercial infilling will generally be subject to site plan control and architectural control to ensure compatibility with the existing built character of the area.
14. Council may, at its discretion, permit the proponent of a commercial infilling project to enter into a parking exemption agreement or to use other alternative parking arrangements in appropriate areas, especially to facilitate the adaptive re-use of existing buildings.
15. Adequate off-street loading facilities shall be provided in a manner that minimizes risks to vehicular and pedestrian traffic.

## 2.4 Housing

According to the housing forecasts prepared for Simcoe County as part of its recent municipal comprehensive review, Clearview Township is expected to see demand for a total of 3,680 new dwelling units between 2021 and 2051. In accordance with Policy No. 2.3.2.1 above, 30% of these new units are to be located within the delineated built boundaries of the Urban Settlement Areas.

**Table 2.3 – Target distribution of new dwelling units, 2021-2051**

Settlement Area	No. of new dwelling units...		
	...by 2031	...by 2041	...by 2051
Urban Settlement Areas	1,024	2,264	2,944
Stayner	768	1,698	2,208
<i>within built boundary</i>	288	637	828
<i>in designated greenfield area</i>	480	1,061	1,380
Creemore	256	566	736
<i>within built boundary</i>	96	212	276
<i>in designated greenfield area</i>	160	354	460
Community Settlement Areas	174	385	500
New Lowell	77	170	220
Nottawa	97	215	280
Rural Settlement Areas	51	113	148
Lands outside Settlement Areas	31	68	88
<b>Total, Clearview Township</b>	<b>1,280</b>	<b>2,830</b>	<b>3,680</b>

**Table 2.4 – Target share of housing density types per Settlement Area**

Settlement Area type	Total no. of new units by 2051	Low-density	Medium-density	High-density
Urban Settlement Areas	2,944	60%	30%	10%
Community Settlement Areas	500	75%	25%	0%
Rural Settlement Areas	148	100%	0%	0%
Lands outside Settlement Areas	88	100%	0%	0%

The other 70% is to be distributed so that 50% of new units are located in designated greenfield areas and the remaining 20% in the Township's "rural" area, which includes the Community Settlement Areas and Rural Settlement Areas. Table 2.3 below identifies the number of new units in the different Settlement Areas according to this target distribution. New units within the built boundary and in the designated greenfield area have been distributed between Stayner and Creemore according to the share of population growth shown in Table 2.1 (three quarters of new units in Stayner and one quarter in Creemore), while the remaining new units have been similarly distributed among the Community Settlement Areas, Rural Settlement Areas, and lands outside Settlement Areas in a way that reflects the target distribution shown in Table 2.1.

The general housing policies set out in this section of the Official Plan are intended to promote the provision of a full range of dwelling unit types, sizes, and tenancies (both rental and ownership) by establishing targets for the share of new housing development that should be provided at different densities (low, medium, and high). This section of the Plan also contains policies for the provision of affordable housing, as well as for various forms of congregate housing.

### 2.4.1 General Housing Policies

**The main objective of this** Official Plan's housing policies is to accommodate the projected demand for dwelling units in a manner that ensures the provision of a full range of unit types, sizes, and tenancies and addresses the housing needs of people of all ages, abilities, and income levels.

1. The Township shall ensure that all residential development provides an appropriate and adequate mix of dwelling unit types and sizes.
2. For the purposes of this Official Plan, residential densities shall generally be categorized according to the following ranges:
  - (a) low-density development should generally be between 10 and 16 dwelling units per gross hectare;

- (b) medium-density development should generally be between 16 and 24 dwelling units per gross hectare; and
  - (c) high-density development should generally be between 24 and 30 dwelling units per gross hectare.
- 3. It is the intent of this Official Plan that all new residential development will be guided by the distribution targets set out in Table 2.3 and by the targets established in Table 2.4 for the share of housing density types to be achieved in different Settlement Areas.
- 4. The Township will monitor the density and mix of unit types of new residential development on an on-going basis to assess whether the targets set out in Table 2.3 and Table 2.4 are being met, and may establish requirements for individual development proposals regarding the mix of unit types and densities.
- 5. While it is the intent of this Official Plan that the density of residential development will primarily be assessed according to the ranges identified in No. 2.4.1.2 above, as a general guideline different dwelling unit types will be categorized according to the following:
  - (a) single detached dwellings, semi-detached dwellings, duplex dwellings will generally be categorized as “low-density” forms of housing, as will street-fronting townhouse dwellings when integrated with those other ground-related forms of housing;
  - (b) townhouses and row houses will generally be categorized as “medium-density” forms of housing;
  - (c) apartment buildings, meaning multiple-unit buildings that are three or more storeys in height, will generally be categorized as “high-density” forms of housing.
- 6. Where the Township has established requirements regarding the mix of unit types and densities in an individual development proposal, the medium-density and high-density components of such requirements may, at the Township’s discretion, include the provision of single detached dwellings and semi-detached dwellings on lots that are sized so as to achieve the density ranges set out in Policy No. 2.4.1.2 above.
- 7. The implementing Zoning By-law will provide for an appropriate mix and range of housing types, densities, and lot sizes, according to the targets established in this section of the Official Plan and taking into account factors such as proximity to Community Hubs and access to community services and facilities.
- 8. Further to No. 2.4.1.7, the implementing Zoning By-law will:
  - (a) implement the target density mixes presented in Table 2.4 by establishing a variety of residential zones in different Settlement Areas;
  - (b) establish residential zones for different densities that generally reflect the categories described in No. 2.4.1.5;



- (c) avoid establishing zones in which single detached dwellings are the only dwelling type permitted;
  - (d) establish zones that “straddle” different density categories (such as zones that permit some medium-density residential uses alongside low-density uses, or zones that permit some high-density residential uses alongside medium-density uses);
  - (e) establish one or more higher-density zones within which single detached dwellings are not permitted;
  - (f) take into account the locational criteria for medium-density and high-density residential development expressed in Section 4.2.1 when establishing zones where such development will be permitted;
  - (g) incorporate standards and requirements for elements such as lot area and dwelling sizes that help implement the density ranges identified in Policy No. 2.4.1.2; and
  - (h) establish standards that provide for compatibility where different dwelling types are permitted in the same zone or where different zones abut one another, regarding matters such as appropriate lot frontages, lot depths, setbacks, lot coverage, outdoor amenity areas, and screening.
9. The Township will cooperate with developers and with the private sector to ensure the provision of the full range of housing options through development agreements, plan of subdivision approvals, and any other such tools that Council has at its disposal.
  10. The Township intends to monitor the stock of housing and overall residential development activity, which may include maintaining a register of approved additional residential units.

## 2.4.2 Additional Residential Units

The term “additional residential unit” refers to a dwelling unit that has been created on an existing residential property, either within a building that contains an existing dwelling or in an accessory building or structure. This Official Plan refers to a unit created within an existing dwelling as an attached additional residential unit and to a unit in an accessory building as a detached additional residential unit. The latter includes a “garden suite,” which is a form of detached additional residential unit that is designed to be portable and installed on a temporary basis. (The term “garden suite” comes from Section 39.1 of the *Planning Act*.)

The creation of additional residential units within the built boundaries of the Township’s Urban Settlement Areas contributes towards the achievement of the intensification target set out in Policy No. 2.3.2.1 above.

1. The creation of an additional residential unit in a single detached dwelling, a semi-detached dwelling, or a townhouse dwelling, or in a building ancillary to such a dwelling, shall be permitted if:
  - (a) the property on which the additional residential unit will be created is located within one of the Settlement Areas identified in Section 2.2 of this Plan;
  - (b) the Zoning By-law identifies at least one residential use as a permitted primary use on the property on which the additional residential unit will be created;
  - (c) the additional residential unit will be provided with municipal water services and municipal sewage services; and
  - (d) there will, following the creation of the additional residential unit, be:
    - (i) no more than a total of three dwelling units within the single detached dwelling, semi-detached dwelling, or townhouse dwelling and in all buildings and structures that are ancillary to that dwelling; and
    - (ii) no more than one dwelling unit in all buildings and structures ancillary to the single detached dwelling, semi-detached dwelling, or townhouse dwelling.<sup>6</sup>
2. In situations where the criteria set out in Policy No. 2.4.2.1 are not met, the creation of an additional residential unit or of a garden suite shall only be permitted if:
  - (a) the proposed method of providing the additional residential unit or garden suite with water and sewage services is acceptable to, and approved by, the Township; and
  - (b) the Township is satisfied that sufficient capacity in existing water and sewage systems is capable of accommodating the additional residential unit or garden suite.
3. Further to Policy No. 2.4.2.2, municipal water services and municipal sewage services shall be the only method of providing an additional residential unit with services that is considered acceptable within an Urban Settlement Area.
4. In situations where the criteria set out in Policy No. 2.4.2.1 are not met, and subject to Policy No. 2.4.2.2, the creation of one additional residential unit, either as an attached additional residential unit or as a detached additional residential unit (including a garden suite), may be permitted in a Community Settlement Area, provided that:
  - (a) the principal dwelling on the property is identified in the Zoning By-law as a permitted use in the zone in which the property is located;

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<sup>6</sup> The items listed in Clauses 2.4.2.1(a), (b), and (c) reflect the criteria used to define “parcel of urban residential land” in Subsection 1 (1) of the *Planning Act*.

- (b) there will, following the creation of the additional residential unit, be no more than two dwelling units on the property;
  - (c) the additional residential unit will be clearly ancillary to the principal dwelling;
  - (d) the creation of the additional residential unit will not have adverse impacts on abutting properties; and
  - (e) the size of the lot and the total area covered by all buildings and structures following the creation of the additional residential unit are such that:
    - (i) sufficient permeable area will remain on the lot to provide for adequate site drainage; and
    - (ii) an adequate amount of private outdoor amenity space for those living on the property is provided.
5. The creation of an attached additional residential unit in a Rural Settlement Area<sup>7</sup> may be permitted, subject to Policy No. 2.4.2.2 above, and provided that:
- (a) the existing dwelling on the property is identified in the Zoning By-law as a permitted use in the zone in which the property is located; and
  - (b) the additional residential unit will be fully integrated into the existing dwelling in a way that maintains the dwelling's existing character and exterior profile, especially when seen from the street.
6. A detached additional residential unit, including a garden suite, may be permitted in the "Rural" and "Agricultural" designations, subject to all other applicable policies in this Official Plan, but shall only be permitted within a building located within the same building cluster as the principal dwelling on the property.
7. The creation of a new lot for a detached additional residential unit or for a garden suite shall not be permitted.
8. One additional off-street parking space shall be required for each additional residential unit and each garden suite, as regulated by the implementing Zoning By-law.
9. Wherever possible, any parking spaces required for additional residential units should be accommodated on already existing on-site facilities.

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<sup>7</sup> None of the Township's Rural Settlement Areas are served by municipal water services or municipal sewage services, meaning that no parcel of land in a Rural Settlement Area will meet the criterion listed as No. 2.4.2.1(c) above.

10. Subject to the regulations of the implementing Zoning By-law, any parking space required for an additional residential unit:
  - (a) may be provided as a tandem parking space; and
  - (b) may be located within a garage or carport.

### 2.4.3 Affordable Housing

As housing prices in Ontario and across Canada continue to rise, the provision of affordable housing will become more and more important. Over the past ten years alone, the cost of a new home in Ontario has risen by almost 40% – Statistics Canada's New Housing Price Index for Ontario (which uses December 2016 prices as its reference value of 100.0) has risen from 88.4 in December 2012 to 127.3 in December 2022. The 2021 Census reported that there were 1,000 households in Clearview Township that were spending 30% or more of household income on shelter costs, indicating that these households were facing challenges related to housing affordability.

The Township recognizes the ongoing need to address the affordability of housing. One response to that need is the recent Community Safety & Well-Being Plan, which was developed by the Township and its municipal partners in the South Georgian Bay Geographical Municipal Grouping and which includes strategies related to housing affordability. The Township also recognizes the need to remove the stigma associated with affordable housing, which too often can result in these members of our community becoming even more marginalized. The reality is that anyone could find themselves facing challenges related to the cost of shelter at some point in their life.

Furthermore, the provision of affordable housing has benefits that extend beyond those who stand in immediate need. Rapidly rising prices create gridlock in the housing continuum:<sup>8</sup> with fewer people able to afford full home-ownership, fewer rental units become available, which means that rental costs rise and those who had previously been able to afford rental housing find themselves priced out of the market. On top of this, many people live in circumstances where an unexpected disruption to their regular income could result in serious financial challenges.

Overall, the policies in this section and throughout this Official Plan are intended to promote the provision of affordable housing, to encourage new initiatives, and to support and enhance the effectiveness of ongoing efforts by all levels of government and within the community.

1. The Township will strive to ensure that at least 10% of all new residential units each year are affordable units.

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<sup>8</sup> The term "housing continuum" refers to a full spectrum that runs from homelessness, through emergency and transitional housing, to affordable housing, market-rate rentals, and full ownership.

2. Council will encourage, and may require, the provision of affordable housing units as a condition for the approval of plans of subdivision or other larger-scale development projects.
3. In recognition of the fact that housing affordability is becoming a matter of concern for a growing segment of the population, Council may, when requiring the provision of units of affordable housing as a condition of development approval, specify one or more income ranges for which such units must be considered affordable (where “affordable” refers to housing whose costs are less than 30% of the household’s before-tax income).
4. Where appropriate, the Township will encourage the development of smaller single detached dwellings and semi-detached dwellings on smaller lots as one way of improving the affordability of housing, and will discourage the development of large dwellings on smaller lots, particularly where elements of the dwelling (such as height, setbacks, and lot coverage) are clearly excessive for, or disproportionate to, the size of the lot.
5. Council encourages the provision of affordable housing near the community supports and services needed for people to successfully stay housed once they have secured housing.
6. Council will support the provision of affordable housing, particularly affordable rental housing, by encouraging and supporting:
  - (a) the establishment of higher-density residential uses in and near Community Hubs;
  - (b) the conversion of single detached dwellings into multiple dwellings, where appropriate;
  - (c) the creation or restoration of residential units above ground-floor commercial uses in appropriate areas, such as in Community Hubs; and
  - (d) the adaptive re-use of under-utilized housing and the redevelopment of residential and former commercial sites where municipal water services and municipal sewage services are available, where such re-use and redevelopment is appropriate for the site and for the neighbourhood.
7. The implementing Zoning By-law shall:
  - (a) permit a full range of dwelling unit sizes by providing for the development of smaller dwelling units, including smaller single detached dwellings;
  - (b) permit a range of lot sizes for single detached dwellings, with an emphasis on improving affordability through the provision of single dwellings on smaller lots; and
  - (c) be flexible enough to accommodate innovative forms or types of housing.
8. As part of its monitoring of the overall housing stock, the Township will monitor the stock of affordable housing and the percentage of new units each year that are affordable units.



### Incentives & Agreements

9. The Township may enter into agreements with proponents of development for the purpose of ensuring the maintenance of units as affordable units for a set period of time.
10. The Township may provide relief or other incentives for the provision of affordable housing that have regard to the optimum standards set out in the County of Simcoe's Municipal Housing Tools & Incentives Best Practices, including:
  - (a) reduced or waived planning and building fees;
  - (b) reduced property taxes or exemptions from property tax for as long as affordable housing is maintained;
  - (c) relief from development charges associated with affordable units, such as a grant for development charges provided with a commitment to maintain affordable housing for a minimum period of time;
  - (d) reduced or waived requirements for parkland dedication; and
  - (e) exemptions from parking requirements.
11. The Township will seek and pursue opportunities to apply for funding, grants, and subsidies from other levels of government in support of the provision of affordable housing.

### Coordination & Cooperation

12. Clearview Township will continue to participate in Simcoe County's Municipal Liaison Group, or any successor thereto, as part of the County's Affordable Housing and Homelessness Prevention Strategy.
13. Clearview Township commits to its role within the South Georgian Bay and Springwater Geographic Municipal Grouping and in helping to achieve the strategic goals established in the Community Safety and Well-Being Plan, or any successor thereto.
14. The Township will:
  - (a) work with the private sector, with public agencies, and with other levels of government to ensure the provision of a full range of housing options that includes affordable housing;
  - (b) engage with the private sector to understand and address potential barriers to the provision of affordable housing;
  - (c) seek out opportunities to engage with developers who specialize in providing affordable and attainable housing; and
  - (d) continue to support, and seek opportunities to coordinate with, community organizations that advocate for each resident's right to attainable housing.

## 2.4.4 Congregate Housing

**The term “congregate housing” refers to** any form of housing that addresses the needs of a specific group or segment of the population, such as that provided by nursing homes, assisted-living and long-term care facilities, emergency shelters, public and social housing, and housing for people with special needs. Congregate housing also includes “age-friendly” housing, meaning forms of residential development more suited to meet the needs of older residents, perhaps by requiring less maintenance or by being more conveniently located with respect to public service facilities and support services. Providing older residents with housing options that allow them to continue living in the place they call home can, in turn, help make more options available for multi-person households, thus attracting younger generations to the community while retaining the Township’s established older population.

1. The Township will work to ensure that a sufficient supply of congregate housing options is available to address the needs of the community.
2. The Township will work with private developers and public agencies to ensure a sufficient and affordable supply of housing for people of all ages and all abilities.
3. Council shall ensure that congregate housing:
  - (a) is located on a site provided with municipal water services and municipal sewage services;
  - (b) has adequate access to Arterial or Collector Roads; and
  - (c) is integrated within an area where community services, facilities, and amenities can be easily accessed.
4. Council may permit appropriately scaled forms of congregate housing in any land use designation that permits residential uses, provided that such congregate housing does not have a correctional component.
5. Congregate housing and public service facilities shall be designed in a way that:
  - (a) makes them accessible for people of all ages and all abilities; and
  - (b) minimizes their impact on adjacent uses, including impacts on the character of the built environment.
6. Council will encourage forms of housing that facilitate aging-in-place, including the development of lower-maintenance forms of housing oriented towards older residents.
7. Housing options that address the needs of older residents should be provided in accessible locations close to essential services and public service facilities.

8. The Township may support the provision of aging-in-place facilities by helping identify available lands that are suitable for age-friendly housing.
  9. Council may provide incentives, such as reduced parking requirements, for housing intended to accommodate older residents.
  10. The Township will support community agencies in their pursuit of funding opportunities.
  11. The implementing Zoning By-law shall ensure that forms of congregate housing that do have a correctional component are appropriately located.
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# Rural & Agricultural Lands

AGRICULTURE · ON-FARM USES · RURAL AREAS

Photo: Wheat field on the east side of Klondike Park Road, just north of Highway 26.

**At this time of year,** the stalks of wheat are short and still green, having only just recently begun to sprout. It's the last week of May, and the wind is warm, carrying the smell of new grass and freshly turned earth – along with the distinct aroma of, shall we say, organically generated fertilizer. If you think about it, planning and farming actually share some similarities: you choose what you want to grow based on what people need and what the land can support, you set targets and keep track of changes to the environment, but, when it comes right down to it, you can't force anything to grow. What you can do – what you do – is make smart choices, working to provide the best possible conditions for growth to happen.

**This section of the Official Plan** provides policies regarding development in the “Rural” and “Agricultural” designations, which are located outside of the Township’s Settlement Areas. One of the major priorities of the PPS (2020) is the protection of Ontario’s prime agricultural areas and preserving these areas for long-term agricultural use. Rural areas, which are defined as areas located outside prime agricultural areas and outside of Settlement Areas, play a crucial role in supporting the agricultural economy, but also allow healthy rural communities to thrive and improve quality of life for all of Clearview Township’s residents.

## 3.1 Goals & Principles

The policies for the “Rural” and “Agricultural” designations in this section of the Official Plan are guided by the following goals and principles:

1. Ensure agriculture remains an important component of the Township’s economy and a prominent feature of the rural landscape.
2. Support the continuation of agricultural uses and uses related to agriculture while protecting prime agricultural areas from encroachment by incompatible land uses.
3. Maintain the continuity of agricultural lands and avoid fragmentation of the rural land base.
4. Promote and provide for the full range of scales for farm operations.
5. Make appropriate provisions for land uses that cannot be located in Settlement Areas or that are more appropriately located outside Settlement Areas.
6. Promote the diversity and viability of rural economic activities while preserving and maintaining the predominantly agricultural character of the countryside.

## 3.2 General Policies for the Rural & Agricultural Designations

The policies in this section of the Official Plan apply in both the “Rural” and the “Agricultural” land use designations, as shown on Schedule B.

### 3.2.1 Minimum Distance Separation

The **Minimum Distance Separation (“MDS”) Document**, published by the Ontario Ministry of Agriculture, Food and Rural Affairs (“OMAFRA”), provides formulae for calculating the separation distance required between agricultural uses, particularly livestock facilities and anaerobic digesters, and more sensitive land uses. The goal is to prevent land use conflicts and minimize nuisance complaints by providing enough space to reduce the effects of “objectionable odours” on residential areas, thereby protecting residents while allowing agricultural operations to proceed normally without having to worry about unnecessary complaints.

1. All new development outside of Settlement Areas shall comply with the applicable minimum distance separation (“MDS”) formulae.
2. Anyone proposing to locate a new land use within one kilometre of the boundary of a settlement area, including a settlement area identified in the Official Plan of a neighbouring municipality, is encouraged to be mindful of the limitations that the proposed development might impose on the future expansion of that settlement area.

3. The development of an agriculture-related use or an on-farm diversified use may be required to comply with applicable MDS formulae where the nature of the proposed use could lead to potential conflict with surrounding agricultural uses.
4. The implementing Zoning By-law may identify specific agriculture-related uses or specific on-farm diversified uses that are required to comply with MDS formulae.
5. Where a new or expanded land use is proposed within, or adjacent to, a natural heritage feature, and where an Environmental Impact Study ("EIS") has been required in accordance with Section 5.4 of this Official Plan, the separations recommended by the approved EIS shall apply to the new or expanded use.

### 3.2.2 Nutrient Management Plans

**New or expanding agricultural operations** may be required to provide a nutrient management plan under the *Nutrient Management Act, 2002*, the requirements for which are established in provincial legislation and regulations. Moreover, the Township has a responsibility and an obligation to manage the quality and quantity of groundwater and surface water, which the policies in this section of the Plan help address.

1. Notwithstanding anything to the contrary in this Official Plan, the establishment of a new agricultural operation, the expansion of an existing agricultural operation, or the construction or expansion of a structure associated with an agricultural operation may be subject to site plan control, especially in circumstances where the operation or structure is subject to the *Nutrient Management Act, 2002* or where the Township is of the opinion that the proposed development could have a detrimental impact on groundwater or surface water resources.
2. Before approving a site plan application that has been required under Policy No. 3.2.2.1, the Township shall be provided with information indicating that the quality and quantity of groundwater and of surface water will not be detrimentally impacted by the proposed development or expansion.
3. The information referred to in Policy No. 3.2.2.2 may be in the form of a letter of verification from the Provincial approval authority or from a qualified nutrient management consultant indicating that a nutrient management plan or nutrient management strategy is in place in accordance with the *Nutrient Management Act, 2002*.
4. Where existing municipal studies or existing Conservation Authority studies indicate a potential concern regarding impacts on water resources, the Township may require studies or reports to address those impacts as a condition of site plan approval.
5. Any study or report required under Policy No. 3.2.2.4 shall:
  - (a) be undertaken at the expense of the applicant and at no cost to the Township;



- (b) demonstrate that the quality and quantity of groundwater resources and surface water resources will be protected; and
  - (c) be reviewed and approved by the Township before development approval is granted.
6. Where a study or report required under Policy No. 3.2.2.4 indicates a need for mitigative measures or for monitoring, requirements regarding such measures will be incorporated into the conditions for site plan approval.
  7. The Township may request a copy of relevant information contained in a nutrient management plan relative to studies or reports required under Policy No. 3.2.2.4.
  8. The Township shall endeavour to make existing studies and information available for the use of development proponents and applicants to assist them in meeting the requirements of this section of the Official Plan.
  9. The Township will encourage its partners in water management to similarly make relevant information available and to promote access to information, resources, and other programs to assist applicants in meeting the requirements of this section of the Official Plan.

### 3.3 “Agricultural” Designation

The Township’s prime agricultural areas are identified by the “Agricultural” land use designation on Schedule B to this Official Plan, and in general the terms “prime agricultural area” and “Agricultural designation” should be considered interchangeable throughout this Plan. It is the intent of this Official Plan to promote and protect all types, sizes, and intensities of agricultural uses and all normal farm practices and to support the diversification of agriculture-related economic activity while protecting the Township’s prime agricultural areas.

One area of priority for this Plan is to protect the Township’s existing variety of smaller farms, which is crucial for ensuring that small, independent farmers can continue to thrive and for addressing the needs of farmers at different stages of life and of their farming careers.

Prime agricultural areas in the NEP Area are subject to the policies in Part 2.8 of the NEP.

#### 3.3.1 Agricultural Uses (Primary Uses)

The PPS (2020) defines “agricultural uses” as land uses that involve the growing of crops (including nursery, biomass, and horticultural crops) and the raising of livestock or other animals for food, fur, or fibre (including poultry and fish). This definition includes apiaries, aquaculture, agro-forestry, maple syrup production, and on-farm buildings and structures associated with the agricultural use. OMAFRA has indicated that it considers the growing of cannabis crops an agricultural use as well.

1. This Official Plan intends for agricultural uses to be and remain the predominant land uses within the "Agricultural" designation, and intends for agricultural uses of all types, sizes, and intensities, and all normal farm practices, to be promoted and protected in that designation.
2. For greater clarity, the term "agricultural uses" in Policy No. 3.3.1.1 includes single detached farm dwellings and on-farm buildings and structures used for agricultural purposes.
3. Any of the following may be considered an agricultural use:
  - (a) greenhouses, subject to the provisions in the implementing Zoning By-law regarding matters such as maximum height, maximum floor area, and maximum lot coverage;
  - (b) value-retaining facilities for products produced on-site;
  - (c) accommodation for full-time farm labour, subject to Policy No. 3.3.1.4 below;
  - (d) pick-your-own operations;
  - (e) a machine repair shop for machinery used on-site;
  - (f) equestrian centres, provided that the use involves the breeding, raising, boarding, maintaining, or training of horses; and
  - (g) an agricultural research and training centre where the primary activity is the growing of crops or raising of animals, provided that the use does not provide on-site accommodation.
4. Accommodation for full-time farm labour shall only be considered a permitted agricultural use in circumstances where:
  - (a) the property on which such accommodation is situated is also the site of an active agricultural operation, as that term is defined in the *Farming and Food Production Protection Act, 1998*; and
  - (b) the on-farm workers accommodated are employed full-time in the day-to-day operations of the active agricultural operation referred to in Clause 3.3.1.4(a).
5. Before constructing new, separate, permanent dwellings as accommodation for on-farm workers, the owner or operator of an agricultural use should consider possible alternatives, such as an additional residential unit within an existing building or a temporary structure.
6. Agricultural operations that require temporary on-farm workers for a limited period of time during the year shall provide accommodation in a form of housing that:
  - (a) is not a new permanent dwelling structure; and
  - (b) satisfies the requirements and conditions set out in the Seasonal Farm Worker Housing Guidelines published by Foreign Agriculture Resource Management Services or similar guidelines published by the Simcoe Muskoka District Health Unit.

7. A change in use from one agricultural use to another agricultural use will generally not require approval under the *Planning Act*, but may be subject to MDS formulae and other regulations.

### Cannabis Cultivation

8. Cannabis cultivation may be permitted in the "Agricultural" designation through a site-specific amendment to the Zoning By-law.
9. Cannabis processing may be permitted as an accessory use to cannabis cultivation in the "Agricultural" designation through a site-specific amendment to the Zoning By-law, but cannabis processing as a standalone use shall only be permitted on lands designated "Industrial".
10. An amendment to the Zoning By-law that permits cannabis cultivation or cannabis processing as a use may establish classes of license, as such license classes are defined in federal Cannabis Regulations, that will and will not be permitted.
11. The implementing Zoning By-law will establish standards and provisions to ensure that, within the "Agricultural" designation:
  - (a) cannabis cultivation and any associated cannabis processing takes place on lots of sufficient size and with sufficient frontage on a public road;
  - (b) an adequate separation distance is maintained between individual cannabis cultivation operations (regardless of whether those operations have any associated cannabis processing operations);
  - (c) all buildings, structures, and facilities associated with the use, including storage areas, outdoor growing areas, parking areas, and security fencing, are adequately set back from all property lines, especially where the property abuts a residential or other sensitive land use; and
  - (d) potential nuisance effects from factors such as odour and lighting are appropriately accounted for.
12. The implementing Zoning By-law may establish separate standards and regulations for cannabis cultivation and cannabis processing, and may impose less stringent regulations in circumstances where cannabis cultivation takes place without any associated processing.
13. Outdoor storage of materials associated with cannabis cultivation and cannabis processing shall be strictly limited and shall generally not be permitted.
14. All cannabis cultivation and cannabis processing facilities shall be subject to site plan control and may be required to implement measures to mitigate odour or other nuisance effects.
15. Cannabis cultivation and cannabis processing operations shall not be permitted to take place within a dwelling unit.

16. Cannabis cultivation may take place within a greenhouse but shall not be permitted in a hoop house.
17. All drying, processing, and packaging operations shall take place in fully enclosed buildings, and no such operations shall take place in a greenhouse or in a hoop house.
18. For the purposes of this section of the Official Plan, "hoop house" shall mean a building or structure consisting of a frame (constructed from wood, metal, or similar material) covered with plastic, polyurethane, or similar material.

### 3.3.2 Agriculture-Related Uses

**As defined in the PPS (2020)**, and as elaborated upon in OMAFRA's Guidelines on Permitted Uses, agriculture-related uses are farm-related commercial and industrial uses that:

- (1) support agriculture and are directly related to farm operations in the area;
- (2) provide direct products or services to farm operations as a primary activity; and
- (3) benefit from being located close to farm operations.

For the purposes of this definition, "in the area" is defined on a case-by-case basis, based on how far farmers will reasonably travel for the agriculture-related products or services in question, rather than on a specific numerical standard. This "area" may also include territory located in other municipalities.

Residential uses, institutional uses, recreational uses, and general-purpose commercial and industrial uses serving a broad customer base that happens to include farm operators are not considered agriculture-related uses.

1. Activities and operations associated with agriculture-related uses do not generally fall under the definition of "normal farm practices," and may therefore be subject to municipal by-laws regarding noise, odour, and other nuisance effects.
2. In general, the preferred location for agriculture-related uses is in the "Rural" designation wherever possible, but such uses may be permitted in the "Agricultural" designation in accordance with the policies in this section of the Official Plan.
3. Any of the following may be permitted as an agriculture-related use in the "Agricultural" designation through the passing of a minor by-law:
  - (a) farmers' markets that primarily sell products grown in the area;
  - (b) auction sites for products grown in the area;
  - (c) livestock assembly yards and stock yards;
  - (d) value-retaining facilities (regardless of whether such facilities are located on a farm);

- (e) facilities for processing agricultural products grown in the area;
  - (f) suppliers of farm inputs (such as seeds, feed, or fertilizer);
  - (g) grain-drying operations;
  - (h) flour mills; and
  - (i) farm equipment repair shops.
4. Before passing a minor by-law to permit an agriculture-related use in the "Agricultural" designation, the minor by-law authority shall be satisfied that:
- (a) the proposed use will directly provide products or services to farm operations in the area as its primary activity;
  - (b) the proposed use is directly related to farm operations in the area; and
  - (c) the proposed use will be compatible with, and will not hinder, surrounding agricultural operations.
5. Notwithstanding No. 3.3.2.3 above, the Zoning By-law may identify zones within which certain agriculture-related uses may be permitted without requiring the passing of a minor by-law.
6. Any use not listed in No. 3.3.2.3 above may be permitted as an agriculture-related use in the "Agricultural" designation through an amendment to the Zoning By-law, provided that Council is satisfied that:
- (a) the proposed use meets the criteria set out in Policy No. 3.3.2.4 above;
  - (b) the proposed use is not identified or described in Policy No. 3.3.2.7 below as a use that is not permitted as an agriculture-related use;
  - (c) the proposed use will benefit from proximity to farm operations;
  - (d) the proposed use cannot reasonably be located in the "Rural" designation or within a Settlement Area; and
  - (e) the impact of the proposed use, when considered cumulatively alongside existing agriculture-related uses in the area, will be limited and will not undermine the predominantly agricultural nature of the area.
7. No by-law shall be passed that permits any of the following as an agriculture-related use:
- (a) large-scale processing facilities;
  - (b) contractors' yards, landscaping companies, building supply outlets, or construction companies;
  - (c) conference centres, banquet halls, or wedding venues;
  - (d) automobile dealerships, automobile repair shops, towing companies, or trucking yards;

- (e) uses that involve the processing or storage of predominantly non-agricultural source materials (such as compost, food processing waste, and yard waste); or
  - (f) any land use with a residential, institutional, or recreational component.
8. To clarify, no use that is identified or described in Policy No. 3.3.2.7 shall be permitted as an agriculture-related use, even if the use in question provides products and services to farm operations in the area as a primary activity.
  9. Agriculture-related uses should:
    - (a) be encouraged to make use of existing buildings and structures, where possible; and
    - (b) be sited and designed in a way that maintains the predominantly agricultural character of the area.
  10. The expansion of an agriculture-related use that has been permitted by a previous Zoning By-law amendment or by the previous passing of a minor by-law may require another amendment to the Zoning By-law or the passing of another minor by-law, at the Township's discretion, depending on the nature and scale of the proposed expansion.
  11. A lawfully existing agriculture-related use in the "Agricultural" designation may change use to a similar agriculture-related use, or to a use that is more compatible with surrounding agricultural operations, through a minor variance.
  12. The creation of a new lot by consent for an agriculture-related use may be permitted, provided that the size of any new lot created is limited to the minimum needed to accommodate the use and the appropriate water and sewage services.

### 3.3.3 On-Farm Diversified Uses (Secondary Uses)

**As the name suggests**, on-farm diversified uses are secondary land uses that are located on a farm, often providing an additional source of income for the farm owner or operator. On-farm diversified uses are meant to be limited in area and clearly secondary to the property's primary agricultural use.

1. Any of the following may be permitted as an on-farm diversified use in the "Agricultural" designation without requiring an amendment to the Zoning By-law, although any development associated with the proposed use may be subject to site plan control:
  - (a) accommodation for full-time farm labour, subject to Policy No. 3.3.3.2 below;
  - (b) bed-and-breakfast establishments;
  - (c) home occupations and home industries;
  - (d) greenhouses used for the growing or retailing of plants or of non-plant items (such as gardening supplies);
  - (e) value-retaining facilities for agricultural products; and



- (f) agri-tourism uses or farm-related tourism uses.
2. For the purposes of No. 3.3.3.1(a) above, accommodation for full-time farm labour shall only be considered a permitted on-farm diversified use in circumstances where:
    - (a) the accommodation is clearly secondary to an active agricultural operation, as that term is defined in the *Farming and Food Production Protection Act, 1998*, located on the same property; and
    - (b) the workers accommodated are employed full-time in the day-to-day operations of either:
      - (i) the agricultural operation referred to in Clause 3.3.3.2(a); or
      - (ii) an active agricultural operation that is a primary permitted use on a neighbouring property.
  3. Any of the following may be permitted as an on-farm diversified use through the passing of a minor by-law:
    - (a) uses that produce value-added agricultural products;
    - (b) a small-scale micro-brewery or micro-distillery;
    - (c) a small-scale winery, cidery, or meadery;
    - (d) a veterinary clinic;
    - (e) an equestrian centre;
    - (f) a kennel, subject to Policy No. 3.3.3.4 below;
    - (g) a machine repair shop;
    - (h) a small-scale landscaping business; and
    - (i) any other use that directly relates to the primary agricultural use of the property.
  4. No minor by-law shall be passed that permits the establishment of a new kennel within 500 metres of an existing kennel, due to the cumulative impacts of such uses.
  5. Any of the following may be permitted as an on-farm diversified use through an amendment to the Zoning By-law:
    - (a) an agricultural research and training centre, but only if the use does not provide on-site accommodations;
    - (b) wedding venues, subject to Policy No. 3.3.3.6 below; and
    - (c) other small-scale commercial or industrial uses not identified in No. 3.3.3.1 or No. 3.3.3.3 above, provided that such uses are appropriate in a prime agricultural area.

6. A wedding venue shall only be permitted as an on-farm diversified use where:
  - (a) Council is satisfied that the use will be adequately separated from neighbouring farms and nearby residences;
  - (b) the use will not hinder or interfere with the primary agricultural use or significantly alter the agricultural character of the property;
  - (c) an agreement is entered into, as a condition of site plan approval, regarding the hours of operation of the use, the maximum number of events hosted in any given week or in any given season, the provision of on-site kitchen and washroom facilities, the provision of on-site parking facilities, and other such matters to ensure the use does not hinder or interfere with the primary agricultural use on the property or other agricultural operations in the area.
7. No by-law shall be passed that permits any of the following as an on-farm diversified use:
  - (a) large-scale commercial or industrial uses (such as hotels, large landscaping businesses, breweries, distilleries, wineries, cideries, meaderies, vehicle dealerships, trucking yards, or manufacturing plants);
  - (b) institutional uses (such as churches, schools, nursing homes, or cemeteries);
  - (c) large-scale recreational facilities (such as golf courses, soccer fields, ball diamonds, or arenas);
  - (d) large-scale recurring events with permanent structures;
  - (e) large-scale outdoor concerts, with or without permanent structures;
  - (f) the racing of motorized vehicles;
  - (g) banquet halls that are not wedding venues;
  - (h) uses that generate significant amounts of traffic (such as distribution centres, large-scale food processing, or full-scale restaurants); or
  - (i) uses whose water and sewage servicing needs require an approval from the Ministry of the Environment (such as a water-taking permit).
8. More than one on-farm diversified use may be permitted on a single property, provided that those uses comply with the lot coverage and other standards established in the implementing Zoning By-law.
9. The primary use of a property that is used for an on-farm diversified use shall be, and shall remain, an agricultural use.
10. Where a property is being used for an on-farm diversified use, the Township may require proof that the primary use of the property is agricultural.

11. An on-farm diversified use shall:
  - (a) be appropriate to the water and sewage services available on the site;
  - (b) be compatible with, and not hinder, surrounding agricultural operations; and
  - (c) be limited in area, in accordance with the lot coverage standard established in the Zoning By-law.
12. The compatibility considerations referred to in Clause 3.3.3.11(b) above include the collective or cumulative impact of multiple on-farm diversified uses on the overall agricultural nature of the area in which those uses are located.
13. An on-farm diversified use may be required to comply with minimum separation distance formulae, depending on the nature of the use.
14. The creation of a new lot for an on-farm diversified use shall not be permitted.

### Zoning Standards

15. The implementing Zoning By-law will establish an appropriate lot coverage standard for on-farm diversified uses to ensure that each such use remains limited in area.
16. The total combined area of all on-farm diversified uses on a lot shall be no more than the lot coverage standard established by the implementing Zoning By-law.
17. Existing laneways will not be included as part of the lot covered by an on-farm diversified use.
18. The area covered by an on-farm diversified use that occupies the same footprint as a demolished building may be discounted from the portion of the lot covered by that on-farm diversified use.
19. An on-farm diversified use may be permitted to exceed the standards established in the Zoning By-law through the passing of a minor by-law, provided that:
  - (a) the extent to which the use exceeds such standards is reasonable; and
  - (b) the on-farm diversified use will remain clearly secondary to the primary agricultural use of the property.
20. Notwithstanding Policy No. 3.3.3.19, if a portion of a lot is not usable for agricultural purposes (for instance, due to soil conditions or to a physical feature like a stream or a ditch), and if that same unusable portion of the lot occupies an area greater than what would be permitted by the lot coverage standard, then one or more on-farm diversified use may be permitted to occupy the entirety of that unusable portion through a minor variance, provided that the same criteria as set out in Policy No. 3.3.3.19 above are satisfied.
21. The implementing Zoning By-law may establish standards for the gross floor area of on-farm diversified uses based on the percentage of the lot covered or on a specified maximum area.

22. The floor area of any pre-existing building or structure used for an on-farm diversified use may be discounted from the area used to determine compliance with the gross floor area standard for that on-farm diversified use.

### Temporary On-Farm Uses

23. A temporary on-farm use that fits all the criteria for an on-farm diversified use may be permitted in the "Agricultural" designation through the passing of a minor by-law, subject to the policies in this section of the Official Plan.
24. For the purposes of this section, a temporary on-farm use shall be defined as any use that:
  - (a) is a one-time use or an infrequent or intermittent use that has minimal impact on agriculture;
  - (b) does not require grading, drainage, or site alteration, unless such alteration improves the conditions for agricultural production on the site; and
  - (c) does not involve large-scale, repeated, or permanent events.
25. A temporary on-farm use shall:
  - (a) be compatible with, and not hinder, surrounding agricultural operations;
  - (b) result in the permanent removal of little to no land from agricultural production; and
  - (c) be located, designed, and conducted in such a way as to mitigate any impacts to the property, to adjacent sites, and to the surrounding area.
26. No use that is identified or described in Policy No. 3.3.3.7 above shall be permitted as a temporary on-farm use.
27. A temporary on-farm use, including an infrequent or intermittent use, may be permitted to utilize more space than the maximum lot coverage standard established for on-farm diversified uses.
28. Any land used for a temporary on-farm use shall be immediately returned to agriculture use once the temporary on-farm use ceases.

### 3.3.4 Non-Agricultural Uses

**In order to protect and preserve** prime agricultural areas for long-term agricultural use, it is the intent of this Official Plan to permit non-agricultural uses in the "Agricultural" designation only in very limited circumstances, in accordance with the policies presented here, which reflect the policies for non-agricultural uses set out in Section 2.3.6 of the PPS (2020) and in the SCOP. As a general principle, non-agricultural uses should be located in Settlement Areas or in the "Rural" designation, as appropriate, and the proponent of any non-agricultural use in the "Agricultural" designation must

fully and convincingly demonstrate to the Township that such a location is necessary and appropriate.

1. Any of the following may be permitted as a non-agricultural use in the "Agricultural" designation through the passing of a minor by-law:
  - (a) conservation, forestry management, and similar uses, provided that such uses generally maintain the existing parcel size and do not require any form of non-agricultural construction;
  - (b) active transportation facilities and trail corridors, including those owned or operated by a recognized trail conservancy; and
  - (c) public uses, which shall be limited to public parks and to public transportation, utility, and communication facilities and structures.
2. All forestry management uses shall comply with the County of Simcoe's Forest Conservation By-law or with any other such by-law passed under Section 135 of the *Municipal Act, 2001*.
3. The extraction of minerals, petroleum resources, or mineral aggregate resources may be permitted as a non-agricultural use in the "Agricultural" designation, subject to the applicable policies in Section 4.6, Section 5.5, and elsewhere in this Official Plan, but shall require:
  - (a) an amendment to this Official Plan, for the purpose of designating the subject land as an "Agricultural Exception" by applying the "Extractive Industrial" overlay designation to the subject lands; and
  - (b) an amendment to the Zoning By-law, for the purpose of permitting the proposed use on the subject lands.
4. No residential use shall be permitted in the "Agricultural" designation, except for the following:
  - (a) a residential use that is identified as a permitted agricultural use in Policy No. 3.3.1.1, No. 3.3.1.3, or No. 3.3.1.6;
  - (b) a residential use that is identified as a permitted on-farm diversified use in Policy No. 3.3.3.1; or
  - (c) an additional residential unit or garden suite permitted in accordance with the applicable policies in this Official Plan.
5. Except for those uses described in Policy No. 3.3.4.3 above, non-agricultural uses in the "Agricultural" designation shall:
  - (a) comply with applicable MDS formulae;
  - (b) be required to mitigate all impacts on surrounding agricultural operations and lands to the fullest extent feasible;

- (c) not be located in any specialty crop area; and
- (d) be required to demonstrate that:
  - (i) all available designated lands are unsuitable for the proposed use;
  - (ii) there are no reasonable alternative locations for the proposed use that avoid prime agricultural areas; and
  - (iii) there are no lower-priority agricultural lands that could accommodate the proposed use available.
- 6. To clarify, financial considerations regarding the affordability of lands in areas already designated to permit non-agricultural uses do not render such lands unsuitable for a proposed non-agricultural use.
- 7. For the purposes of Subclause 3.3.4.5(d)(iii) above, the priority of agricultural lands shall be determined according to the hierarchy established in the Provincial Policy Statement (2020) or any successor thereto.

### 3.3.5 Boundary Adjustments & Re-designations

**As the intent of this Official Plan** is to preserve the Township's prime agricultural areas for long-term agricultural use, adjustments to the boundaries of the "Agricultural" designation and the re-designation of lands from "Agricultural" to another designation will only be permitted in very limited circumstances, in accordance with the following policies and with the PPS and SCOP.

1. An adjustment to the boundary of the "Agricultural" designation, or the re-designation of lands from "Agricultural" to another land use designation, shall only be permitted with an amendment to this Official Plan.
2. An amendment to this Official Plan under No. 3.3.5.1 that changes the designation of lands designated "Agricultural" or that alters the boundaries of that designation may only be considered to accommodate the expansion of a settlement area boundary in accordance with all relevant policies of this Plan, the SCOP, the PPS, and any applicable Provincial Plans.
3. Anyone requesting an amendment to this Official Plan under No. 3.3.5.1 above shall be required to provide all necessary information in support of the proposed modification and to justify the appropriateness of the proposed non-agricultural use related to the application.
4. Before approving an amendment to this Official Plan under No. 3.3.5.1 above, Council shall consider:
  - (a) the history of agricultural activities on the subject lands and in the surrounding area, including past crop records;
  - (b) the predominant soil classification assigned by the Canada Land Inventory to the subject lands and to the surrounding area;



- (c) the location of the proposed use and its potential impact on agriculture and on the natural environment;
  - (d) the need for the proposed use in relation to the availability of similar existing uses within the Township;
  - (e) the availability of alternative locations for the proposed use on lands with lesser agricultural capability or potential; and
  - (f) all matters relating to the proposed use's compliance with MDS formulae.
5. Council should ensure that the matters listed in Policy No. 3.3.5.4 are evaluated collectively and holistically, so that no single factor is the sole determinant of the agricultural circumstances of the subject lands.
  6. As part of its consideration of the matters listed in Policy No. 3.3.5.4, Council may require a report from a certified agrologist or another qualified professional describing the agricultural potential of the subject lands and the potential impacts of the proposed boundary adjustment on agriculture in the area.

### 3.3.6 Lot Creation

**One main goal of the policies** in this section of the Official Plan is to maintain and preserve agriculturally viable farm units operating within the Township's historical agricultural community. For this reason, the creation of new lots in the "Agricultural" designation, including new lots for agricultural and agricultural-related uses, will be discouraged as a general principle.

1. Lot creation in the "Agricultural" designation shall only be permitted in accordance with the policies in Section 11.8 of this Official Plan.
2. The creation of a new lot for an on-farm diversified use is expressly prohibited and shall not be permitted.
3. The creation of a new lot in the "Agricultural" designation for a detached additional dwelling unit or a garden suite is expressly prohibited and shall not be permitted.
4. The creation of a new residential lot in the "Agricultural" designation:
  - (a) shall only be permitted in circumstances where an existing residence has been rendered surplus to a farm operation as the result of a farm consolidation; and
  - (b) shall only occur in accordance with the applicable policies in Section 11.9.8 of this Official Plan.

## 3.4 "Rural" Designation

The **"Rural" designation applies** to any lands within Clearview Township that are located outside of the Settlement Areas (as defined by the boundaries shown on Schedule B to this Plan) and that are neither within a prime agricultural area nor in one of the "Greenlands" designations. "Rural" areas have less agricultural potential than lands in the "Agricultural" designation do and are generally considered marginal in terms of agricultural production, although that does not necessarily preclude them from being used for agricultural purposes.

The policies in this section of the Official Plan do not apply to the "Escarpment Rural Area" designation, which is instead subject to the policies in Part 1.5 of the NEP.

### 3.4.1 General Policies

1. The objectives of this Official Plan's policies for the "Rural" designation are:
  - (a) to ensure that agriculture-related uses remain the predominant land uses in Rural areas while maintaining the viability of any existing agricultural operations in these areas;
  - (b) to permit development consistent with the Township's rural character and historical agricultural community in a way that protects the natural environment;
  - (c) to promote opportunities for recreation, tourism, and other economic activities compatible with the rural environment;
  - (d) to prevent encroachment by incompatible land uses on agricultural and agriculture-related uses; and
  - (e) to maintain the integrity and continuity of the rural land base and to encourage the consolidation of smaller parcels.
2. All land uses in the "Rural" designation shall be designed, developed, and operated in a way that contributes to, or that does not detract from, the primarily agricultural character of the rural landscape.
3. Land uses in the "Rural" designation should be appropriate to the water and sewage services available on-site.
4. The Township will generally require applicants to provide impact studies or reports for uses or development located adjacent to the "Agricultural" designation or adjacent to natural heritage features.

### 3.4.2 Lands Near Neighbouring Municipalities

**Within Clearview Township, there are** some places where lands bearing the "Rural" land use designation are located near neighbouring municipalities. It is the intent of this Official Plan to provide for the possible future expansion of neighbouring settlement areas by discouraging development and lot creation in their vicinity.

1. The Township will discourage development, particularly development on vacant lots, in areas that are adjacent to or near settlement areas in neighbouring municipalities.
2. Notwithstanding any other policies in this section, the policies in Section 3.3 that apply in the "Agricultural" designation shall apply to all lands designated "Rural" that are located within one kilometre of:
  - (a) the municipal boundary of the Town of Collingwood or of the Town of Wasaga Beach;
  - (b) a settlement area identified in the SCOP that is not located within the Township of Clearview; or
  - (c) a settlement area identified in:
    - (i) the County of Grey Official Plan;
    - (ii) the Official Plan of the Municipality of Grey Highlands; or
    - (iii) the Official Plan of the Town of the Blue Mountains.
3. The one-kilometre limitation established in the previous policy shall not apply:
  - (a) within an identified recreational district (i.e., Osler Bluffs); or
  - (b) where an agreement between the Township and another municipality is in place.
4. The Township may consider reducing the one-kilometre limitation in certain locations where the existence of natural or human-made boundaries makes such a reduction appropriate, but shall only do so with the approval of the County of Simcoe.

### 3.4.3 Agricultural & Agriculture-Related Uses

**As a general principle,** this Official Plan means to encourage the location of agriculture-related uses in the Township's Rural areas in a way that supports farm operations in prime agricultural areas.

1. The following uses shall be permitted in the "Rural" designation:
  - (a) agricultural uses, as defined in Section 3.3.1 of this Plan;
  - (b) agriculture-related uses, as defined in Section 3.3.2; and
  - (c) on-farm diversified uses, including agri-tourism, in accordance with the policies set out in Section 3.3.3.

2. A use that is identified as a permitted on-farm diversified use in Policy No. 3.3.3.1 or in Policy No. 3.3.3.3 may be permitted as a primary use in the "Rural" designation through the passing of a minor by-law.
3. Any of the following uses may be permitted as a primary use in the "Rural" designation through an amendment to the Zoning By-law:
  - (a) an agricultural research and training centre, but only if the use does not provide on-site accommodations; and
  - (b) wedding venues, subject to Policy No. 3.4.3.4 below.
4. A wedding venue shall only be permitted in the "Rural" designation in circumstances where:
  - (a) Council is satisfied that the use will be adequately separated from neighbouring uses and will not generate any adverse effects for nearby residences or farms;
  - (b) the proposed method of servicing the use is acceptable to, and approved by, the Township; and
  - (c) an agreement is entered into, as a condition of site plan approval, regarding the hours of operation of the use, the maximum number of events hosted in any given week or in any given season, the provision of on-site kitchen and washroom facilities, the provision of on-site parking facilities, and other such matters to ensure that the use does not have an adverse impact on adjacent and nearby uses.
5. Agricultural uses in the "Rural" designation shall comply with the applicable MDS formulae.
6. Agriculture-related uses and on-farm diversified uses, including those permitted as primary uses under Policy No. 3.4.3.2 above, may be required to implement measures to mitigate potential impacts on nearby sensitive uses, especially where lands in the "Rural" designation are adjacent to a Settlement Area, or on existing agricultural uses.
7. Accommodation for farm workers may be permitted in the "Rural" designation, subject to Policy No. 3.4.3.8 below, but are generally encouraged to locate in the "Agricultural" designation as an agricultural use in accordance with the policies in Section 3.3.1 or as an on-farm diversified use in accordance with the policies in Section 3.3.3.
8. Accommodation for full-time farm labour shall only be a permitted use in the "Rural" designation in circumstances where:
  - (a) the workers accommodated are employed full-time in the day-to-day operations of an active agricultural operation, as that term is defined in the *Farming and Food Production Protection Act, 1998*, that is located within a reasonable distance of the lot on which the accommodation is located; or
  - (b) the workers accommodated are employed by an active agricultural operation, as that term is defined in the *Farming and Food Production Protection Act, 1998*, that is located

within a reasonable distance of the lot on which the accommodation is located and that requires temporary on-farm workers for a limited period of time during the year, and the accommodation is a form of housing that:

- (i) is not a new permanent dwelling structure; and
  - (ii) satisfies the requirements and conditions set out in the Seasonal Farm Worker Housing Guidelines published by Foreign Agriculture Resource Management Services or similar guidelines published by the Simcoe Muskoka District Health Unit.
9. For the purposes of Policy No. 3.4.3.8 above, "reasonable distance" shall mean a distance that corresponds to one concession block, being the linear distance along a concession road as measured between the concession road's intersection with a sideroad and the intersection of that same concession road with the next sideroad, and generally not exceeding a distance of two kilometres.

### 3.4.4 Non-Agricultural Uses

**The general definition for non-agricultural uses** encompasses land uses that do not fit the definitions for agricultural uses, agriculture-related uses, or on-farm diversified uses, and includes non-residential uses that would be inappropriate in Settlement Areas. Residential uses that are not directly associated with a farm operation are also considered non-agricultural uses.

1. Any of the following may be permitted as a non-agricultural use in the "Rural" designation, subject to the policies in this section of the Official Plan:
  - (a) residential uses, including limited non-agricultural residential development by consent;
  - (b) an attached additional residential unit, a detached additional residential unit, or a garden suite;
  - (c) home occupations and home industries;
  - (d) bed-and-breakfast establishments;
  - (e) equestrian centres, including those that do not meet the criteria of an agricultural use;
  - (f) uses related to resource use and management, including mineral aggregate operations, subject to all applicable policies in this Official Plan;
  - (g) conservation, forestry management, and similar uses;
  - (h) active transportation facilities and trail corridors, including those owned or operated by a recognized trail conservancy;
  - (i) resource-based recreational uses, such as ski facilities and hiking trails;

- (j) cemeteries; and
  - (k) public uses and public service facilities.
2. All forestry management uses shall comply with the County of Simcoe's Forest Conservation By-law or with any other such by-law passed under Section 135 of the *Municipal Act, 2001*.
  3. Development in the "Rural" designation shall be designed and sited in such a way as to minimize any potential adverse impacts on agricultural operations, on agriculture-related uses, on natural heritage features, and on cultural heritage features.
  4. Development in the "Rural" designation shall only be permitted if Council is satisfied that factors including hydrogeology, stormwater management, and spills containment, have been adequately considered and addressed, as warranted by the proposed use.
  5. The development of a commercial use, an industrial use, or an "in-between" use in the "Rural" designation shall not be permitted unless Council is fully satisfied that:
    - (a) the proposed use will be compatible with the rural landscape and with neighbouring land uses;
    - (b) the proposed use will not adversely affect the protection of agricultural uses, mineral aggregate operations, or other such resource-based uses;
    - (c) the lot on which the proposed use will be located is of a sufficient size to accommodate the use;
    - (d) the proposed development will provide adequate separation, buffering, and screening from adjacent and nearby sensitive land uses;
    - (e) the proposed development will comply with the applicable MDS formulae;
    - (f) the proposed use will not have a negative impact on groundwater resources or on surface water resources;
    - (g) the traffic generated by the proposed use can be readily or reasonably accommodated by roads in the area; and
    - (h) any entrance permits necessary have been, or can be, obtained from the appropriate road authority or road authorities.

### Residential Uses

6. One detached dwelling may be permitted on an existing lot in the "Rural" designation.
7. One additional residential unit or one garden suite may be permitted on an existing residential lot in the "Rural" designation.



8. Minor infilling, consisting of residential development on an existing lot in an area where there is an existing concentration of development (such as on a vacant lot between two existing dwellings), may be permitted in the "Rural" designation.
9. Residential development requiring the creation of more than one new residential lot or of multiple units should be directed to the Township's Settlement Areas and shall not be permitted in the "Rural" designation.

### **Commercial & Industrial Uses**

10. A commercial use may be permitted in the "Rural" designation through an amendment to the Zoning By-law, so long as Council is satisfied that:
  - (a) the proposed commercial use cannot reasonably be located within a Settlement Area;
  - (b) the proposed use will serve the needs of visitors to the Township; and
  - (c) the matters referred to in Policies No. 3.4.4.3, No. 3.4.4.4, and No. 3.4.4.5 above have been fully and adequately addressed.
11. Any new commercial use located along a major route into a Community Hub area should be designed and sited to support the role that the route plays as a "gateway road."
12. An industrial use may be permitted in the "Rural" designation through an amendment to the Zoning By-law, provided that the proposed use satisfies one of the following criteria:
  - (a) the use involves the primary processing of land-related resources found on, or close to, the subject site;
  - (b) the use is directly related to agriculture or serves the agricultural industry as a primary activity; or
  - (c) the use cannot reasonably be located in the "Industrial" designation within a Settlement Area or is in some way inappropriate for such areas.

### **"In-Between" Uses**

13. Any of the following may be permitted as an "in-between" use in the "Rural" designation through an amendment to the Zoning By-law:
  - (a) building supply outlets;
  - (b) contractors' yards;
  - (c) landscaping businesses;
  - (d) garden supply stores;
  - (e) vehicle depots; and
  - (f) commercial self-storage facilities, subject to Policy No. 3.4.4.14.

14. A commercial self-storage facility shall only be permitted as an "in-between" use, and the establishment of a new commercial self-storage facility, or the expansion of an existing facility, shall only be approved, if Council is fully satisfied that the proposed new facility or proposed expansion, as the case may be:
  - (a) will not prevent, hinder, or interfere with the efficient use and development of land in the surrounding area;
  - (b) will not have adverse impacts on adjacent uses due to traffic, outdoor lighting, or any other potential nuisance factors;
  - (c) will not result in there being more than 2,500 m<sup>2</sup> of gross floor area devoted to commercial self-storage uses within a one-kilometre radius of the existing or proposed facility; and
  - (d) will comply with all applicable provisions of the implementing Zoning By-law, which among other things may establish a maximum gross floor area other than that specified in Clause 3.4.4.14(c) for any given zone or zones.
15. A land use not identified in Policy No. 3.4.4.13 above may be permitted as an "in-between" use through an amendment to the Zoning By-law, provided that Council is of the opinion that:
  - (a) the use in question meets the definition of an "in-between" use, in that it possesses a sufficient combination of commercial and industrial-type characteristics; and
  - (b) the proposed use cannot reasonably be located within a Settlement Area.
16. An "in-between" use located near a sensitive land use, which for the purposes of this policy may include an agricultural use, may be required to incorporate appropriate buffering, screening, and other measures to mitigate potential adverse impacts on such uses.
17. An applicant proposing an expansion to an existing "in-between" use may be required to submit such reports and other materials as Council deems necessary or advisable to address any of the matters referred to in Policy No. 3.4.4.5 above.

### Public & Open Space Uses

18. Public uses, including conservation areas, nature preserves, trail facilities owned or operated by a recognized trail conservancy, and public utilities, may be permitted in the "Rural" designation without requiring an amendment to this Official Plan and without an amendment to the Zoning By-law.
19. Any of the following may be permitted as an open space use in the "Rural" designation through an amendment to the Zoning By-law:
  - (a) areas for walking, riding, or cross-country skiing, but not for the racing of animals or the racing or riding of motorized vehicles;

- (b) athletic fields;
  - (c) outdoor swimming pools and swimming areas;
  - (d) picnic areas and passive recreation uses;
  - (e) buildings and structures accessory to any of the uses listed above; and
  - (f) parking lots accessory to any of the uses listed above.
20. Open space uses that are neither described in Policy No. 3.4.4.18 nor identified as a permitted use in No. 3.4.4.19 shall not be permitted in the "Rural" designation.
21. No by-law shall be passed that permits one of the open space uses listed in Policy No. 3.4.4.19 in the "Rural" designation unless Council is satisfied that:
- (a) the proposed use will not have a negative impact on any natural heritage features or areas;
  - (b) the proposed use will not hinder, interfere with, or have a negative impact on agricultural operations in the area;
  - (c) any traffic generated by the proposed use can be readily accommodated on the roads in the area; and
  - (d) the proposed use will be developed and provided with water and sewage services in a manner that is consistent with all applicable Township standards and practices.

### 3.4.5 Lot Creation

**Because one of this Plan's objectives** is to maintain the integrity and continuity of the rural land base, the creation of new lots in the "Rural" designation will generally be discouraged.

1. Lot creation in the "Rural" designation shall only be permitted in accordance with the policies in Section 11.8 of this Official Plan.
2. No consent application shall be approved that proposes the creation of more than one new lot in the "Rural" designation.
3. The creation of a new lot for a detached additional dwelling unit, a garden suite, a building used as accommodation for full-time farm labour, or any other form of accessory dwelling in the "Rural" designation is expressly prohibited and shall not be permitted.
4. Within the "Rural" designation, the creation of a new residential lot that has frontage on the County's grid road system, including Provincial Highways, County Roads, and Township Arterial Roads, shall not be permitted.



# Land Use Designations

PERMITTED USES · ZONING · LOT CREATION

Photo: Nottawasaga Concession No. 8, looking south towards Glen Huron.

**Down the hill** and around the bend – just past the barn with the red roof – you'll find the hamlet of Glen Huron. Nestled in the river valley, it occupies just a small area, within which you'll find homes, a couple stores, a market, a vehicle repair shop, and a hundred-year-old mill – a mix of residential, commercial, and other uses, and a testament to the importance of doing everything you can to live in harmony with your neighbours.

## 4.1 Goals & Principles

**This section of the Official Plan** establishes permitted uses, general development principles, and priorities for zoning within each of the Township's land use designations, which are shown on the maps under Schedule B to this Plan. Overall, these designations are intended to help in achieving the Plan's objectives of providing for orderly, logical, and sustainable development in a way that fosters the growth of healthy, harmonious, and complete communities.

The policies for the various land use designations presented in this section have been developed with the following goals and principles in mind:

1. Ensure that development happens where it makes the most sense, in terms of:
  - (a) the relationship of development with adjacent uses and the surrounding area;
  - (b) the availability of infrastructure and of appropriate water and sewage services; and
  - (c) the role development will play in supporting the life of the community.
2. Direct most development towards the Township's Urban Settlement Areas in a way that contributes to the achievement of this Plan's growth management objectives and targets, as articulated in Section 2 above.
3. Promote and provide for compatibility between uses within the same designation.
4. Protect agriculture and maintain the rural landscape outside of Settlement Areas.

**A change to any land use designation shown on Schedule B shall require an amendment to this Official Plan.**

## 4.2 Residential Designations

**This section presents general policies** for residential development across the entire Township. Overall, it is expected that lower-density forms of housing will continue to predominate in the overall residential landscape, with intensification efforts and higher-density forms of residential development being directed to Urban Settlement Areas in support of their role as primary centres for activity. It is also the intent of this Plan that development occur where existing infrastructure and services are capable of supporting it, or where infrastructure and services can be provided in the most efficient, cost-effective manner possible.

### 4.2.1 "Residential" Designation

**The Official Plan's goals for** residential development are closely connected with other objectives established in this Plan regarding growth management, intensification, density, and housing, and the policies presented here are meant to support the achievement of the objectives and targets set out in Section 2. This means that higher-density residential development will be directed towards appropriate parts of the Urban Settlement Areas, with some medium-density residential uses being directed to the Community Settlement Areas, as appropriate.

This section of the Official Plan includes policies for home occupations, live/work units, bed-and-breakfast establishments, short-term rental accommodations, and "Neighbourhood Commercial" uses. Live/work units are dwelling units integrated with a small business component that is operated by the dwelling's occupant; they are typically townhouse dwellings or a similar form, with living quarters located on upper floors and with most or all of the ground floor level devoted to the small

business use. Neighbourhood Commercial uses are small-scale commercial uses, generally convenience retail and personal service uses, that can be accommodated on a residential-sized lot (that is, a lot whose size would be typical for a single detached dwelling or semi-detached dwelling). Neighbourhood Commercial uses are usually meant to serve the day-to-day needs of nearby residents with minimal reliance on vehicular traffic.

### Permitted Uses

1. A full range of residential uses, including a full range of dwelling types and sizes, shall be permitted in the "Residential" designation, so long as the development of such uses generally takes place in accordance with, or in a manner that does not conflict with:
  - (a) the population forecasts and related policies set out in Section 2.3.1 of this Official Plan, including the target distribution of population growth shown in Table 2.1;
  - (b) the intensification and density targets established in Section 2.3.2, as well as the policies for residential infilling set out in that section; and
  - (c) the housing policies set out in Section 2.4, including the target distribution of new units shown in Table 2.3 and the distribution of density types shown in Table 2.4.
2. Additional residential units and garden suites may be permitted in the "Residential" designation, subject to the policies in Section 2.4.2 of this Plan.
3. Home occupations may be permitted in the "Residential" designation, provided that the home occupation use generally maintains the residential character of the property and of the neighbourhood.
4. Home occupations should generally take place within the main dwelling, and any activities undertaken in accessory buildings or structures shall not generate noise, odours, dust, or other elements that could adversely impact adjacent properties.
5. Live/work units may be permitted in the "Residential" designation within an Urban Settlement Area, provided that:
  - (a) both the residential component and the commercial component of each live/work unit are integrated within the same unit;
  - (b) the residential component of the live/work unit is the primary residence of the person who operates the commercial component; and
  - (c) all activities associated with the commercial component of the live/work unit are compatible with the residential character of the surrounding area.
6. Activities associated with the commercial component of a live/work unit shall take place within that unit and shall not be permitted to take place in a detached accessory building or structure.



7. Home occupations and live/work units may be subject to site plan control, at the Township's discretion, depending on the nature of the activities associated with the proposed use.
8. Outdoor storage shall not be permitted for home occupations or for live/work units.
9. Bed-and-breakfast establishments may be permitted in the "Residential" designation, provided that:
  - (a) the bed-and-breakfast establishment is an accessory use to the primary residential use of the property and will generally maintain the property's overall residential character;
  - (b) at least one bedroom within the principal dwelling is used by the permanent resident or by the owner of the dwelling;
  - (c) a permanent resident of the dwelling provides prepared food as part of the service or rental fee;
  - (d) the number of guest suites is appropriate for the size of the dwelling and the area in which it is located; and
  - (e) the establishment will be provided with water and sewage services in an acceptable manner that is in accordance with standards established by the Township.
10. No dwelling shall be used as a short-term rental accommodation, by which term is meant a building or structure, the whole or any part of which is operated or offered as a place of temporary residence, lodging, or occupancy by way of lease, licence, rental agreement, permit, concession, or similar commercial arrangement for any period of time that is less than 28 consecutive calendar days, during which rental period the owner of the property or the operator of the rental accommodation use, as the case may be, is absent from the site.
11. Institutional-residential uses and public service facilities may be permitted in the "Residential" designation, subject to the policies in Section 4.4.2 below.
12. Any of the following may be permitted as a Neighbourhood Commercial use in the "Residential" designation through a site-specific amendment to the Zoning By-law:
  - (a) convenience retail uses and other small-scale retail uses;
  - (b) small-scale personal service uses; and
  - (c) delicatessens and similar food service establishments that do not include a dine-in component.
13. No by-law shall be passed that permits any of the following as a Neighbourhood Commercial use in the "Residential" designation:
  - (a) commercial plazas;
  - (b) drive-through facilities;
  - (c) commercial self-storage facilities;



- (d) hotels or motels; and
  - (e) restaurant uses that include a dine-in component.
14. Neighbourhood Commercial uses should be located in such a way that their service radii, generally defined as a distance of 800 metres or similar reasonable walking distance, do not overlap the service radii of other commercial uses, especially other Neighbourhood Commercial uses.
  15. Because they are meant to serve a customer base within walking distance, the parking requirements for the commercial component of a Neighbourhood Commercial use may be reduced, with an emphasis on bicycle parking and pedestrian access.
  16. Neighbourhood Commercial uses are encouraged to include accessory dwelling units on above-ground floors, provided that the water and sewage services available are capable of accommodating such units.
  17. Outdoor storage shall not be permitted for Neighbourhood Commercial uses.
  18. To ensure that Neighbourhood Commercial uses remain small-scale and are compatible with adjacent residential uses, a site-specific amendment to the Zoning By-law that permits a Neighbourhood Commercial use will, among other things, establish standards for the following:
    - (a) minimum and maximum lot area;
    - (b) maximum gross commercial floor area;
    - (c) maximum building height;
    - (d) maximum lot coverage;
    - (e) landscaping, buffering, and screening requirements; and
    - (f) on-site vehicular parking, including the location of parking facilities and the designation of parking spaces for the exclusive use of residential occupants, if any.
  19. The Zoning By-law may establish standards and regulations that apply to all Neighbourhood Commercial uses, and the establishment of such general standards and regulations shall not prevent a site-specific amendment to the Zoning By-law from establishing different site-specific standards for a Neighbourhood Commercial use.

### **Development Principles**

20. Residential development in the Township shall proceed in a manner that has due regard for the matters referred to in Policy No. 4.2.1.1 above.
21. Residential development outside the Township’s Settlement Areas shall occur in accordance with the policies in Section 3 of this Plan.

22. In considering the siting of residential development, priority will be given to locations:
  - (a) where appropriate infrastructure and services already exist; or
  - (b) where the extension or installation of infrastructure and services is easiest and most cost-effective.
23. High-density residential development should be located:
  - (a) on a site within, or directly abutting, the delineated built boundary in an Urban Settlement Area;
  - (b) on a parcel where the abutting uses are predominantly other high-density residential uses, medium-density residential uses, or compatible non-residential uses;
  - (c) within walking distance (approximately 800 metres) of at least one public service facility; and
  - (d) on a site where existing infrastructure has capacity to support the proposed development, or where infrastructure capable of supporting the development will be provided at the developer's expense.
24. Notwithstanding No. 4.2.1.23(b) above, high-density residential development may be permitted on a parcel where the abutting uses are predominantly low-density residential uses, so long as the high-density development provides for an appropriate transition using dwelling unit types described as “low-density” and “medium-density” forms of housing in No. 2.4.1.5 configured in such a way that the overall high-density residential development achieves a density within the range specified in No. 2.4.1.2(c).
25. Medium-density residential development should be located:
  - (a) within an Urban Settlement Area or a Community Settlement Area;
  - (b) on a site within, or directly abutting, an existing built-up area, or that abuts an existing or approved high-density residential development;
  - (c) within a reasonable distance (approximately one kilometre) of at least one public service facility; and
  - (d) on a site where existing infrastructure has capacity to support the proposed development, or where infrastructure capable of supporting the development will be provided at the developer's expense.
26. The siting of high-density residential development in a location that does not meet the criteria listed in in No. 4.2.1.23 (subject to No. 4.2.1.24) or of medium-density residential development in a location that does not meet the criteria listed in No. 4.2.1.25 shall only be approved with a site-specific amendment to this Official Plan.

27. The form, scale, and design of medium-density and high-density residential uses shall be sensitive to the overall character of, and be compatible with, existing uses in the surrounding area
28. Medium-density and high-density forms of housing shall, wherever possible, have access to a public Collector Road or a Township Arterial Road by way of a privately owned and maintained service driveway.
29. Medium-density and high-density residential development shall be provided with sufficient parking facilities that are appropriate to the specific nature of the residential use and to the area in which the development is located.
30. The Township shall proceed in consultation with the school boards when considering new residential development or changes to servicing.
31. Residential development may be phased, at Council's discretion, in accordance with the availability or provision of water and sewage services, with the impact of development on the community, or with any other considerations that Council considers appropriate.
32. Development proceeding by plan of subdivision will be encouraged to provide active transportation connections to adjacent areas.
33. All residential dwellings should be designed so that an attached garage does not dominate the front façade of the dwelling.
34. All townhouse dwellings should be designed so that:
  - (a) each individual unit is provided with a direct entrance from the outside through the front face of the building; and
  - (b) each individual unit has direct access to the rear yard.
35. The Township may adopt architectural control and design guidelines for residential development and apply such guidelines to all development, as that term is defined in Section 41 of the *Planning Act*.

### Zoning

36. The implementing Zoning By-law will:
  - (a) establish different Residential zones with permitted uses that reflect the locational criteria set out in Nos. 4.2.1.23-26 above;
  - (b) provide for a full range of dwelling types and unit sizes in appropriate areas; and
  - (c) provide for a range of lot sizes and for the development of smaller dwelling units, with an emphasis on promoting affordable housing through the provision of single dwellings on smaller lots, as described in Policy No. 2.4.3.7 above.

37. In establishing standards and provisions for Residential zones, the implementing Zoning By-law will prioritize the following:
  - (a) ensuring compatibility between uses, particularly where different densities of residential development abut one another;
  - (b) maintaining the existing character of established residential neighbourhoods;
  - (c) facilitating the connection of medium-density and high-density residential areas with public service facilities and commercial areas, where appropriate; and
  - (d) emphasizing the provision of on-site amenity space and the private enjoyment of residential property in low-density residential areas.
38. The implementing Zoning By-law may establish separate "character-based" or similar form-based zones for Residential areas with standards that reflect the lot sizes, frontages, setbacks, building heights, and other defining elements of the surrounding area's built character.

## 4.2.2 "Estate Residential" Designation

**This Official Plan uses** the "Estate Residential" designation as a "legacy" designation whose purpose is to recognize existing areas that have been developed with low-density, large-lot residential uses to provide an alternate rural lifestyle option for residents. These areas are mostly located outside of Settlement Areas.

1. This Official Plan does not intend for any new areas to be designated "Estate Residential", and no amendment to this Official Plan shall be approved that would apply the "Estate Residential" designation to any lands not already so designated.
2. To clarify, Council may approve an amendment to this Official Plan that would apply site-specific policies to lands already designated "Estate Residential", provided that the amendment will not have the effect of applying the "Estate Residential" designation to any lands not already so designated.
3. Where this Official Plan has been amended to re-designate lands from "Estate Residential" to another land use designation, those lands shall be deemed to have been removed from the "Estate Residential" designation and shall thenceforth be considered "lands not already so designated" for the purposes of Policies No. 4.2.2.1 and No. 4.2.2.2 above.

### Permitted Uses

4. The uses permitted in the "Estate Residential" designation shall be limited to the following:
  - (a) single detached dwellings;
  - (b) additional residential units;

- (c) home occupations; and
  - (d) public uses.
5. In situations where the criteria set out in Policy No. 2.4.2.1 are not met, an attached additional residential unit, a detached additional residential unit, or a garden suite may be permitted in the "Estate Residential" designation, provided that:
- (a) there will, following the creation of the additional residential unit, be no more than two dwelling units on the property;
  - (b) the additional residential unit will clearly be ancillary and secondary to the principal dwelling; and
  - (c) the existing on-site water and sewage services are capable of accommodating the additional residential unit.
6. Any proposal to establish a use not identified in No. 4.2.2.4 in the "Estate Residential" designation shall require an amendment to this Official Plan for the purpose of re-designating the subject lands from "Estate Residential" to a designation that is appropriate for the proposed use.

### **Development Principles**

7. Development on an existing lot of record in the "Estate Residential" designation may be permitted for one of the permitted uses identified in Policy No. 4.2.2.4.
8. Outside of Settlement Areas, no development shall occur in the "Estate Residential" designation unless such development:
- (a) will have no adverse impacts on nearby agricultural operations or on natural heritage features; and
  - (b) will be compatible with the rural landscape and with the development's natural setting.
9. The redevelopment of lands in the "Estate Residential" designation located within a Settlement Area may be permitted but shall require an amendment to this Official Plan for the purpose of re-designating the subject lands from "Estate Residential" to a land use designation that is appropriate for the proposed use, which shall only be approved if Council is satisfied that the nature and scale of the proposed redevelopment is appropriate for the area and for the water and sewage services that are available to service the site.

### **Zoning**

10. The implementing Zoning By-law will establish a separate zone to recognize existing uses in the "Estate Residential" designation.

11. In establishing standards and provisions for Estate Residential zones, the implementing Zoning By-law will prioritize the following:
  - (a) ensuring adequate setbacks and buffering from agricultural uses and from natural heritage features; and
  - (b) maximizing the separation of individual dwellings so as to maintain the isolated rural character of the area.
12. The Zoning By-law may apply holding provisions to lands in the "Estate Residential" designation to ensure that any development or site alteration will occur in a manner that appropriately mitigates or avoids negative impacts on the natural environment or on agricultural uses in the nearby area.

### 4.2.3 "Future Development" Designation

The **"Future Development" designation is intended** as a "holding" category for lands within Settlement Areas that are not needed to accommodate near-term growth but that are considered logical locations for eventual future growth. Development is generally directed away from these areas to those that are already designated to permit the proposed uses.

1. As a general rule, development shall not be permitted in the "Future Development" designation in circumstances where vacant lands in a designation that permits the proposed development are still available.
2. No development shall be permitted in the "Future Development" designation unless:
  - (a) a secondary plan for the area that is the subject of the development proposal, to be adopted as an amendment to this Official Plan, based on studies undertaken by the proponent to assess the potential impacts of the proposed development on the natural environment, on the local economy, and on existing Settlement Areas, has been prepared and adopted as an amendment to this Official Plan; and
  - (b) the Zoning By-law has been amended to introduce provisions and regulations that implement the policies of the secondary plan described in Clause 4.2.3.2(a).
3. Notwithstanding the forecasts presented in Section 2.3.1 of this Official Plan, the Township may, in accordance with the policies in this section of the Plan and subject to No. 4.2.3.4 below, approve development in the "Future Development" designation that exceeds those forecasts if:
  - (a) the lands to be designated for development satisfy an identified need for the land use in the community;

- (b) the proposed development represents:
    - (i) infilling in an area of existing development or in an area of planned development; or
    - (ii) a natural extension of an area of existing or planned development;
  - (c) the proposed development will support the efficient use of municipal water and sewage infrastructure; and
  - (d) the development will support the creation of a complete community.
4. Where development is approved under No. 4.2.3.3, any growth in excess of the forecasts in Section 2.3.1 as a result of that development shall be fully accounted for in the land needs assessment undertaken as part of the next municipal comprehensive review.
  5. Notwithstanding Policy No. 4.2.3.2, some small-scale development on individual lots may be permitted in the "Future Development" designation prior to the preparation of a secondary plan, but such development shall require an amendment to the Zoning By-law.
  6. To clarify, any development that involves the creation of a new lot shall be subject to the requirement stipulated in Policy No. 4.2.3.2 above.
  7. Before approving an application for small-scale development as described in Policy No. 4.2.3.5, Council shall be satisfied that:
    - (a) the proposed development will not interfere with, limit, or prevent the development of any lands designated "Future Development" according to the overall long-term intent of this Official Plan or the intent of any approved secondary plans; and
    - (b) that the proposed development cannot reasonably be accommodated as intensification or infilling in an already built-up area.
  8. Under no circumstances shall new intensive agricultural operations or a new agriculture-related use be permitted in the "Future Development" designation, nor shall any amendment to this Official Plan be adopted that would redesignate lands from "Future Development" to another designation for the purpose of permitting such operations or uses.
  9. The implementing Zoning By-law may apply holding provisions to any lands in the "Future Development" designation to ensure the logical and orderly progression of development with regard to the provision of infrastructure, the availability of services, and other matters.

## 4.3 Commercial Designations

**Commercial areas play a crucial role** in the Township's economic well-being, while also providing important centres for social and cultural activity. A vibrant commercial district brings life and energy to the community, enhancing quality of life and giving residents a sense of place. The overall intent of this Official Plan is to direct major commercial growth to the two Urban Settlement Areas and to



promote commercial development that will support and complement the role of Community Hubs as primary activity centres. At the same time, this Plan intends to provide for appropriate commercial development in other Settlement Areas to support the needs of residents. Outside of Settlement Areas, only very limited commercial development is meant to occur, with Rural Crossroads being the preferred location.

### 4.3.1 “Commercial” Designation

**In accordance with the overall intent** of this Plan, areas designated for Commercial uses are primarily concentrated in the Urban Settlement Areas, with some limited amounts of Commercial-designated land in the Community Settlement Areas and in some of the Rural Settlement Areas.

#### Permitted Uses

1. A full range of commercial uses, including retail stores, offices, personal and professional services, commercial entertainment, and commercial recreation uses, may be permitted in the “Commercial” designation, subject to all applicable policies in this Official Plan.
2. Any of the following may be permitted as an accessory use to a permitted use in the “Commercial” designation:
  - (a) accessory dwelling units;
  - (b) outdoor display and sales; and
  - (c) retail sales accessory to non-retail commercial uses.
3. Notwithstanding No. 4.3.1.1 above, adult entertainment uses and retail uses devoted exclusively to adult entertainment products shall not be permitted in the “Commercial” designation.
4. “Artisanal industrial uses,” as defined in Section 10.2.2, may be permitted in the “Commercial” designation in a Community Hub, subject to the policies in that section of this Plan.
5. Commercial uses that rely on high levels of vehicular traffic will generally be directed away from Community Hub areas.
6. “In-between” uses shall not be permitted in the “Commercial” designation within an Urban Settlement Area or a Community Settlement Area, but such uses may be permitted in the “Commercial” designation in a Rural Settlement Area through a site-specific amendment to the implementing Zoning By-law.

#### Development Principles

7. All new commercial development in Urban Settlement Areas shall be provided with municipal water services and municipal sewage services.

8. Commercial uses in Urban Settlement Areas will be encouraged to make effective and optimal use of existing parking facilities and to provide facilities for bicycle parking.
9. Buildings used for commercial purposes shall be designed to be sensitive to, and maintain compatibility with, the historical and architectural character of adjacent properties and of the surrounding area.
10. In areas where outdoor storage is permitted, Council shall ensure that all outdoor storage areas are appropriately buffered and screened from adjacent sensitive uses.
11. Before it approves an application for commercial development, Council shall be satisfied that:
  - (a) the proposed use is appropriate for the area in which it is located and will be compatible with neighbouring uses;
  - (b) the proposed development will be adequately provided with water and sewage services in accordance with standards established by the Township;
  - (c) the proposed use will not have an undue impact on traffic in the area; and
  - (d) any other matters identified as relevant during the pre-consultation process for the application have been adequately addressed.
12. Where commercial uses are situated adjacent to one another, they will be encouraged, and may be required, to incorporate shared driveways in order to minimize the number of access points onto public streets and to provide for connectivity between neighbouring uses.
13. New commercial development shall be subject to site plan control, which among other things will ensure that:
  - (a) the proposed development will be provided with sufficient parking facilities appropriate to the nature of the use and to the area in which it is located;
  - (b) the proposed development will have adequate on-site loading facilities;
  - (c) pedestrian and vehicular traffic movements on-site will be suitable and safe;
  - (d) adequate provisions are made for snow storage, drainage, and stormwater management; and
  - (e) the proposed development will provide enhanced landscaping and green spaces to contribute to the overall quality of the built environment.

## Zoning

14. The implementing Zoning By-law may establish separate zoning categories for areas designated "Commercial" to distinguish between Community Hub Commercial zones and other Commercial zones, to provide for varying intensities of commercial uses, or for any other reason that Council considers to be appropriate or desirable.

15. In establishing standards and provisions for Commercial zones in or near Community Hubs, the implementing Zoning By-law will prioritize the following:
  - (a) maintaining the area's existing built character by providing for smaller lots with short frontages, small front setbacks, and a strong orientation to the street;
  - (b) promoting pedestrian access and circulation;
  - (c) preventing the construction of new surface parking lots directly adjacent to streets and sidewalks; and
  - (d) providing for the development of compact, walkable central commercial districts.
16. In establishing standards and provisions for Commercial zones outside of Community Hub areas, the implementing Zoning By-law will prioritize the following:
  - (a) making efficient use of land and of existing infrastructure;
  - (b) maintaining and respecting the existing built character of the surrounding area; and
  - (c) ensuring compatibility with adjacent uses, especially with any adjacent sensitive uses.

### 4.3.2 "Transition Corridor" Designation

**Transition Corridors are primarily intended** as areas that feature smaller-scale commercial uses mixed with residential uses in order to provide for an appropriate transition from the centres of Settlement Areas to the lower-density residential areas located outside the traditional downtowns. The preferred approach to development in these areas is for new uses to be established through the conversion and adaptive re-use of existing buildings and structures. Development in Transition Corridors is also subject to the policies in Section 2.2.1 above.

#### Permitted Uses

1. The following uses may be permitted in the "Transition Corridor" designation:
  - (a) small-scale commercial uses, such as boutiques and small retail establishments, personal service stores, and business and professional offices;
  - (b) medical and dental clinics;
  - (c) art studios and artisanal workshops;
  - (d) day-care centres, nursery schools, and small-scale public service facilities;
  - (e) residential uses, subject to Nos. 4.3.2.2 and 4.3.2.3 below; and
  - (f) home occupations.
2. The conversion of an existing dwelling in a Transition Corridor into a dwelling with a greater number of dwelling units shall be permitted, provided that the conversion maintains the appearance of the existing dwelling and the residential character of the property.

3. New single detached dwellings and similar low-density residential uses are discouraged in Transition Corridors and shall only be permitted through a site-specific amendment to this Official Plan.
4. Home occupations within existing residential uses in Transition Corridors will generally be encouraged as land uses that maintain the intent of the designation.
5. Day-care centres, nursery schools, and other public service facilities in Transition Corridors will be encouraged to locate away from principal commercial thoroughfares.
6. Commercial plazas, drive-through facilities, and eating establishments that cater primarily to the travelling public are considered incompatible with this Official Plan's intent for the "Transition Corridor" designation and shall not be permitted on lands so designated.

### **Development Principles**

7. All development and redevelopment in Transition Corridors shall prioritize the preservation of existing buildings and structures, especially heritage buildings and features with cultural heritage value or interest, to the fullest feasible extent.
8. When considering applications for development in a Transition Corridor, Council shall ensure that opportunities for adaptive re-use have been thoroughly considered and explored before permitting new development, and the Township may require applicants to provide information to assist with this determination.
9. Council intends to use site plan control, architectural control, design guidelines, and any other such instruments at its disposal to ensure that development in Transition Corridors is compatible with the existing character of adjacent properties and the surrounding area.
10. The Township will encourage site designs and layouts for commercial properties in Transition Corridors that promote pedestrian connections with surrounding residential areas.
11. Parking facilities in Transition Corridors shall not be located between the front of the building and the street, and shall generally not have direct frontage along public streets.
12. Parking and loading facilities are to have minimal impacts on pedestrian traffic, and will generally be required to provide appropriate screening from abutting residential properties and from the street.
13. Where necessary, commercial uses may be required to provide appropriate buffering and screening with respect to any abutting residential uses.

### **Zoning**

14. The implementing Zoning By-law may establish one or more zones for the "Transition Corridor" designation.

15. In establishing standards and provisions for Transition Corridor zones, the implementing Zoning By-law will prioritize the following:
  - (a) providing for appropriate transitions in height, bulk, setbacks, and other such matters from Community Hub areas and from central commercial areas to surrounding lower-density residential areas, which will be the highest priority;
  - (b) limiting the scale and extent of commercial uses;
  - (c) ensuring compatibility between adjacent land uses, particularly between commercial uses and adjacent residential uses;
  - (d) providing for the preservation and adaptive re-use of existing buildings; and
  - (e) maintaining the overall residential character of the area.
16. The implementing Zoning By-law may establish form-based standards based on distance from the Community Hub area or from Commercial-designated lands, or based on the existing built character of adjacent sites.

## 4.4 Institutional Designations

The term **"institutional use"** encompasses a wide range of land uses that generally relate to some aspect of public life, such as education, health care, or the social, cultural, or spiritual life of the community. Institutional uses are closely related to public service facilities: indeed, by definition, the term "public service facility" refers to any building or structure that accommodates an institutional use. Some institutional uses – such as nursing homes, assisted-living facilities, long-term care homes, group homes, crisis centres, and other forms of congregate housing – include a residential component, and this Plan generally uses the term "institutional-residential use" to distinguish such uses from "quasi-commercial" institutional uses, which are meant to serve a broad base of users and generally expected to generate higher activity levels. Examples of the latter include recreation facilities, places of worship, and institutions like libraries or museums (whose users are usually referred to as "patrons" rather than as "customers").

This Plan's objectives for the location and development of institutional uses are:

- (1) to provide for a full range of institutional uses to serve the community's physical, social, cultural, educational, and spiritual needs;
- (2) to encourage the integration of institutional uses and public service facilities with the community in a way that allows neighbouring uses to exist in harmony; and
- (3) to direct larger types of new institutional development to appropriately designated lands, particularly towards Urban Settlement Areas, where such development can be provided with appropriate services.

The policies set out in this section of the Official Plan are meant to work in concert with the policies in Section 6.3 (Public Service Facilities).

#### 4.4.1 “Institutional” Designation

The “Institutional” designation is meant to recognize existing institutional uses and to indicate the preferred locations for new major institutional uses and public service facilities within the Township.

##### Permitted Uses

1. The primary use of land in the “Institutional” designation shall be for major public service facilities and for new major institutional uses, meaning facilities and uses that draw large numbers of people from across the Township or that require large tracts of land, such as high schools, post-secondary institutions, hospitals, large long-term care facilities, and large recreation facilities.
2. Uses that are accessory and ancillary to a permitted institutional use may also be permitted in the “Institutional” designation.
3. Smaller-scale institutional uses, especially those that are compatible with residential uses, will generally be encouraged to locate in another appropriate land use designation, subject to the policies in Section 4.4.2 below.
4. Residential and commercial uses that are not accessory or ancillary to an institutional use shall not be permitted in the “Institutional” designation.

##### Development Principles

5. New institutional uses shall be developed in a manner that is compatible with adjacent uses and with the existing character of the built environment in the area.
6. The scale of new institutional uses shall be appropriate for the area in which the use will be located and for the proposed method of providing water and sewage services.
7. The Township intends to make decisions regarding the location of schools in consultation and cooperation with the school boards, and will encourage schools to be located adjacent to public open spaces, where practical.
8. Development in the “Institutional” designation shall generally be subject to site plan control, through which process the Township will ensure that:
  - (a) adequate buffering, screening, and fencing will be provided between the proposed use and adjacent land uses;
  - (b) traffic associated with the proposed use can be successfully accommodated by the transportation network without having an adverse effect on pedestrian or vehicular movements;

- (c) the proposed use has made satisfactory arrangements for the provision of sufficient parking facilities appropriate to the nature of the use and the area in which it is located;
  - (d) the proposed use will have adequate on-site loading facilities, where necessary; and
  - (e) all other relevant or appropriate matters, as determined by the Township, have been adequately addressed.
9. Where a new institutional use or public service facility is proposed to be located on a County Road or in a location where the use or facility would affect a County Road, the proponent shall be required to undertake and implement a Traffic Impact Study to the satisfaction of the County of Simcoe.
  10. It is the intent of this Official Plan that new "Institutional" areas will be designated through the preparation of a secondary plan or through an amendment to this Official Plan made in conjunction with the approval of a plan of subdivision whose scale is such that the designation of a new "Institutional" area is warranted.
  11. Other than as described in Policy No. 4.4.1.10, an application to amend this Official Plan for the purpose of re-designating lands from another land use designation to the "Institutional" designation shall only be approved if Council is satisfied that:
    - (a) there is a need for additional lands to be designated "Institutional" within the horizon of this Plan;
    - (b) there is no reasonable alternative location available in an area already designated "Institutional"; and
    - (c) the scale or nature of the proposed institutional use is such that it would be inappropriate to locate the proposed use in another land use designation.

## Zoning

12. The implementing Zoning By-law:
  - (a) may establish one or more separate Institutional zones in which certain institutional uses shall be permitted; and
  - (b) may identify specific institutional uses as permitted uses in other zones, such as Residential or Commercial zones.
13. In establishing standards and provisions for Institutional zones, the implementing Zoning By-law will prioritize the following:
  - (a) the compatibility of institutional uses with the neighbourhood and with adjacent and surrounding land uses, especially lower-density residential uses;
  - (b) the use of appropriate setbacks and buffering for institutional uses in lower-density areas, depending on the nature of the institutional use;



- (c) the appropriate integration of institutional uses with neighbouring uses in higher-density areas and in areas with higher activity levels; and
- (d) ensuring that institutional uses and public service facilities are accessible to everyone.

#### 4.4.2 Institutional Uses in Other Designations

**It is the intent of this Official Plan** that, other than large facilities and major forms of institutional development, institutional uses should be integrated into the community, rather than separated or isolated, and that therefore such uses should be encouraged to locate in other land use designations where appropriate, as determined by the nature of the specific institutional use.

1. Outside of designated "Institutional" areas, institutional uses will generally be encouraged to locate in Urban Settlement Areas, particularly near Community Hubs or in higher-density residential areas.
2. Subject to Policy No. 4.4.2.3 below, institutional uses may be permitted in the "Commercial" or "Transition Corridor" designation:
  - (a) in an Urban Settlement Area through the passing of a minor by-law; or
  - (b) in a Community Settlement Area or a Rural Settlement Area through an amendment to the Zoning By-law.
3. No by-law shall be passed that permits an institutional use in the "Commercial" or "Transition Corridor" designation unless Council or the minor by-law authority, as the case may be, is satisfied that:
  - (a) the proposed institutional use is appropriate for the Settlement Area in which it will be located and will be compatible with surrounding land uses;
  - (b) the scale or nature of the proposed use is such that it would be inappropriate for the use to be located in the "Residential" designation;
  - (c) the establishment of the institutional use will not hinder or interfere with commercial activities on adjacent properties or otherwise undermine the commercial character of the area in which it will be located;
  - (d) the proposed development can be adequately provided with water and sewage services in accordance with standards established by the Township; and
  - (e) the proposed use will be located and designed so as not to generate adverse impacts with regard to pedestrian or vehicular movement, traffic, or other matters as determined by Council or the minor by-law authority, as the case may be.
4. Subject to No. 4.4.2.5 below, the following may be permitted in the "Residential" designation:
  - (a) institutional-residential uses, through the passing of a minor by-law; and

- (b) public service facilities and institutional uses that complement residential uses, such as schools, day-care facilities, libraries, places of worship, and small health-care clinics, through an amendment to the Zoning By-law.
5. No by-law that permits an institutional use or a public service facility in the “Residential” designation shall be passed unless Council or the minor by-law authority, as the case may be, is satisfied that:
- (a) the proposed use will be compatible with surrounding residential uses and will have minimal impacts on adjacent uses;
  - (b) the use will be provided with appropriate water services and sewage services, in accordance with standards established by the Township;
  - (c) the site has reasonable access, either directly or indirectly, to a Township Arterial Road or to a Collector Road; and
  - (d) the facility or use will be established and developed in a manner that has regard for and keeps pace with future growth.
6. Institutional uses shall not be permitted on hazardous lands or on hazardous sites where there would be a threat to the safe evacuation of vulnerable persons during an emergency resulting from erosion, flooding, or the failure of floodproofing measures or flood protection.

## 4.5 Industrial & Employment Designations

**This section of the Official Plan** refers to both “industrial” and “employment” land uses: technically, “employment use” is a more general term that includes industrial uses (what we might consider “traditional” industrial uses, such as manufacturing and processing) as well as uses that are not usually considered “industrial,” such as office employment and business parks. (In other words, all industrial uses are employment uses, but not all employment uses are industrial uses.)

This Official Plan’s objectives for industrial and employment-land development are:

- (1) to encourage development that creates full-time employment opportunities for the Township’s residents in locations close to where the resident labour force lives;
- (2) to direct the development of new industrial and employment uses to sites provided with water and sewage services at a level appropriate for the land use; and
- (3) to provide for industrial and employment-land development while protecting nearby sensitive land uses and preserving the natural environment.

Amendments to this Official Plan that would have the effect of converting an employment area to a non-employment use shall only be permitted through a comprehensive review of this Plan and only where it has been demonstrated that there is a need for the conversion and that the lands in question are not required for employment purposes over the long term.

### 4.5.1 "Industrial" Designation

The **Ministry of the Environment** categorizes industrial uses based on the expected impacts of the use's normal operations on adjacent sites, as shown in Table 4.1.<sup>9</sup> "Non-industrial" employment uses can be considered "Light Industrial" under this categorization scheme, as they generally take place indoors during daytime hours with little to no outputs that adversely affect adjacent uses.

This Official Plan intends that most, if not all, industrial development will occur in the areas designated "Industrial" on Schedule B. The proposed establishment of an industrial use outside of the Township's Settlement Areas is subject to the relevant policies in Section 3.

**Table 4.1 – Categorization of Industrial Uses**

Class	Scale	Processes	Outputs	Operations
Light Industrial	Small-scale plant with no outdoor storage.	Take place in self-contained facility or building used to produce or store a product. Low probability of fugitive emissions.	Noise generated not audible off property. Dust and odour infrequent and not intense. No ground-borne vibration.	Daytime operations only. Infrequent movement of products or heavy truck traffic.
General Industrial	Medium production level with outdoor storage permitted.	Take place in the open with periodic outputs of minor annoyance. Low probability of fugitive emissions.	Noise generated occasionally audible off property. Dust or odour frequent and occasionally intense. Ground-borne vibration not perceivable off property.	Shift operations permitted. Frequent movement of products or heavy truck traffic, with majority of movement during daytime hours.
Heavy Industrial	Large-scale production with outdoor storage of raw and finished products.	Take place in the open with frequent outputs of major annoyance. High probability of fugitive emissions.	Noise generated frequently audible off property. Dust or odour persistent or intense. Ground-borne vibration can frequently be perceived off property.	Daily shift operations permitted. Continuous movement of products and employees.

Source: Ontario Ministry of the Environment, "D-6-1 Industrial Categorization Criteria".

<sup>9</sup> The term "fugitive emissions," used in the "Processes" column of the table, refers to emissions that can be reasonably expected to occur from normal operations and that are generally difficult to control at the source; the term does not include emissions from point sources like smokestacks or vents.

### Permitted Uses

1. The full range of industrial uses may be permitted in the "Industrial" designation, subject to the applicable provisions in the implementing Zoning By-law, where the term "industrial uses" refers to land uses or facilities whose primary activities relate to:
  - (a) the assemblage or storage of substances, goods, or raw materials;
  - (b) the processing or manufacturing of substances, goods, or raw materials; or
  - (c) the packaging and shipping of finished products.
2. Further to No. 4.5.1.1 above, the full range of industrial uses shall include Light Industrial uses, General Industrial uses, and Heavy Industrial uses, as characterized according to the criteria in Table 4.1.
3. Notwithstanding the definition of "industrial uses" in Policy No. 4.5.1.1, any of the following uses may be permitted in the "Industrial" designation (subject to the applicable provisions in the implementing Zoning By-law):
  - (a) office-based employment uses;
  - (b) research facilities;
  - (c) broadcasting and communications facilities;
  - (d) equipment sales and rental;
  - (e) motor vehicle repair garages, service stations, or body shops;
  - (f) industrial laundromats, linen supply facilities, or dry-cleaning establishments;
  - (g) printing or publishing establishments;
  - (h) construction yards;
  - (i) truck or transportation terminals; or
  - (j) other uses that have a reasonable potential to produce point-source or fugitive emissions that could adversely affect other nearby land uses.
4. Notwithstanding the classifications and criteria in Table 4.1, an "in-between" use that requires outdoor storage may be permitted in the "Industrial" designation as a Light Industrial use, subject to the passing of a minor by-law to amend the implementing Zoning By-law with site-specific provisions that permit the use.
5. Uses related to adult entertainment, including retail establishments devoted exclusively to the sale of adult entertainment-oriented materials, may be permitted in the "Industrial" designation without an amendment to this Official Plan but shall require a site-specific amendment to the implementing Zoning By-law.

6. Cannabis processing facilities may be permitted in the "Industrial" designation as a General Industrial use, but such uses:
  - (a) shall not involve the cultivation of cannabis;
  - (b) shall require a site-specific amendment to the implementing Zoning By-law; and
  - (c) shall comply with the applicable policies set out in Section 3.3.1 of this Official Plan.
7. A use that is associated with, or supportive of, a permitted use may also be permitted as an accessory use in the "Industrial" designation, provided that such an accessory use does not affect the primary use's classification according to the criteria presented in Table 4.1.
8. Accessory commercial uses may be permitted in the "Industrial" designation for the purpose of selling goods and materials produced on the premises, but such accessory uses:
  - (a) shall be located within the same structure in which the primary use is located; and
  - (b) shall not generate any adverse impacts on adjacent sites, including on adjacent industrial uses or adjacent employment uses.
9. Commercial uses intended to serve an industrial subdivision or business park as a whole (such as restaurants) may be permitted to locate in a business park or industrial subdivision, but such commercial uses:
  - (a) shall be small-scale and supportive of industrial uses and employment uses; and
  - (b) shall maintain the area's primary function as an industrial or employment area.

### **Development Principles**

10. New industrial and employment uses are encouraged to locate in business parks or industrial subdivisions, where possible.
11. New industrial and employment uses on individual sites are encouraged to develop adjacent to established industrial or employment uses.
12. The establishment of a new industrial or employment use, or the expansion of an existing such use, shall only be permitted if the Township is fully satisfied that the proposed method of providing water and sewage services is suitable and appropriate for, and is capable of supporting, the proposed new or expanded use.
13. For the purposes of Policy No. 4.5.1.12, this Plan recognizes that some industrial uses and employment uses, by their nature, do not require full municipal water services and municipal sewage services, and therefore the term "suitable and appropriate" should be interpreted as meaning that sites with access to full municipal water services and municipal sewage services should, wherever possible, remain available for uses that require such services.

14. Industrial and employment uses located along County Roads, Township Arterial Roads, or Collector Roads shall not create traffic hazards.
15. Where a proposed industrial or employment-land development is located on a County Road or would affect a County Road, the proponent shall be required to undertake and implement a Traffic Impact Study to the satisfaction of the appropriate road authorities.
16. Industrial development and employment-land development should:
  - (a) occur on lots whose size and frontage are appropriate for the proposed uses;
  - (b) provide sufficient parking facilities for employees and visitors while making efficient use of available land; and
  - (c) provide adequate on-site loading facilities that allow for the safe movement of pedestrian and vehicular traffic.
17. Industrial uses shall not have an adverse impact on the natural heritage system or on natural heritage features, and proponents of industrial or employment-land development will be required:
  - (a) to provide studies and reports assessing potential impacts from the proposed use on any adjacent natural heritage features or areas; and
  - (b) to identify measures that will be implemented to mitigate such impacts.
18. Where necessary, industrial and employment uses shall provide adequate buffering and screening from adjacent residential areas and other adjacent sensitive uses.
19. Where feasible, industrial and employment uses are encouraged to consider providing facilities that could support or promote the use of active transportation modes for commuting (such as bicycle storage facilities).

### Zoning

20. The implementing Zoning By-law will establish separate zones in which Light Industrial, General Industrial, and Heavy Industrial uses will be permitted, with reference to the categorization criteria presented in Table 4.1.
21. The Zoning By-law may establish zoning categories that permit or prohibit land uses based on the availability of municipal water services and municipal sewage services, pursuant to Subsection 34 (5) of the *Planning Act*.
22. In establishing provisions and standards for Industrial zones, the implementing Zoning By-law will prioritize the following:
  - (a) the appropriate location of Light Industrial, General Industrial, and Heavy Industrial uses with respect to adjacent and surrounding land uses;

- (b) the separation of incompatible land uses;
- (c) the use of appropriate buffering, screening, and other measures to mitigate potential adverse impacts; and
- (d) the protection of any adjacent natural heritage features and areas.

## 4.5.2 "Waste Management Industrial" Designation

The **"Waste Management Industrial" designation**, as shown on Schedule B to this Plan, identifies the locations of active and closed waste management sites. These sites are (or were) used for the storage and disposal of municipal solid waste or of hazardous and liquid wastes.

### Permitted Uses

1. No land use except for the following shall be permitted in the "Waste Management Industrial" designation:
  - (a) publicly or privately operated waste management sites; or
  - (b) facilities for the handling, storage, or disposal of hazardous waste or of liquid waste (as those terms are defined in the regulations under the *Environmental Protection Act*).
2. For the purposes of No. 4.5.2.1(a) above, the term "waste management site" includes waste recycling sites whose function is to be used to accept waste that is identified in the regulations under the *Environmental Protection Act* as blue box waste or as another category of recyclable waste.
3. The establishment of a land use identified or described in Policy No. 4.5.2.1 in the "Waste Management Industrial" designation, or the expansion of an existing such use, shall require:
  - (a) an amendment to the County of Simcoe Official Plan, where the proposed use involves landfilling;
  - (b) an amendment to this Official Plan; and
  - (c) an amendment to the implementing Zoning By-law.
4. In considering an application to amend this Official Plan or the implementing Zoning By-law under Policy No. 4.5.2.3, the Township shall proceed in consultation with the County of Simcoe, the Ministry of the Environment, and any other agencies or public bodies having jurisdiction in the matter.
5. An application to amend this Official Plan or the implementing Zoning By-law under Policy No. 4.5.2.3 shall be accompanied by:
  - (a) all information and material regarding the physical development of the property and the proposed use as may be required by the Ministry of the Environment as part of an



application for an Environmental Compliance Approval under Part V of the *Environmental Protection Act*;

- (b) an EIS prepared in accordance with the policies in Section 5.4 of this Official Plan;
  - (c) assessments of the proposed use's potential impacts on the natural environment, on groundwater and surface water systems, on agriculture, on traffic and transportation, and on any other matters considered appropriate, as determined during pre-submission consultation; and
  - (d) a plan for the rehabilitation of the site after the proposed use has ceased operation.
6. Before approving an application made under No. 4.5.2.3 above, Council shall be satisfied that:
- (a) the proposed use will have no negative impacts on natural heritage features or areas, including wetlands, significant woodlands, and sensitive wildlife habitat or fish habitat;
  - (b) the proposed use will have no negative impacts on groundwater or surface water resources;
  - (c) the proposed use will be adequately separated, buffered, and screened from adjacent land uses, and accessory buildings and structures appropriately set back from adjacent properties and uses;
  - (d) the site has access to public roads capable of supporting the traffic generated by the proposed use;
  - (e) proposed haulage routes will be adequate in terms of anticipated traffic volumes and impacts of the proposed use on transportation;
  - (f) any potential hazards associated with the proposed use have been identified and addressed, with appropriate measures in place for dealing with all such hazards; and
  - (g) the proposed rehabilitation plan is adequate and contemplates improvements consistent with the character of the surrounding landscape.
7. The establishment of any land use not identified in No. 4.5.2.1 above within the "Waste Management Industrial" designation:
- (a) shall require an amendment to this Official Plan and to the implementing Zoning By-law; and
  - (b) shall proceed in strict accordance with Provincial guidelines.

### **Development Principles**

8. Council shall ensure that any development in the vicinity of an active or closed waste management site occurs in a manner that protects and prioritizes the health and safety of residents.

9. No land use shall be permitted:
  - (a) within 30 metres of the perimeter of a fill area on an operating landfill;
  - (b) within 30 metres of the perimeter of a fill area on a non-operating landfill where technical controls for leachate or for leachate and gas are required surrounding the fill area; or
  - (c) within 20 metres of the perimeter of a fill area on a non-operating landfill where technical controls for gas only are required surrounding the fill area.
10. No land use shall be permitted on land that has been used as a waste management site after the waste management use has ceased unless approval has been obtained from the Ministry of the Environment or other appropriate agency.

### Zoning

11. The implementing Zoning By-law will establish Waste Management Industrial zones as a separate category from other Industrial zones and will strictly limit the uses permitted in such zones in accordance with the policies in this section of the Official Plan.

### 4.5.3 "D-4 Assessment Area" Overlay Designation

The "D-4 Assessment Area" designation represents areas associated with active or closed waste management sites within which landfill-related impacts are most likely to occur. The "D-4 Assessment Area" designation is an "overlay" designation, meaning that any lands so designated on Schedule B to this Official Plan are subject to the policies in this section and in Section 7.4.2, as well as to the policies that apply to the underlying land use designation.

1. Any alteration to the boundary of an area designated "D-4 Assessment Area" shall require an amendment to this Official Plan, which shall be accompanied by a D-4 Study prepared by a person qualified under the *Environmental Protection Act* and its regulations in consultation with the Ministry of the Environment and peer-reviewed as determined necessary by the D-4 approval authority.
2. Notwithstanding Policy No 4.5.3.1, the extent of a D-4 Assessment Area around a closed waste management site may be reduced in consultation with the Ministry of the Environment without requiring a D-4 Study where current information exists to demonstrate there are no landfill-related impacts associated with the closed site, but such a reduction shall still require an amendment to this Official Plan.

### Permitted Uses

3. Any of the following uses may be permitted in the "D-4 Assessment Area" overlay designation, irrespective of whether the waste management site with which the D-4

Assessment Area is associated is operating or non-operating and irrespective of whether the associated waste management site is being used, or has been used, for landfilling purposes:

- (a) mineral aggregate operations;
  - (b) wayside pits and quarries;
  - (c) utilities, infrastructure, and above-grade transportation routes, but not major highways; or
  - (d) any other land use where:
    - (i) public health or safety would not be threatened by hazards associated with the waste management site; and
    - (ii) the use would not be impaired by noise, odour, or any other nuisance effect generated by the waste management site.
4. Notwithstanding any policies that apply to the underlying land use designation, none of the following shall be permitted in the "D-4 Assessment Area" overlay designation:
- (a) residential uses;
  - (b) the use of agricultural land for pasturing livestock;
  - (c) permanent structures used in animal husbandry; or
  - (d) cemeteries.
5. Notwithstanding No. 4.5.3.4, any of the uses, buildings, or structures referred to in that policy may be permitted in the "D-4 Assessment Area" overlay designation associated with a non-operating waste management site where the waste management use has ceased, but any such development shall be required to complete D-4 Studies to the satisfaction of the D-4 approval authority, the Ministry of the Environment, and any other agency or public body having jurisdiction.

### Development Principles

6. Any development that occurs in the "D-4 Assessment Area" overlay designation shall be subject to the policies in Section 7.4.2 of this Plan.

### Zoning

7. The implementing Zoning By-law may:
- (a) establish a separate zoning category for lands located in the "D-4 Assessment Area" overlay designation;
  - (b) stipulate that any development in a designated D-4 Assessment Area will require an amendment to the Zoning By-law; and

- (c) apply appropriate holding provisions to lands located in a designated D-4 Assessment Area.

#### 4.5.4 "Airport-Related Employment" Designation

The "Airport-Related Employment" designation comprises specific lands located between the Collingwood Regional Airport and the Barrie–Collingwood Railway right-of-way, although it does not include the airport itself. Airport operations fall under federal jurisdiction, and nothing in this Official Plan shall be construed as applying to any matter regulated by Transport Canada. Development in the "Airport-Related Employment" designation should support the operation of the Collingwood Regional Airport, in recognition of the role it plays in the regional economy.

##### Permitted Uses

1. The following uses may be permitted in the "Airport-Related Employment" designation:
  - (a) an airport;
  - (b) airport-related commercial and airport-related industrial uses, such as aircraft sales and service, maintenance, shipping, and storage;
  - (c) commercial flight schools, including temporary accommodation;
  - (d) research establishments;
  - (e) business offices; and
  - (f) small-scale accessory uses to any of the above.
2. Temporary accommodation permitted under Clause 4.5.4.1(c) above:
  - (a) shall be associated with a commercial flight school;
  - (b) shall be provided for short-duration stays only;
  - (c) shall be provided with water and sewage services to the satisfaction of the Township;
  - (d) may be provided in the form of dormitories or of small suites; and
  - (e) may include:
    - (i) facilities for meal preparation in each suite; or
    - (ii) communal facilities for meal preparation and dining.
3. None of the following shall be permitted in the "Airport-Related Employment" designation:
  - (a) residential uses, other than temporary accommodations permitted under Clause 4.5.4.1(c);
  - (b) hotels; or
  - (c) major retail uses.

4. Existing agricultural uses in the "Airport-Related Employment" designation may continue, but neither the expansion of existing agricultural uses nor the establishment of new agricultural uses in the "Airport-Related Employment" designation shall be permitted, and no amendment to this Official Plan shall be adopted that has the effect of re-designating lands from "Airport-Related Employment" to a designation that would permit such uses.
5. New residential development and new sensitive land uses shall be prohibited within the NEF/NEP 30 contour surrounding the airport, and such uses shall generally be discouraged within the NEF/NEP 25 contour.

### **Development Principles**

6. This Official Plan intends for development in the "Airport-Related Employment" designation to take place as a complete and coordinated airport-related business park through a plan of subdivision or description of condominium.
7. Where development in the "Airport-Related Employment" designation proceeds by plan of subdivision, the plan of subdivision may be required to include common elements or components (such as transportation corridors, water and sewage services, or stormwater management systems), to be held and maintained by the developer or by an identified ownership group.
8. Development in the "Airport-Related Employment" designation may be phased, but, in any individual phase, no ancillary commercial development shall occur, and no accessory use shall be established, until the development of primary uses in that phase is complete.
9. Before approving any development in the "Airport-Related Employment" designation, Council shall be satisfied that:
  - (a) appropriate arrangements for water and sewage services, as described in a servicing plan completed to the satisfaction of the Township, have been made and agreed upon by all parties involved;
  - (b) appropriate stormwater management facilities will be provided for the site;
  - (c) the proposed development will have no negative impacts on natural heritage features or their functions;
  - (d) the development will provide sufficient parking facilities for employees and visitors and adequate on-site loading facilities;
  - (e) adequate setbacks, buffering, and screening will be provided between airport-related uses and adjacent residential uses, roadways, and the Barrie-Collingwood Railway right-of-way; and
  - (f) all necessary approvals from provincial ministries, federal agencies, and any other relevant public body have been obtained.

10. Where they are required, stormwater management facilities shall be naturalized while also being designed to ensure they do not serve as habitat for waterfowl.
11. Where pedestrian or vehicular connections are proposed between development in the "Airport-Related Employment" designation and adjacent sites, including the adjacent airport use, an Airport Interface Safety Plan shall be completed, to the satisfaction of the Township, which shall address, as applicable, proposed safety measures:
  - (a) for the movement of airplanes internal to the proposed development;
  - (b) for the movement of airplanes onto the adjacent airport site; and
  - (c) for pedestrian and vehicular access to the adjacent airport site.
12. Proposed connections, as described in Policy No. 4.5.4.11, shall only be approved if all landowners impacted by the proposal have confirmed their willingness to establish such connections.
13. In considering applications for development in the "Airport-Related Employment" designation or that otherwise pertain to the Collingwood Regional Airport, the Township intends to proceed in consultation with the owner and operator of the airport and with all other appropriate public bodies and agencies.

### Zoning

14. In establishing standards and provisions for Airport-Related Employment zones, the implementing Zoning By-law will prioritize the following:
  - (a) ensuring that lands in the vicinity of the Collingwood Regional Airport are protected in the long term for potential airport-related uses;
  - (b) ensuring that normal and proper operation of the airport remains unimpeded;
  - (c) providing for the proper long-term functioning of the airport;
  - (d) protecting the airport from encroachment by incompatible land uses, including residential and other sensitive land uses; and
  - (e) preventing the establishment of any land use which might cause a potential aviation safety hazard.

## 4.6 Mineral Aggregate Resource Designations

**The purposes of the land use designations** related to mineral aggregate resources and their extraction are:

- (1) to identify areas containing consolidated and unconsolidated mineral aggregate resources so that they can be protected for possible extraction in the future; and

- (2) to provide for existing licenced mineral aggregate operations.

The “Mineral Aggregate Resource” land use designation focuses on the first of these objectives, while the “Extractive Industrial” overlay designation addresses the second.

The term “aggregate” encompasses a range of materials, including gravel, sand, clay, limestone, shale, marble, and granite. Mineral aggregate resources are essential to providing, maintaining, and improving infrastructure in the Township, the County, and the Province, and this Official Plan recognizes the need to balance the extraction of these resources with the achievement of other objectives, including the preservation of natural heritage features and the protection of water resources. Aggregate extraction operations are governed by the *Aggregate Resources Act* and its regulations, administered by the Ontario [Ministry of Natural Resources](#) (“OMNR”).

The policies in this section of the Official Plan apply only to those areas in the “Mineral Aggregate Resource” designation or the “Extractive Industrial” overlay designation, as shown on Schedule B to this Official Plan. The corresponding designation in the NEP is “Mineral Resource Extraction Area,” which is subject to the policies in Part 1.9 and Part 2.9 of the NEP.

#### 4.6.1 “Mineral Aggregate Resource” Designation

**“Mineral Aggregate Resource” areas have been identified** and designated based on the presence of consolidated or unconsolidated mineral aggregate resources, and the mapping of these areas on Schedule E to this Official Plan reflects the mapping of such resources in the SCOP. The purpose of the designation is to protect these areas for potential long-term, future use. The extraction of resources in such areas shall require an amendment to this Official Plan for the purpose of applying the “Extractive Industrial” overlay designation to the subject lands.

1. Schedule B and Schedule E to this Official Plan may be amended from time to time to identify new Mineral Aggregate Resource areas or to expand existing such areas, should new information regarding mineral deposits become available.
2. Schedule B or Schedule E may be amended, as appropriate, to reduce or remove a Mineral Aggregate Resource area under the following circumstances:
  - (a) The use of the land for mineral aggregate operations would be significantly constrained by the proximity of natural heritage features, by the location of existing sensitive uses, or by the location or condition of access roads.
  - (b) The OMNR and the Township have determined that the potential for extraction is low, based on testing undertaken by a geologist or other qualified professional to establish the quality, quantity, and extent of the mineral resource deposit.
  - (c) The licence for a mineral aggregate operation issued pursuant to the *Aggregate Resources Act* has been surrendered in accordance with Section 19 of that Act, and the



Mineral Aggregate Resource area in which that operation was located is no longer considered to have potential for the future extraction of mineral aggregate resources.

### Permitted Uses

3. The following uses may be permitted in the "Mineral Aggregate Resource" designation, but only if they do not hinder or preclude the future extraction of mineral aggregate resources:
  - (a) conservation uses; and
  - (b) agricultural uses, including accessory farm buildings and structures and single detached farm dwellings.
4. The establishment of a new mineral aggregate operation in, or the expansion of an existing mineral aggregate operation into, an area designated as "Mineral Aggregate Resource" on Schedule B shall require:
  - (a) an amendment to this Official Plan, for the purpose of applying the "Extractive Industrial" overlay designation to the area in question; and
  - (b) an amendment to the Zoning By-law, for the purpose of placing the area in question into a zone that permits mineral aggregate operations.
5. Applications to amend this Official Plan and the Zoning By-law under Policy No. 4.6.1.4 shall be subject to the requirements set out in Section 4.6.2 of this Official Plan.

### Zoning

6. The implementing Zoning By-law will establish zones that prohibit the extraction of mineral aggregate resources in the "Mineral Aggregate Resource" designation and that permit the extraction of mineral aggregate resources in the "Extractive Industrial" overlay designation.
7. The implementing Zoning By-law may recognize existing land uses within the "Mineral Aggregate Resource" designation.
8. Minor extensions to existing land uses recognized in the Zoning By-law may be permitted through a minor variance, provided that the extension does not preclude or hinder the future extraction of mineral aggregate resources.
9. No by-law shall be passed that has the effect of re-designating or re-zoning lands designated "Mineral Aggregate Resource" to permit a new use that could prevent or hinder future extraction by existing or potential mineral aggregate operations in the surrounding area.

## 4.6.2 "Extractive Industrial" Overlay Designation

The "Extractive Industrial" overlay designation encompasses existing licenced mineral aggregate operations in the Township, and recognizes all pits and quarries currently licenced under the

*Aggregate Resources Act*. The purpose of the designation is to provide for these operations, in recognition of the central importance of mineral aggregate resources to infrastructure and thus to economic prosperity, in a way that will contribute towards the achievement of other Plan objectives. Once an aggregate licence has been surrendered, this Official Plan will be amended to remove the "Extractive Industrial" overlay designation and, if warranted, change the underlying land use designation to another appropriate designation (or to multiple designations).

### Permitted Uses

1. Notwithstanding such policies as may apply to the underlying land use designation, the predominant land use within the "Extractive Industrial" overlay designation shall be the extraction and storage of mineral aggregate resources.
2. Uses ancillary to the extraction of mineral aggregate resources, such as crushing, screening, and washing, shall be permitted in association with a licenced mineral aggregate operation.
3. The recycling of used concrete and asphalt shall be permitted as a use accessory to an ongoing permitted primary use in the "Extractive Industrial" overlay designation.
4. Any of the following uses may be permitted in the "Extractive Industrial" overlay designation through the passing of a minor by-law:
  - (a) asphalt plants;
  - (b) ready-mix concrete plants;
  - (c) aggregate transfer stations; or
  - (d) other mineral aggregate processing operations.
5. Any of the following uses may be permitted in the "Extractive Industrial" overlay designation through an amendment to the Zoning By-law, provided that the proposed use will not hinder current licenced mineral aggregate operations or preclude the future extraction of mineral aggregate resources:
  - (a) open space uses;
  - (b) conservation uses;
  - (c) forestry uses; or
  - (d) agricultural uses, including accessory buildings and structures.

### After-Designations & After-Uses

6. Any amendment to this Official Plan that permits the establishment of a new mineral aggregate operation shall include site-specific provisions that establish the preferred after-designations and preferred after-uses of the lands that are the subject of the amendment.

7. To clarify:
  - (a) the proposed site for a new mineral aggregate operation may have more than one preferred after-designation and more than one preferred after-use; and
  - (b) the proposed after-designation may or may not include the existing underlying land use designation.
8. Preferred after-designations and after-uses will generally be based on the existing underlying land use designation (where that designation is not "Mineral Aggregate Resource") or on existing adjacent land uses and designations, subject to the following:
  - (a) The preferred after-designation for any portion of the proposed site on which the underlying land use designation is "Agricultural" or that is otherwise located in a prime agricultural area shall be "Agricultural", and the preferred after-uses for any such lands shall be agricultural uses.
  - (b) The preferred after-designation for any portion of the proposed site on which the underlying land use designation is one of the "Greenlands" designations or that is otherwise located in the Natural Heritage System shall be the appropriate "Greenlands" designation, and the preferred after-uses for any such lands shall be uses that are permitted in that designation.
9. Subject to No. 4.6.2.8 above, the determination of preferred after-designations and after-uses shall have regard for those identified as preferable through the public consultation undertaken as part of the process of amending this Official Plan as required under No. 4.6.2.14 below.
10. Where the licence for a mineral aggregate operation issued pursuant to the *Aggregate Resources Act* has been surrendered in accordance with Section 19 of that Act, this Official Plan shall be amended, subject to Nos. 4.6.2.11 and 4.6.2.12 below:
  - (a) for the purpose of removing the "Extractive Industrial" overlay designation from the subject lands;
  - (b) where necessary, for the purpose of changing the existing underlying land use designation to the preferred after-designation or after-designations; and,
  - (c) where necessary, for the purpose of introducing site-specific policies that:
    - (i) permit the preferred after-use or after-uses in the preferred after-designation or after-designations; or
    - (ii) restrict the uses permitted in the preferred after-designation or after-designations to the preferred after-use or after-uses.
11. Notwithstanding Policy No. 4.6.2.10, where Council is of the opinion that the after-uses or after-designations originally identified are no longer appropriate for the site (for instance, due

to changes in the surrounding area that have occurred since the mineral aggregate operation began), the amendment to this Official Plan described in No. 4.6.2.10 above:

- (a) may change the underlying land use designation to another appropriate land use designation or to a combination of appropriate land use designations; and
  - (b) may permit such land uses as Council considers appropriate for the land use designation or combination of designations described in Clause 4.6.2.11(a).
12. Where the licence for a mineral aggregate operation issued pursuant to the *Aggregate Resources Act* has been surrendered in accordance with Section 19 of that Act, and where no specific preferred after-use or after-designation for the site has been identified, this Official Plan shall be amended:
- (a) for the purpose of removing the "Extractive Industrial" overlay designation from the subject lands;
  - (b) where Council is of the opinion that the existing underlying land use designation is no longer appropriate, for the purpose of changing that underlying designation to another land use designation or to a combination of land use designations that Council considers appropriate, taking into consideration nearby land uses and the condition to which the site has been rehabilitated; and,
  - (c) where necessary, for the purpose of introducing site-specific policies that:
    - (i) permit such land uses as Council considers appropriate on the re-designated site; or
    - (ii) restrict or prohibit land uses that would otherwise be permitted by the re-designation of the site.
13. Nothing in this section of the Official Plan shall be interpreted as limiting Council's ability to amend the Official Plan for the purpose of introducing site-specific policies that pertain to matters other than permitted land uses.

#### **Development Criteria & Principles**

14. The establishment of a new mineral aggregate operation in the "Extractive Industrial" overlay designation shall require an amendment to this Official Plan and to the Zoning By-law for the purposes identified in Policy No. 4.6.1.4 above.
15. An application to amend the Official Plan or the Zoning By-law to permit a new mineral aggregate operation shall be accompanied by:
- (a) a site plan prepared in accordance with the regulations under the *Aggregate Resources Act*, including details on progressive and final rehabilitation of the site;

- (b) all information relevant to the physical development of the property as may be required by the OMNR in considering an application for a licence under the *Aggregate Resources Act*;
  - (c) an EIS prepared in accordance with Section 5.4 of this Official Plan; and
  - (d) any other information or material deemed necessary by the Township, the OMNR, or other responsible approval authority.
- 16. To clarify, the public notification and consultation required under the *Planning Act* for an application to amend the Official Plan or the Zoning By-law shall be undertaken separately from the notification and consultation required under the *Aggregate Resources Act* for an application for a licence or permit under the latter Act.
- 17. In considering an application to amend the Official Plan or the Zoning By-law to permit a new mineral aggregate operation, Council shall:
  - (a) carefully consider the impact of the proposed mineral aggregate operation:
    - (i) on surrounding agricultural operations;
    - (ii) on surrounding natural heritage features and functions;
    - (iii) on transportation infrastructure; and
    - (iv) on any nearby sensitive land uses; and
  - (b) seek to ensure that:
    - (i) the proposed mineral aggregate operation meets all applicable environmental requirements, standards, and guidelines;
    - (ii) the proposed operation will be screened from public view;
    - (iii) the proposed operation and any ancillary uses will be adequately separated and screened from adjacent incompatible uses;
    - (iv) any buildings and structures associated with the proposed operation will be appropriately set back from the lot lines of adjacent properties;
    - (v) suitable financial arrangements have been made regarding the maintenance of, and upgrades to, any Township roads proposed to be used as haul routes; and
    - (vi) suitable arrangements have been made for the rehabilitation of the subject lands.
- 18. Council may choose to deny an application to amend the Official Plan or the Zoning By-law to permit a new mineral aggregate operation where it is of the opinion that:
  - (a) the proposed operation would have a severe or limiting effect:
    - (i) on adjacent agricultural uses; or

- (ii) on adjacent natural features or functions;
  - (b) alternate locations in the "Mineral Aggregate Resource" designation, or in another area to which the "Extractive Industrial" overlay designation already applies, are available that:
    - (i) would have less of an impact on agriculture; or
    - (ii) would have less of an impact on natural heritage features and functions; or
  - (c) the proposed method of rehabilitation will not restore the site of the proposed operation to substantially the same condition or to the same agricultural acreage and level of soil capability.
19. Subject to the provisions of the *Aggregate Resources Act* and the regulations under that Act, Council may reduce or waive a required setback:
- (a) from a lot line between two mineral aggregate operations, where such operations abut one another; or
  - (b) from a road, where two mineral aggregate operations are separated only by a municipal road.
20. When Council deems it necessary, the Township may enter into an agreement with the operator of a mineral aggregate operation to address matters such as hours of operation, the maintenance or upgrade of municipal roads to be used as haul routes, and site rehabilitation.
21. Before approving any application made under the *Planning Act* that proposes development within 300 metres of lands in the "Extractive Industrial" overlay designation, Council shall be satisfied that the proposed use:
- (a) is compatible with the current mineral aggregate operation and with potential future expansions of that operation; and
  - (b) will provide for any measures necessary to mitigate adverse impacts from the existing operation and from potential future expansions of that operation.

## 4.7 Open Space Designations

**This section of the Official Plan** focuses primarily on permitted uses, development principles, and zoning priorities for the "Open Space" land use designation. Policies regarding the development of public parks and recreation facilities, including the classification system for public parks, can be found in Section 8.4 of this Plan. Further policies regarding the planning of trails and the active transportation network can be found in Section 7.5.6.

### 4.7.1 "Open Space" Designation

**Areas designated as "Open Space"** are meant to serve as accessible venues for a range of active and passive recreation uses and for a variety of programmed and unstructured activities. The "Open Space" designation aims to provide a system of parks and open spaces that serves the recreational and social needs of the community, enhances aesthetic appeal and quality of life, promotes the provision of public open spaces that respect and preserve the natural environment, and facilitates active transportation connections between parks, open space areas, and recreation facilities.

#### Permitted Uses

1. The following uses may be permitted in the "Open Space" designation:
  - (a) active and passive recreation uses, including public parks and indoor and outdoor recreation facilities;
  - (b) trails and facilities for non-motorized vehicles;
  - (c) conservation areas and conservation uses;
  - (d) forestry management and wildlife management;
  - (e) existing private parks and existing campgrounds;
  - (f) existing agricultural uses; and
  - (g) public uses and public works.
2. Uses accessory to a permitted use (such as a caretaker's residence, a clubhouse, or a restaurant that serves the needs of the permitted use) may also be permitted in the "Open Space" designation, subject to the provisions of the implementing Zoning By-law.
3. This Official Plan recognizes existing private parks in the "Open Space" designation, but:
  - (a) the expansion of such uses shall generally not be permitted, and under no circumstances shall the re-designation of lands from another land use designation to "Open Space" for the purposes of such an expansion be permitted; and
  - (b) any proposed new private park uses shall be considered commercial uses for the purposes of this Official Plan.
4. For the purposes of No. 4.7.1.3 above, the term "private park" shall refer to any open space or recreational area, building, or structure that is not a public park and that is operated on a commercial or private membership basis, such as golf courses, ski facilities, campgrounds, swimming pools, and fitness clubs.



5. The expansion of an existing agricultural use in the "Open Space" designation will generally be discouraged, and the establishment of a new agricultural use in the "Open Space" designation shall generally not be permitted.
6. Nothing in this Official Plan shall be construed as implying any intent on the part of the Township or any other public body to acquire lands located in the "Open Space" designation that are under private ownership.

### **Development Principles**

7. The Township recognizes the role that public institutions, agencies, and other organizations play in providing open space amenities and recreation facilities, and intends to work cooperatively with such institutions and groups, wherever possible, in the planning, design, and integration of open space areas and facilities.
8. Land uses and activities in the "Open Space" designation shall be planned and designed to protect, preserve, integrate, and where possible enhance natural heritage features.
9. Natural heritage features in or adjacent to the "Open Space" designation shall be protected by vegetative buffers that are maintained as naturalized areas and that are designed to prevent human interference with the natural feature.
10. The Township will place a high priority on connecting lands in the "Open Space" designation to the trails network and on maximizing opportunities for active transportation.
11. Development in the "Open Space" designation, when it occurs, should contribute to the aesthetic appeal of the neighbourhood or surrounding area and, where possible, provide a focal point to enhance sense of place and community identity.

### **Zoning**

12. In establishing provisions and standards for Open Space zones, the implementing Zoning By-law will prioritize the following:
  - (a) protecting natural heritage features and areas using naturalized buffers;
  - (b) providing for the overall public enjoyment of open space areas and amenities;
  - (c) ensuring accessibility for people of all ages and all abilities;
  - (d) maintaining public safety by maximizing the visibility of open space areas; and
  - (e) providing appropriate buffering and screening to minimize potential adverse effects on abutting properties from such factors as lighting, noise, or projectiles.

## 4.8 Rural & Agricultural Designations

**This section summarizes the permitted uses** and zoning priorities for the “Rural” and “Agricultural” designations. Development in these designations shall only be permitted in accordance with the policies set out in Section 3 (Rural & Agricultural Lands) of this Official Plan.

### 4.8.1 “Rural” Designation

**The objectives for the “Rural” designation** are set out in Policy No. 3.4.1.1 above. The policies presented here regarding permitted uses and zoning priorities do not apply to the “Escarpment Rural Area” designation, which is instead subject to the policies in Part 1.5 of the NEP.

#### Permitted Uses

1. The following uses may be permitted in the “Rural” designation, subject to the policies in Section 3.4 of this Official Plan:
  - (a) agricultural uses, as defined in Section 3.3.1 of this Plan;
  - (b) agriculture-related uses, as defined in Section 3.3.2;
  - (c) on-farm diversified uses, including agri-tourism, in accordance with the policies set out in Section 3.3.3;
  - (d) accommodation for full-time farm labour;
  - (e) residential uses, including limited non-agricultural residential development by consent;
  - (f) an attached additional residential unit, a detached additional dwelling unit, or a garden suite;
  - (g) home occupations and home industries;
  - (h) bed-and-breakfast establishments;
  - (i) equestrian centres, including those that do not meet the criteria for an agricultural use;
  - (j) uses related to resource use and management, subject to No. 4.8.1.4 below;
  - (k) conservation, forestry management, and similar uses;
  - (l) active transportation facilities and trail corridors, including those owned or operated by a recognized trail conservancy;
  - (m) resource-based recreational uses, such as ski facilities and hiking trails;
  - (n) cemeteries; and
  - (o) public uses and public service facilities.

2. Any use that is identified as a permitted on-farm diversified use in Policy No. 3.3.3.1 or in Policy No. 3.3.3.3 may be permitted as a primary use of land in the "Rural" designation through the passing of a minor by-law.
3. Any of the following uses may be permitted in the "Rural" designation through an amendment to the Zoning By-law, subject to the policies in Section 3.4 of this Plan:
  - (a) cannabis cultivation in accordance with the applicable policies in Section 3.3.1;
  - (b) an agricultural research and training centre, but only if the use does not provide on-site accommodations;
  - (c) wedding venues;
  - (d) non-agricultural commercial and non-agricultural industrial uses;
  - (e) "in-between" uses; and
  - (f) any of the open space uses listed in Policy No. 3.4.4.19.
4. Mineral aggregate operations may be permitted on lands designated "Rural" on Schedule B to this Plan but shall require an amendment to this Official Plan in accordance with Section 4.6 above for the purpose of applying the "Extractive Industrial" overlay designation to the subject lands.

### **Development & Zoning**

5. Development in the "Rural" designation shall only be permitted in accordance with the policies in Section 3.4 of this Official Plan.
6. In establishing provisions and standards for zones in the "Rural" designation, the implementing Zoning By-law will prioritize the following:
  - (a) ensuring that agriculture-related uses remain the predominant land uses in rural areas;
  - (b) making appropriate provision for land uses that cannot be located in a Settlement Area or that are more appropriately located outside of Settlement Areas;
  - (c) maintaining the viability of existing agricultural operations;
  - (d) minimizing potential adverse impacts on agricultural operations, on agriculture-related uses, on natural heritage features, and on cultural heritage features;
  - (e) preventing encroachment by incompatible land uses on agricultural and agriculture-related uses; and
  - (f) permitting development and land uses consistent with the Township's rural character and historical agricultural community in a way that protects the natural environment.

## 4.8.2 "Agricultural" Designation

The policies below summarize the permitted uses and zoning priorities for the "Agricultural" designation. Prime agricultural areas located within the NEP Area are subject to the policies in Part 2.8 of the NEP.

### Permitted Uses

1. All agricultural uses, including single detached farm dwellings and on-farm buildings and structures used for agricultural purposes, shall be permitted in the "Agricultural" designation, subject to the policies in Section 3.3.1 of this Official Plan.
2. Any of the following may be permitted as an agricultural use in the "Agricultural" designation, subject to the policies in Section 3.3.1:
  - (a) greenhouses, subject to the provisions in the implementing Zoning By-law regarding matters such as maximum height, maximum floor area, and maximum lot coverage;
  - (b) value-retaining facilities for products produced on-site;
  - (c) accommodation for full-time farm labour;
  - (d) pick-your-own operations;
  - (e) a machine repair shop, provided that any machinery repaired is also used as part of the agricultural operation on the same site;
  - (f) equestrian centres, provided that the use involves the breeding, raising, boarding, maintaining, or training of horses; or
  - (g) an agricultural research and training centre where the primary activity is the growing of crops or raising of animals, provided that the use does not provide on-site accommodations.
3. Any of the following may be permitted as an on-farm diversified use in the "Agricultural" designation, subject to the policies in Section 3.3.3 of this Plan:
  - (a) accommodation for full-time farm labour;
  - (b) bed-and-breakfast establishments;
  - (c) home occupations and home industries;
  - (d) a greenhouse used for the growing or retailing of plants or of non-plant items (such as gardening supplies);
  - (e) value-retaining facilities for agricultural products; or
  - (f) agri-tourism uses or farm-related tourism uses.

4. Any of the following may be permitted in the “Agricultural” designation through the passing of a minor by-law, subject to the applicable policies in Section 3.3 of this Official Plan:
- (a) as an agriculture-related use, subject to the policies in Section 3.3.2:
    - (i) farmers’ markets that primarily sell products grown in the area;
    - (ii) auction sites for products grown in the area;
    - (iii) livestock assembly yards and stock yards;
    - (iv) value-retaining facilities (regardless of whether such facilities are located on a farm);
    - (v) facilities for processing agricultural products grown in the area;
    - (vi) suppliers of farm inputs (such as seeds, feed, or fertilizer);
    - (vii) grain-drying operations;
    - (viii) flour mills; or
    - (ix) farm equipment repair shops;
  - (b) as an on-farm diversified use, subject to the policies in Section 3.3.3:
    - (i) uses that produce value-added agricultural products;
    - (ii) a small-scale micro-brewery or micro-distillery;
    - (iii) a small-scale winery, cidery, or meadery;
    - (iv) a veterinary clinic;
    - (v) an equestrian centre;
    - (vi) a kennel;
    - (vii) a machine repair shop;
    - (viii) a small-scale landscaping business; or
    - (ix) any other use that directly relates to the primary agricultural use of the property;
  - (c) a temporary on-farm use that fits all the criteria for an on-farm diversified use, subject to the policies in Section 3.3.3; or,
  - (d) as a non-agricultural use, subject to the policies in Section 3.3.4:
    - (i) conservation, forestry management, and similar uses, provided that such uses generally maintain the existing parcel size and do not require any form of non-agricultural construction;
    - (ii) active transportation facilities and trail corridors, including those owned or operated by a recognized trail conservancy; or

- (iii) public uses, which shall be limited to public parks and to public transportation, utility, and communication facilities and structures.
5. Any of the following may be permitted in the "Agricultural" designation through an amendment to the Zoning By-law, subject to the applicable policies in Section 3.3 of this Plan:
    - (a) cannabis cultivation, subject to the applicable policies in Section 3.3.1;
    - (b) an agriculture-related use not specifically identified in No. 4(a) above, subject to the policies in Section 3.3.2; or,
    - (c) as an on-farm diversified use, subject to the policies in Section 3.3.3:
      - (i) an agricultural research and training centre, but only if the use does not provide on-site accommodations;
      - (ii) wedding venues; and
      - (iii) other small-scale commercial or industrial uses not identified in No. 4.8.2.3 or No. 4.8.2.4(b) above, provided that such a use is appropriate in a prime agricultural area.
  6. The extraction of minerals, petroleum resources, or mineral aggregate resources may be permitted on lands designated "Agricultural" on Schedule B to this Plan but shall require an amendment to this Official Plan in accordance with Section 4.6 above for the purpose of applying the "Extractive Industrial" overlay designation to the subject lands.

### Development & Zoning

7. Any decision made by Council regarding development in the "Agricultural" designation will, to the fullest extent possible, be made to ensure:
  - (a) the preservation and protection of prime agricultural areas, and agricultural lands in general, to the greatest possible extent;
  - (b) the preservation and protection of agricultural uses of all types, sizes, and intensities, and of all normal farm practices; and
  - (c) the preservation of agriculturally viable farm units and the historical agricultural community of Clearview Township.
8. Development in the "Agricultural" designation shall only be permitted in accordance with the policies in Section 3.3 of this Official Plan.
9. In establishing provisions and standards for zones in the "Agricultural" designation, the implementing Zoning By-law will prioritize the following:
  - (a) ensuring that agricultural uses remain the predominant land uses in prime agricultural areas;

- (b) promoting and protecting agricultural uses of all types, sizes, and intensities;
- (c) protecting prime agricultural areas from encroachment by incompatible uses;
- (d) providing adequate protection for natural heritage features;
- (e) maintaining the predominantly agricultural character of the Township's rural landscape;
- (f) minimizing the amount of land removed from agricultural production;
- (g) providing for agriculture-related uses that are compatible with surrounding agricultural operations; and
- (h) providing for appropriate and compatible on-farm diversified uses as secondary uses to a property's primary agricultural use.

## 4.9 Greenlands Designations

The **"Greenlands" designations constitute** the Township of Clearview's natural heritage system, which has been identified in accordance with the SCOP and with the Natural Heritage System of the Growth Plan. The boundaries of the Greenlands designations, as shown on Schedule B to this Official Plan, should be considered approximate, with their precise location to be determined by the Township, in consultation with Simcoe County, the NVCA, and any other approval authority, as appropriate, prior to the making of a decision regarding any development application that could affect such features. Minor adjustments to the boundaries of any of the "Greenlands" designations, as determined through more detailed mapping or field surveys, the results of an EIS, or information received from the OMNR or from other public bodies, will not require an amendment to this Official Plan, provided that the overall intent of this Plan is maintained.

The sub-classification of Greenlands into Natural Heritage Areas, Wetlands Areas, and Hazard Lands Areas recognizes the distinct environmental characteristics of each area. In areas where different sub-classifications overlap, the policies of the most restrictive designation shall apply, with the "Greenlands - Wetlands Area" designation being considered the most restrictive and the "Greenlands - Hazard Lands Area" designation considered the second-most restrictive.

This section of the Official Plan establishes permitted uses, development principles, and zoning priorities for the "Greenlands" designations. Additional policies for the Township's natural heritage system, including policies regarding adjustments and modifications to the boundaries of all three "Greenlands" designations, can be found in Section 5 (Natural Heritage).

### 4.9.1 General Policies for "Greenlands" Designations

The **policies below apply** to all three "Greenlands" sub-classifications (which are referred to collectively as "the 'Greenlands' designations").



1. The application of one of the "Greenlands" designations to lands under private ownership shall in no way be interpreted as implying any intent on the part of the Township or any other public body or agency to purchase or acquire any lands so designated.
2. Nothing in this Official Plan shall be interpreted as indicating or implying that lands under private ownership in one of the "Greenlands" designations are in any way open or accessible to the public.
3. Any proposal to re-designate lands from one of the "Greenlands" designations to another designation that is not a "Greenlands" designation:
  - (a) shall require an amendment to this Official Plan;
  - (b) shall not be approved unless an EIS, prepared in accordance with Section 5.4 of this Plan, has demonstrated, to the satisfaction of the Township, the County of Simcoe, and the NVCA, that the proposed re-designation will have no negative impacts on natural heritage features or areas or on their ecological functions; and,
  - (c) where the lands proposed for re-designation are located in a prime agricultural area, shall only be approved if the purpose is to place the subject lands in the "Agricultural" designation.
4. Minor adjustments to the boundaries of the "Greenlands" designations shown on the schedules to this Plan may be made without requiring an amendment to this Official Plan where such adjustments are based on more detailed mapping and surveys, on the results of an EIS that has been approved by the Township and the NVCA, or on information received from the OMNR, a conservation authority, or another public body or agency.
5. Where a minor adjustment made under No. 4.9.1.4 above results in lands being removed from the "Greenlands" designations, the lands so removed shall be re-designated to match the abutting land use designation.
6. In circumstances where changes to the boundary of a Settlement Area result in lands in one of the "Greenlands" designations being moved within the Settlement Area boundaries, the affected lands:
  - (a) shall retain the same "Greenlands" designation as they had before the change to the Settlement Area boundary;
  - (b) shall no longer be subject to the policies in this Official Plan that apply to natural heritage features and areas located outside Settlement Areas; and
  - (c) shall continue to be protected in a way that maintains, restores, or enhances their diversity, functions, and connectivity.

7. In circumstances where changes to the boundary of a Settlement Area result in lands in one of the "Greenlands" designations being moved outside of the Settlement Area boundaries, the affected lands:
  - (a) shall retain the same "Greenlands" designation as they had before the change to the Settlement Area boundary; and
  - (b) shall be subject to the policies in this Official Plan that apply to natural heritage features and areas located outside Settlement Areas.
8. Anyone proposing development or site alteration in or adjacent to one of the "Greenlands" designation:
  - (a) shall be required to submit an EIS, prepared in accordance with Section 5.4 of this Plan, as part of a complete application; and
  - (b) may be required to provide additional studies to determine the extent of natural heritage features and areas affected by the proposed development, or to determine the extent of hazardous lands and the locations of hazardous sites, for the purpose of delineating precise boundaries for the "Greenlands" designations.
9. For the purposes of Policy No. 4.9.1.8 and for the remainder of Section 4.9, "adjacent" shall have the same meaning as it does in Section 5.2 of this Plan.
10. Damage to, or the destruction of, a natural heritage feature or area or of an ecological function by causes not beyond the control of the landowner:
  - (a) shall have no effect on the designation of the land on which the feature, area, or function in question is or was situated; and
  - (b) shall not serve as the basis for a change from one of the "Greenlands" designations to another designation that is not a "Greenlands" designation.

#### 4.9.2 "Greenlands - Natural Heritage Area" Designation

The "Greenlands - Natural Heritage Area" designation encompasses all lands in the Township's natural heritage system that are not covered by the "Greenlands - Hazard Lands Area" or "Greenlands - Wetlands Area" designations. Further details on the features included in the natural heritage system can be found in Section 5.

##### Permitted Uses

1. Outside of Settlement Areas, and subject to the policies in this section, the following uses may be permitted in or adjacent to the "Greenlands - Natural Heritage Area" designation:
  - (a) existing agricultural uses;

- (b) single detached residential dwellings (both farm and non-farm) on existing lots of record having distinct and separate ownership on the day this Official Plan came into effect;
  - (c) home occupations and home industries in dwellings that lawfully existed on the date this Official Plan came into effect;
  - (d) outdoor passive recreation uses;
  - (e) conservation uses;
  - (f) forestry on public lands or in County forests, in accordance with an approved management plan and with sustainable forest practices;
  - (g) forestry on private lands as permitted by Simcoe County's Forest Conservation By-law or by a tree by-law passed by the Township of Clearview under Section 135 of the *Municipal Act, 2001*; and
  - (h) mineral aggregate operations that have been approved through an amendment to this Official Plan.
2. Any of the following may be permitted in the "Greenlands - Natural Heritage Area" designation through an amendment to the Zoning By-law, subject to the approval of an EIS:
- (a) new agricultural uses proposing expansion into undisturbed natural heritage areas outside Settlement Areas;
  - (b) agriculture-related uses, including sales outlets and facilities devoted to the processing of agricultural products; and
  - (c) single detached residential dwellings on lots created by consent, in accordance with all relevant provisions in this Official Plan.
3. Residential dwelling units on lots that were approved prior to May 9, 2016 (being the approval date of Policy No. 3.8.15 in the SCOP), may be permitted in or adjacent to the "Greenlands - Natural Heritage Area" designation outside of Settlement Areas, provided that it has been demonstrated that the subject lands are not within a prime agricultural area.
4. The establishment of a single detached dwelling on an existing lot of record in the "Greenlands - Natural Heritage Area" designation shall only be permitted where the lot is of sufficient area and has frontage on a public road.
5. Public parks may be permitted where the preparation of an EIS has demonstrated, to the satisfaction of the Township, of Simcoe County, and of the NVCA, that there will be no negative impact on natural features or on their ecological functions.

6. Recreational uses in the "Greenlands - Natural Heritage Area" designation shall:
  - (a) be limited to passive recreational uses; and
  - (b) be established in accordance with the recommendations of an approved EIS.

### **Development Principles**

7. The Township discourages any disturbance to lands in the "Greenland - Natural Heritage Areas" designation, and development shall generally be directed away from such areas.
8. Any development that does occur in the "Greenlands - Natural Heritage Area" designation shall proceed in accordance with the policies in Section 5.2 of this Official Plan.
9. Nothing in this section of the Official Plan is intended to limit the ability of existing agricultural uses to continue.

### **Zoning**

10. In establishing provisions and standards for zones in the "Greenlands - Natural Heritage Area" designation, the implementing Zoning By-law will prioritize the protection of all natural heritage features and areas from disturbances resulting from human activity.

## **4.9.3 "Greenlands - Hazard Lands Area" Designation**

The **"Greenlands - Hazard Lands Area" designation** encompasses lands that are unsuitable for development due to the presence of inherent natural hazards, such as steep slopes, unstable soils, or susceptibility to flooding or erosion. It is the intent of this Official Plan to protect public safety by strictly limiting development within these areas. The boundaries of the "Greenlands - Hazard Lands" designation shown on Schedule B to this Official Plan have been delineated based on floodplain and regulation mapping, where such mapping exists. Where the extent of the regulatory floodplain is unknown, the designation has been conceptually delineated using the top-of-bank of select watercourses. Steep slopes shown on Schedule C-3 have also been delineated conceptually.

In recognition of the likelihood of more frequent and more severe flood events resulting from climate change, the Township has employed the one-zone concept in defining the extent of floodplains. The one-zone concept treats the entire floodplain, as defined by the regulatory flood standard, as a single unit, with all development within the floodplain so defined being subject to the same restrictions and controls. The one-zone concept applies to the entire Township, except for certain Special Policy Areas described in Section 13.

Overall, this Official Plan seeks to protect public health and safety, as well as the environment, by strongly discouraging any development on hazardous lands and hazardous sites.

1. The boundaries of the "Greenlands – Hazard Lands Area" designation shown on Schedule B to this Plan should be interpreted as approximations intended to serve as a guide for the preparation of criteria for the implementing Zoning By-law and other standards.
2. Council shall update or amend this Official Plan and the Zoning By-law for the purpose of modifying the boundaries of the "Greenlands – Hazard Lands Areas" designation:
  - (a) to reflect more detailed mapping of hazard areas, when such mapping becomes available (where Council has not required an application under Policy No. 6.2.1.6 below); or
  - (b) when significant changes to an identified floodplain occur as the result of flood control or other works.

### Permitted Uses

3. The following uses may be permitted in the "Greenlands – Hazard Lands Area" designation:
  - (a) conservation uses;
  - (b) flood and erosion control projects deemed to be necessary and in the public interest;
  - (c) passive recreation uses and trails for non-motorized trail activities;
  - (d) wildlife management and fisheries management; and
  - (e) existing agricultural uses.
4. Only those buildings or structures required for the purposes of flood control shall be permitted in the "Greenlands – Hazard Lands Area" designation.
5. Any of the following uses may be permitted in the "Greenlands – Hazard Lands Area" designation, at the discretion of Council, through a site-specific amendment to the Zoning By-law, subject to the satisfactory completion of any studies the Township considers necessary to fully assess all potential risks associated with natural hazards:
  - (a) new agricultural uses proposing expansion into an undisturbed natural heritage feature or area outside of a Settlement Area; and
  - (b) golf courses, exclusive of any associated buildings or structures.
6. Any use permitted under No. 4.9.3.3 or No. 4.9.3.5 should be located outside of all wetlands and all protective buffers associated with wetlands.
7. The establishment of any use not identified or described in No. 4.9.3.3 or No. 4.9.3.5 on land designated "Greenlands – Hazard Lands Area" shall require an amendment to this Official Plan for the purpose of re-designating the subject land, which shall only be approved in accordance with Policy No. 4.9.3.11 below.

### Development Criteria & Principles

8. Development in the "Greenlands – Hazard Lands Area" designation:
  - (a) shall only be permitted in limited circumstances where it has been established that there will be no negative impacts on natural heritage features or on public safety; and
  - (b) shall be directed to areas outside of hazardous lands that are impacted by flooding hazards or erosion hazards and away from hazardous sites.
9. The establishment of any permitted use in the "Greenlands – Hazard Lands Area" designation shall occur in a manner that:
  - (a) ensures there is no negative impact on the natural environment and its ecological and hydrological functions; and
  - (b) maintains or enhances the natural state of watercourses.
10. Public open spaces located in the vicinity of the "Greenlands – Hazard Lands Area" designation shall be planned and designed to be thematically oriented towards the preservation and appreciation of the environment as a natural capital asset.
11. The Township discourages any application proposing to re-designate land from "Greenlands – Hazard Lands Area" to another designation for the purpose of facilitating development, and will only consider such an application where it is established, to the satisfaction of Council and the NVCA, that:
  - (a) the identified hazards can be safely addressed, with any proposed development or site alteration carried out according to established standards and procedures;
  - (b) the proposed development or site alteration, including any remedial work proposed to overcome the identified hazards, will have no negative impacts on natural features or on ecological or hydrological functions;
  - (c) the proposed remedial work will not create a new hazard or aggravate an existing one;
  - (d) the cost of the proposed remedial work will be borne by the proponent;
  - (e) people and vehicles will be able to safely enter and exit the area during a flooding event, an erosion event, or another emergency occurring due to natural hazards; and
  - (f) the proposed development does not include:
    - (i) institutional uses (including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day-care centres, and schools);
    - (ii) essential emergency services (such as those provided by fire, police, and ambulance stations and electrical substations); or
    - (iii) any use associated with the disposal, manufacture, treatment, or storage of hazardous substances.

### Zoning

12. In establishing provisions and standards for zones in the "Greenlands – Hazard Land Area" designation, the implementing Zoning By-law will prioritize:
  - (a) protecting and preserving natural heritage features and areas and their ecological and hydrological functions; and
  - (b) protecting public safety, preventing loss of life, and minimizing property damage and social disruption during flooding, erosion, and other emergencies.
13. The standards and provisions for zones in the "Greenlands – Hazard Lands Area" designation shall be established in consultation with the NVCA.
14. A minimum building setback of 30 metres from the high-water mark or the top-of-bank of a watercourse, whichever is further from the watercourse, shall generally be required.
15. A building setback greater than 30 metres may be required if the need for a greater setback is identified during an on-site evaluation as described in Policy No. 5.3.1.14 below.
16. Because the boundaries of the "Greenlands – Hazard Lands Areas" designation shown on the schedules to this Official Plan are meant to serve as approximations, building setbacks are to be established on the basis of detailed floodplain mapping and engineering flood-lines.
17. Vegetated buffer areas for the protection of natural heritage features and areas are separate from any setbacks required for buildings and structures, and may therefore exceed or supersede required setbacks.

### 4.9.4 "Greenlands – Wetlands Area" Designation

The "Greenlands – Wetlands Area" designation, which primarily encompasses significant wetlands, is considered the most restrictive of the three "Greenlands" sub-classifications.

#### Permitted Uses

1. The following uses may be permitted in the "Greenlands – Wetlands Area" designation:
  - (a) conservation uses;
  - (b) forest management, fish management, and wildlife management;
  - (c) passive recreation uses; and
  - (d) public works and other public uses required for flood or erosion control.

#### Development Principles

2. No development or site alteration shall be permitted in the "Greenlands – Wetlands Area" designation.



3. Development and site alteration on lands adjacent to the “Greenlands – Wetlands Area” designation shall only be permitted in accordance with the policies in Section 5.2 of this Plan.

### Zoning

4. The implementing Zoning By-law will establish a separate zone for the “Greenlands – Wetlands Areas” designation within which all land uses except for those listed in Policy No. 4.9.4.1 above shall be prohibited.
5. In establishing standards for permitted uses in the “Greenlands – Wetlands Area” designation, the Zoning By-law will in all cases prioritize the protection and preservation of significant wetlands and their ecological and hydrological functions.

## 4.10 Niagara Escarpment Plan Designations

**Almost one quarter of Clearview Township** lies within the area covered by the Niagara Escarpment Plan (“NEP”), which establishes its own system of land use designations and policies. The purpose of this section of the Official Plan is to provide cross-references to the policies in the NEP that apply in each of the Escarpment land use designations shown on Schedule B to this Official Plan.

### 4.10.1 Policies for NEP Designations

**There are five NEP Designations** in the Township of Clearview: “Escarpment Natural Areas”, “Escarpment Protection Areas”, “Escarpment Rural Areas”, “Escarpment Recreation Areas”, and “Mineral Resource Extraction Areas”. The NEP Area also includes three Rural Settlement Areas: Dunedin, Glen Huron, and Singhampton, which the NEP identifies as “Minor Urban Centres”.

1. Within the Rural Settlement Areas of Dunedin, Glen Huron, and Singhampton:
  - (a) the land uses permitted shall be those permitted according to the land use designations shown on Schedules B-6, B-7, and B-11 to this Official Plan, as set out in Sections 4.1 through 4.9 above; and
  - (b) all other policies of this Official Plan shall apply, to the extent that those policies do not conflict with the policies in the NEP.
2. Outside of the Settlement Areas identified in Policy No. 4.10.1.1:
  - (a) lands in the “Escarpment Natural Area” designation shall be subject to Part 1.3 of the NEP and to all other applicable policies in that Plan;
  - (b) lands in the “Escarpment Protection Area” designation shall be subject to Part 1.4 of the NEP and to all other applicable policies in that Plan;
  - (c) lands in the “Escarpment Rural Area” designation shall be subject to Part 1.5 of the NEP and to all other applicable policies in that Plan;

- (d) lands in the “Escarpment Recreation Area” designation shall be subject to Part 1.8 of the NEP and to all other applicable policies in that Plan; and
  - (e) lands in the “Mineral Resource Extraction Area” designation shall be subject to Part 1.9 of the NEP and to all other applicable policies in that Plan.
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## PART III

# Environment & Infrastructure

Growing as a sustainable community

*The OFFICIAL PLAN of the TOWNSHIP of CLEARVIEW*





# Natural Heritage

WOODLANDS · WETLANDS · SOURCE PROTECTION

Photo: Nottawasaga Bay, as seen through the trees along Collingwood-Clearview Townline Road.

**At first, the horizon** is just a pale blue flicker through the trees lining the side of the Collingwood-Clearview Townline Road. Every now and then you might get a quick peek through the odd gap created by a driveway, but really, it's not until you come around the bend onto the Nottawa Sideroad that the full panorama strikes you. You can see clear across Nottawasaga Bay, now a bright blue stripe, which bends around before it tapers off and fades into the distance. A view like this almost overwhelms you with how big the world actually is, and reminds you of the ways in which everything is connected, the land and the water and the sky. It's a view that stays with you as you continue down the Escarpment.

**Life in Clearview Township** has a special relationship with the natural environment. We depend on the land and the water to support us; their health underwrites the agricultural industry. The fields and forests and streams provide opportunities for recreation and enjoyment, drawing visitors from far and wide. The natural beauty of the countryside enhances our quality of life and reminds us to seek out those moments of serenity.

One purpose of this section is to give proponents of development a reasonably clear idea of what to expect when proposing development or site alteration in or adjacent to the Township's natural

heritage system. Such applications will, at the very least, require the submission of an Environmental Impact Study ("EIS") in accordance with Section 5.4. The specific circumstances may also call for the preservation of existing natural features, the implementation of mitigative measures and protective buffers, the restoration of linkage areas, or the evaluation of wetlands. This section also contains policies regarding mineral aggregate resources and mineral aggregate operations (Section 5.5).

Policies regarding natural heritage features in the NEP Area are found throughout the NEP, particularly in Part 2.2 ("General Development Criteria") and in Part 2.7 ("Development Affecting Natural Heritage"). Other sections of note include Part 2.5 ("Development Affecting Steep Slopes and Ravines"), Part 2.6 ("Development Affecting Water Resources"), and Part 2.13 ("Scenic Resources and Landform Conservation"). All development in the NEP area in the Township of Clearview, including development in the Rural Settlement Areas of Dunedin, Glen Huron, and Singhampton, must be consistent with, or not conflict with, those NEP policies.

**None of the policies in this section is intended to limit the ability of agricultural uses to continue.**

## 5.1 Goals & Principles

**The overarching principle governing** this Official Plan's policies for Clearview Township's natural heritage system is to recognize our responsibility to act as environmental stewards for future generations. This responsibility grows clearer as more and more species face the loss and degradation of habitat, the number of endangered species, threatened species, and species at risk climbs, and as the effects of a changing climate impact more and more people.

The following are the goals for this Plan's natural heritage policies:

1. Protect, maintain, and enhance the Township's abundance of natural heritage and hydrologic features and their functions.
2. Ensure that any development occurring in or adjacent to the Township's natural heritage system has no negative impacts on natural features or their ecological functions.
3. Maintain and restore connectivity and linkages between natural heritage features and areas.
4. Preserve, protect, and where possible enhance the Township's vital groundwater resources.
5. Promote resilience in the face of climate change by integrating adaptation and mitigation into land use planning decisions.

The Township, in cooperation with the NVCA and with other agencies and organizations, encourages the establishment of public or private monitoring programs to measure and assess the effectiveness of this Plan's environmental policies.

## 5.2 Natural Heritage System

**Schedule C to this Official Plan** shows Clearview Township's natural heritage system, which reflects the natural heritage system established in the SCOP. Outside of Settlement Areas, this system generally corresponds to the Greenlands designations, as shown on Schedule B to this Plan, which are themselves based on the Greenlands designation as defined in the SCOP. It should be noted, however, that significant natural heritage features located outside these designations are still considered part of the natural heritage system. Schedule C includes three sub-schedules to provide greater detail on wetlands (Schedule C-1), woodlands (Schedule C-2), and steep slopes (Schedule C-3).

Schedule C also includes an overlay layer representing the Natural Heritage System of the Growth Plan, within which the policies in Sections 4.2.2, 4.2.3, and 4.2.4 of the Growth Plan apply. The Growth Plan's policies prevail in cases where they are more restrictive than those in this Official Plan or those in the SCOP.

### 5.2.1 Natural Heritage Features

**The purpose of this section** is to identify the natural heritage features that comprise the Township's natural heritage system and to set out the requirements for any applications proposing development or site alteration in or adjacent to any such features (with "adjacent" being defined as in Policy No. 5.2.1.6 below).

1. The following shall be considered natural heritage features and areas within the Township's natural heritage system:
  - (a) significant woodlands;
  - (b) significant valleylands;
  - (c) provincially significant wetlands, locally significant wetlands identified based on the criteria established in Policy No. 5.2.3.8 of this Plan, and all wetlands measuring 2 hectares or more in area, regardless of whether those wetlands have been evaluated or not;
  - (d) significant wildlife habitat;
  - (e) habitat of endangered species and threatened species;
  - (f) fish habitat;
  - (g) provincially significant areas of natural and scientific interest (ANSIs);
  - (h) regionally significant ANSIs;
  - (i) public lands, as defined in the *Public Lands Act*; and

- (j) linkage areas, as defined in No. 5.2.1.10 below, which themselves may not be inherently sensitive but which serve to provide connections and corridors between other elements of the natural heritage system.
- 2. Any lands that have been demonstrated to possess one of the features or areas listed in Policy No. 5.2.1.1 above shall be protected according to the Natural Heritage policies in this Official Plan, regardless of whether those features or areas are identified on Schedule C to this Plan and regardless of whether such lands are located in one of the “Greenlands” designations.
- 3. No development shall be permitted on lands where a natural heritage feature or area, or an ecological function of such an area or feature, has been damaged or destroyed by causes not beyond the control of the landowner, unless the restoration of all such damaged or destroyed features, areas, or functions, to the satisfaction of the Township, the County, and the NVCA, is made a condition of development approval.
- 4. Notwithstanding anything else in this Official Plan, development and site alteration shall not be permitted:
  - (a) in provincially significant wetlands;
  - (b) in the habitat of endangered species and threatened species, except in accordance with provincial and federal requirements;
  - (c) in fish habitat, except in accordance with provincial and federal requirements; or
  - (d) in any of the following, unless it has been satisfactorily demonstrated there will be no negative impacts on natural heritage features or areas or on their ecological functions:
    - (i) significant woodlands;
    - (ii) significant valleylands;
    - (iii) wetlands that have been identified as locally significant based on the criteria established in Policy No. 5.2.3.8 below;
    - (iv) significant wildlife habitat; or
    - (v) provincially or regionally significant ANSIs.
- 5. No development or site alteration shall be permitted on lands adjacent to any of the features and areas listed in Policy No. 5.2.1.4, unless:
  - (a) the ecological and hydrological functions of the lands adjacent to the natural heritage feature or area have been evaluated; and
  - (b) it has been demonstrated to the satisfaction of the Township, the NVCA, and any other responsible approval authority that there will be no negative impacts on the natural heritage feature or area or on its ecological or hydrological functions.



6. For the purposes of No. 5.2.1.5 above and of all other policies in Section 5 of this Official Plan, the term “adjacent,” when used with respect to a natural heritage feature or area, shall refer to any lands that are:
  - (a) within 120 metres of:
    - (i) significant woodlands;
    - (ii) significant valleylands;
    - (iii) provincially significant wetlands, wetlands that have been identified as locally significant based on the criteria established in No. 5.2.3.8 below, or wetlands measuring 2 hectares or more in area;
    - (iv) significant wildlife habitat;
    - (v) the habitat of endangered species and threatened species;
    - (vi) fish habitat;
    - (vii) a provincially or regionally significant ANSI (Life Science); or
    - (viii) a key natural heritage feature of the Natural Heritage System of the Growth Plan; or
  - (b) within 50 metres of:
    - (i) a provincially or regionally significant ANSI (Earth Science); or
    - (ii) a linkage area that is not a feature listed in No. 5.2.1.6(a) above.
7. The area defined as “adjacent” according to the criteria set out in Policy No. 5.2.1.6 may be reduced if warranted by intervening land uses, but the extent of such a reduction:
  - (a) will be determined during pre-submission consultation between the Township, other approval authorities, and the proponent; and
  - (b) must be supported by the findings of an approved EIS demonstrating there will be no negative impacts beyond the proposed reduced area.
8. The pre-submission consultation process for a development application may define “adjacent” using a greater distance than what is prescribed in Policy No. 5.2.1.6 in circumstances where such an increase is warranted due to the sensitivity of a specific feature and the type of development being proposed.
9. Development and site alteration in the Natural Heritage System of the Growth Plan shall be subject to the applicable policies in the Growth Plan.

### Linkage Areas

10. For the purposes of this section of the Official Plan, the terms “linkage” and “linkage area” shall refer to a natural feature or area that, regardless of whether it can be considered

“significant” in and of itself, provides connectivity (at the regional or the site level) between natural heritage features or areas, supporting a complete range of community and ecosystem processes and enabling plants and animals to move between core areas and other larger areas of habitat over a period of generations.

11. Where an EIS has established that the lands that are the subject of a development application include, or are adjacent to, a linkage, development shall only proceed if technical studies undertaken in support of the application demonstrate:
  - (a) that the linkage, or the area adjacent to the linkage, as the case may be, does not serve an ecological function; or
  - (b) that the proposed development will maintain, restore, or where possible improve the linkage or the lands adjacent to the linkage, as the case may be.
12. Where an EIS or other study has identified the potential to restore a lost or severed linkage, the Township may use such means as are at its disposal to require such restoration as a condition of development approval.
13. In considering the potential restoration of a linkage under No. 5.2.1.12, the Township will take into account the following attributes:
  - (a) the linkage reflects a natural relationship between the features or areas being connected and will provide opportunities for species to cross it successfully;
  - (b) the linkage will have appropriate dimensions, and in particular will be sufficiently wide in proportion to its length;
  - (c) the linkage will connects areas that could provide habitat in the future; and
  - (d) the land uses surrounding the linkage will not have negative impacts on the linkage.
14. Where the restoration of a full, unbroken linkage is not possible, the Township will encourage the use of a “stepping stone” approach that provides a series of separate habitat patches to facilitate the movement of species between natural heritage features or areas.

### **Ownership & Dedication of Lands**

15. Council shall consider every opportunity to secure the dedication of lands in the natural heritage system through the development approval process, and such dedications shall not be considered part of a conveyance required under Section 42 of the *Planning Act*.
16. The Township supports, and shall facilitate, the acquisition of lands containing natural heritage features or areas by other public bodies and public agencies, including conservation organizations and recognized trail conservancies.

17. The Township will work with other levels of government, the NVCA, and other public bodies and agencies to develop and implement strategies that:
  - (a) seek to secure the transfer of lands containing significant natural heritage features into public ownership; and
  - (b) promote the retention, management, and maintenance of natural heritage features and their associated functions as natural capital assets.
18. Where the public acquisition of lands containing natural heritage features or areas is not practical, due to considerations such as maintenance requirements or liability, the Township may seek to ensure their long-term preservation through public awareness and education programs explaining their importance and ecological functions and detailing appropriate management practices.
19. Council will support efforts to register conservation easements that will promote wise environmental management practices on private lands.

## 5.2.2 Woodlands & Tree Preservation

**Woodlands play a variety** of important ecological, social, and economic roles: they serve as wildlife habitat, prevent soil erosion, provide harvestable products, and offer recreational opportunities. Within Settlement Areas, they often play an important role in managing and regulating temperature, and even small stands of trees can make a significant difference to an area.

According to data from Simcoe County, woodland cover represents about 26.1% of the total area of Clearview Township (approximately 14,534 hectares out of a total 55,692 hectares).

1. Development and site alteration in or adjacent to significant woodlands shall only be permitted in accordance with the policies set out in Section 5.2.1 of this Plan.
2. A woodland shall be considered significant if:
  - (a) it has been identified as significant by the Province of Ontario, by Simcoe County, or by another agency or public body having jurisdiction in the area;
  - (b) an EIS has determined it to be a significant woodland;
  - (c) the Township has identified it as significant in a municipal plan, strategy, or tree preservation by-law; or
  - (d) it satisfies one of the following size criteria:
    - (i) the woodland measures 2 hectares or more in area and is located within a Settlement Area;
    - (ii) the woodland measures 4 hectares or more in area and is located outside of Settlement Areas but within 1 kilometre of a Settlement Area boundary; or

- (iii) the woodland measures 20 hectares or more in area and is located outside of Settlement Areas and not within 1 kilometre of a Settlement Area boundary.
- 3. For the purposes of Clause 5.2.2.2(d), the distance between a woodland and a Settlement Area boundary shall be the shortest distance between the edge of the woodland, as delineated by the outermost dripline, and the Settlement Area boundary.
- 4. The Township should identify a woodland as being significant if:
  - (a) it is ecologically important, in terms of species composition, the age of trees in the stand, proximity to other significant natural heritage features, the provision of interior habitat, or the provision of habitat for endangered species, threatened species, rare species, or species of special concern;
  - (b) it is economically important, due to factors such as high productivity of economically valuable products, the quality of the site, or past management history;
  - (c) it has an important identified cultural, historical, educational, or appreciation value; or
  - (d) it makes an important contribution to the broader landscape by virtue of its location, its size, or its share of the overall forest cover in the surrounding area.
- 5. Where the Township is of the opinion that a development proposal could affect a woodlot that has not been identified as significant but that has the potential to meet one or more of the criteria listed in Policy No. 5.2.2.4 above, the Township may require that the proponent provide an EIS or similar study as part of a complete application.
- 6. All woodlands in Clearview Township shall be subject to the County of Simcoe's Forest Conservation By-law No. 6894 or any successor thereto.
- 7. Council may pass a tree preservation by-law or other by-law regulating the destruction or injuring of trees, pursuant to Section 135 of the *Municipal Act, 2001*, for the purpose of protecting wooded areas and tree stands located outside the natural heritage system.
- 8. The Township encourages forestry management practices that sustain the viability of woodlots and the harvest of woodland products.
- 9. Council will encourage measures taken in accordance with the policies of this Plan to increase the overall woodland cover of the Township.

### 5.2.3 Wetlands

**Wetlands are critical features** that provide many important ecological functions: they help maintain and improve the quality and quantity of surface water and of groundwater, they serve as habitat for both aquatic and terrestrial species, and they act as a form of flood control. These areas are vital to maintaining biodiversity and supporting the Township's resilience in response to climate change, as

they can help regulate temperatures, slow down the effects of droughts, and store significant amounts of carbon.

Schedule C-1 to this Official Plan shows both “evaluated” and “unevaluated” wetlands. The term “evaluated” refers to a specific process undertaken by a qualified professional according to standards established by the Ontario [Ministry of Natural Resources](#) (“OMNR”). The evaluation process identifies the boundaries of a wetland and measures and assesses its functions, based on both “ecosystem values” (the value of “ecosystem services,” such as flood attenuation) and “human utility values” (such as social, economic, and educational benefits). The term “unevaluated” describes wetlands that have not yet been the subject of this evaluation process, but that have been delineated in accordance with the Ontario Ecological Land Classification protocol.

Wetlands can exist in isolation or in “complexes,” which are closely spaced groupings of wetlands whose interrelationships make it neither ecologically nor functionally sound to delineate them as separate features. To be considered part of a complex, a unit must be no more than 750 metres away from any other unit in the complex. Individual wetlands within a complex can vary greatly in size. Thus, while Schedule C-1 divides unevaluated wetlands based on a 2-hectare threshold, it is important to keep in mind that smaller wetlands may form part of a larger complex and that size alone does not determine a wetland’s significance.

It is also important to note here that periodically soaked or wet lands being used for agricultural purposes that no longer exhibit wetland characteristics are not considered “wetlands” for the purposes of this section of the Official Plan.

1. [No development](#) or site alteration shall be permitted in [provincially significant wetlands](#).
2. [No development](#) or site alteration shall be permitted in a wetland that has been identified as locally significant based on the criteria established in Policy No. 5.2.3.8 below unless it has been demonstrated there will be no negative impacts on the wetland feature, its ecological functions, or the functions or features that have contributed towards its identification as a locally significant wetland according to No. 5.2.3.8.
3. [Development](#) and site alteration shall only be permitted on lands adjacent to a [provincially significant wetland](#) in accordance with the policies in Section 5.2.1 above.
4. [No development](#) or site alteration shall be permitted on lands located within 120 metres of a wetland that has been determined to be locally significant based on the criteria established in Policy No. 5.2.3.8 unless the proposed methods of avoiding or mitigating impacts on the wetland feature or its ecological functions are satisfactory to the Township and to any other appropriate approval authority.
5. [Development](#) shall generally be required to maintain a minimum natural vegetation buffer of 30 metres from all wetlands, within which lands are to remain undisturbed, unless a larger buffer is recommended by an approved EIS.

6. A natural vegetation buffer surrounding a wetland shall be considered as separate from any required setback.
7. The Township may require, as a condition of development approval:
  - (a) the evaluation of any unevaluated wetlands located on the lands that are the subject of the application; and
  - (b) the evaluation of a previously evaluated wetland located on the lands that are the subject of the application, if the most recent evaluation was completed more than 20 years before the day on which the application was made.
8. Evaluated wetlands that have not been identified as provincially significant wetlands may be identified as locally significant if they meet one or more of the following criteria:
  - (a) the wetland serves an important biological function;
  - (b) the wetland serves an important groundwater discharge function;
  - (c) the wetland serves an important hydrological function;
  - (d) the wetland is considered socially important;
  - (e) the wetland plays an important educational role; ~~or~~
  - (f) the wetland is considered culturally significant to the Township or to a First Nations community; or
  - (g) the wetland is considered significant because of special features (such as rarity of wetland type, presence of rare or significant species, presence of significant habitat, or ecosystem age).
9. For the purposes of Policy No. 5.2.3.8, the following benchmarks, based on the scoring system used in the fourth edition of the Ontario Wetland Evaluation System Southern Manual, shall apply, subject to No. 5.2.3.11 below:
  - (a) a wetland serves an important biological function if it receives a maximum score for any two of the three functions that contribute to the Biological Component Score;<sup>10</sup>
  - (b) a wetland serves an important groundwater discharge function if it receives a Groundwater Discharge Score of 24 or greater;
  - (c) a wetland serves an important hydrological function if it receives:
    - (i) a total Hydrological Component Score of 200 or greater; or

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<sup>10</sup> The three functions are (i) productivity (maximum score of 50 points), (ii) biodiversity (maximum score of 150 points), and (iii) size (maximum score of 50 points).

- (ii) a maximum score for any two of the five hydrological functions that contribute to the Hydrological Component Score;<sup>11</sup>
  - (d) a wetland is considered socially important if it receives a total Social Component Score of 200 or greater;
  - (e) a wetland plays an important educational role if it receives an Education and Public Awareness Score of 24 or greater;
  - (f) a wetland is considered culturally significant if it receives an Aboriginal Values and Cultural Heritage Score of 30; and
  - (g) a wetland is considered significant because of special features if it receives any two of the following:
    - (i) a score of 160 points for Wetland Rarity (item no. 4.1.1 under the Special Features Component);
    - (ii) a score of 80 points or more for Species Rarity (item no. 4.1.2 under the Special Features Component);
    - (iii) a maximum score for at least two of the six items under Significant Features and Habitat (item no. 4.2); or
    - (iv) a maximum score for Ecosystem Age (item no. 4.3).
10. To clarify the criteria listed in No. 5.2.3.9 above:
- (a) despite being listed separately in No. 5.2.3.9(b), the Groundwater Discharge Score shall be included as part of the Hydrological Component Score for the purposes of No. 5.2.3.9(c); and
  - (b) despite being listed separately in Nos. 5.2.3.9(e) and 5.2.3.9(f), both the Education and Public Awareness Score and the Aboriginal Values and Cultural Heritage Score shall be included in the total Social Component Score for the purposes of No. 5.2.3.9(d).
11. If the fourth edition of the Ontario Wetland Evaluation System Southern Manual is replaced by another edition or another manual that uses a different scoring system, then:
- (a) the specific benchmarks in Policy No. 5.2.3.9 shall no longer apply; and
  - (b) the criteria in Policy No. 5.2.3.8 shall remain in effect as general criteria until such time as this Official Plan is amended to reflect the revised scoring system.

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<sup>11</sup> The five functions are (i) flood attenuation (maximum score of 100 points), (ii) water quality improvement (maximum score of 100 points), (iii) carbon sink (maximum score of 5 points), (iv) shoreline erosion control (maximum score of 15 points), and (v) groundwater recharge (maximum score of 60 points).



12. Council will encourage and support partnerships, educational programs, and conservation efforts that seek to improve the community's understanding and appreciation of the Township's wetlands and their functions.

## 5.3 Water Systems & Water Resources

**Clearview Township's water resource system** is a complex network of interconnected surface water and groundwater features. While all elements in this system are important, groundwater is an especially vital resource for the Township's residents, as it supplies almost all of Clearview's drinking water. Overall, the policies in this section of the Plan are meant to preserve sensitive hydrologic features, maintain the linkages between the different elements of the water resource system, and protect municipal drinking water supplies.

### 5.3.1 Hydrologic Features & Surface Water Features

**The key components of the Township's water resource system** – watercourses, significant groundwater recharge areas, and highly vulnerable aquifers – are identified on Schedule D to this Plan. The policies presented here are meant to help the Township make planning-related decisions that use the watershed as the ecologically meaningful scale for long-term decision-making.

#### Key Hydrologic Features & Areas

1. The following shall be considered key hydrologic features in the Township's water resource system:
  - (a) permanent streams;
  - (b) intermittent streams;
  - (c) inland lakes and their littoral areas;
  - (d) wetlands; and
  - (e) seepage areas and springs.
2. The following shall be considered key hydrologic areas:
  - (a) significant surface water contribution areas;
  - (b) significant groundwater recharge areas ("SGRAs"); and
  - (c) highly vulnerable aquifers ("HVs").
3. Key hydrologic features that are part of the Natural Heritage System of the Growth Plan shall be subject to the applicable policies in the Growth Plan.

4. Anyone proposing major development within 120 metres of a key hydrologic feature shall be required to provide a Hydrologic Study, which may be included as part of an EIS (if an EIS is also required).
5. Anyone proposing major development in a key hydrologic area may be required to provide a Hydrogeologic Study, which may be included as part of an EIS (if an EIS is also required).
6. A Hydrologic Study required under Policy No. 5.3.1.4 or Hydrogeologic Study required under Policy No. 5.3.1.5 must:
  - (a) demonstrate, to the satisfaction of the Township, the NVCA, and any other approval authority with jurisdiction, that the proposed development will protect and maintain:
    - (i) the key hydrologic feature and its functions, or the key hydrologic area and its functions, as the case may be;
    - (ii) the quality and quantity of groundwater and surface water;
    - (iii) natural streams or drainage patterns; and
    - (iv) the overall water budget for the watershed, including existing and planned municipal drinking water systems;
  - (b) demonstrate how linkages and related functions will be maintained among key hydrologic features, groundwater features, surface water features, and natural heritage features and areas;
  - (c) identify planning, design, and construction practices that will:
    - (i) minimize erosion, sedimentation, and the introduction of nutrients or pollutants to the water resource system; and
    - (ii) protect, restore, and where possible enhance the health and functions of the key hydrologic feature or key hydrologic area; and
  - (d) identify the area to be maintained, established, or restored as a natural vegetative buffer, where the application is for development adjacent to a key hydrologic feature.
7. Where development or site alteration is proposed in an HVA, the Township will encourage, and may require, the use of mitigative measures to protect, restore, or enhance the HVA.
8. Where development or site alteration is proposed in an SGRA, the Township will encourage, and may require, the use of mitigative measures such as low-impact development in order to protect the SGRA, and all new development in SGRAs shall ensure that post-development infiltration rates maintain or improve upon pre-development infiltration rates.
9. Whenever more detailed, more precise, or more accurate information becomes available, refinements and alterations to the features shown on Schedule D may be made without requiring an amendment to this Official Plan.

### Watercourses & Surface Water Features

10. All watercourses and surface water features should be considered key hydrologic features and be protected accordingly.
11. The implementing Zoning By-law will place all lands located below the 6-metre erosion access allowance from the top-of-bank of any watercourse in a separate zone, within which the only permitted uses shall be those permitted in the “Greenlands - Hazard Lands Area” designation, regardless of how such lands are designated on Schedule B to this Official Plan.
12. Development may be required to incorporate mitigation measures or employ alternative development approaches in order to protect, improve, or restore sensitive surface water features (including watercourses) and their hydrological functions.
13. Any development occurring adjacent to a watercourse or surface water feature shall be required:
  - (a) to provide a sufficient setback from the top-of-bank or from the high-water mark, whichever is further from the watercourse or feature in question; and
  - (b) to maintain the lands within the setback as a naturally vegetated buffer.
14. The distance of the setback referred to in Policy No. 5.3.1.13 above shall generally be no less than 30 metres, with the specific setback distance to be determined on-site in consultation with a qualified professional, at no expense to the Township.
15. The setback distance referred to in No. 5.3.1.14, which may be established either as part of an EIS or through a separate study, should be determined in consideration of the following factors:
  - (a) any natural heritage features present, including fish habitat, and their ecological functions;
  - (b) the type of vegetation and amount of vegetation cover present;
  - (c) soil type;
  - (d) the slope of the land and existing drainage patterns;
  - (e) the presence of flooding or erosion hazards; and
  - (f) the nature of the proposed development.
16. Within a Settlement Area, the minimum 30-metre setback referred to in No. 5.3.1.14 may be reduced if:
  - (a) the existing pattern of development in the vicinity of the site makes such a reduction appropriate; and

- (b) the Township, in consultation with the NVCA and any other agency having jurisdiction, is satisfied that the reduced setback will have no negative impact on the watercourse or surface water feature.
17. The Township will encourage the granting of easements to facilitate the undertaking and maintenance of flood and erosion control projects.

### Stormwater Management

18. Anyone proposing development or site alteration within 120 metres of a key hydrologic feature or in a key hydrologic area shall be required to provide a Stormwater Management Report, prepared according to the requirements set out in Section 7.3.3 of this Official Plan, as part of a complete application.
19. Stormwater facilities shall be planned, designed, and developed in accordance with the policies in Section 7.3.1 of this Plan.
20. A Stormwater Management Plan, where one is required under Section 7.3.3 of this Plan to support an application for large-scale development, shall be informed by a subwatershed plan or equivalent.
21. In accordance with the requirements of the South Georgian Bay Lake Simcoe Source Protection Plan, the Township shall consider:
- (a) programs for the removal of connections from stormwater sources to sanitary sewers and the removal of combined sewer overflow outlets to surface water; and
  - (b) the establishment of upgrade priorities that focus on vulnerable areas where such connections and outlets represent a significant drinking water threat.

## 5.3.2 Groundwater Management & Source Protection

**Ontario's *Clean Water Act, 2006***, which was enacted after the public inquiry following the Walkerton incident in May 2000 (in which seven people died and another 2,300 fell ill because of contaminated drinking water), establishes a number of Source Protection Areas, based on the jurisdictional areas of conservation authorities (which are themselves defined based on watersheds). Almost all of Clearview Township is located in the Nottawasaga Valley Source Protection Area, which is in the South Georgian Bay Lake Simcoe ("SGBLS") Source Protection Region.<sup>12</sup> Under the *Clean*

<sup>12</sup> A small portion of the Township actually lies within the Grey Sauble Source Protection Area, which is part of the Saugeen, Grey Sauble, Northern Bruce Peninsula ("SGSNBP") Source Protection Region. Although none of this portion has been identified as vulnerable in the SGSNBP Source Protection Plan, the Township – in recognition of the interconnected nature of water systems and the importance of cooperation in

*Water Act, 2006*, each Source Protection Region must adopt a Source Protection Plan (“SPP”) as the first in a system of multiple barriers meant to keep contaminated municipal drinking water from reaching people.

Source protection concentrates on identifying and assessing threats to both the quality and the quantity of municipal drinking water in four types of vulnerable area:

**Wellhead Protection Areas (“WHPAs”)** are land areas surrounding municipal wells. There are five categories of WHPA, denoted “A” through “E”: the WHPA-A area is defined as the area within a 100-metre radius of the well, while the WHPA-B, WHPA-C, and WHPA-D areas are determined based on the number of years it takes for water to travel underground to the well (two years for WHPA-B, five years for WHPA-C, and 25 years for WHPA-D). (In circumstances where a WHPA was delineated before April 30, 2005, a WHPA-C1 area, representing a ten-year time-of-travel, may apply instead of WHPA-C.) The WHPA-E area represents the vulnerable area for groundwater well supplies that are under the direct influence of surface water.

**Highly Vulnerable Aquifers (“HVAs”)** are aquifers – highly saturated underground areas whose water can be drawn for human use – that are particularly susceptible to contamination, either because of their proximity to the surface or because of the characteristics of the materials underground that make up and surround the aquifer.

**Significant Groundwater Recharge Areas (“SGRAs”)** are areas where the land is characterized by porous soils that allow water to seep easily into the ground and subsequently flow to an aquifer. The term “significant” indicates that the recharge area helps maintain water levels in an aquifer that supplies drinking water for a community.

**Intake Protection Zones** are areas that surround municipal surface water intakes. There are no such zones in Clearview Township (which at present has no surface water intakes).

Drinking water threats are identified in Section 1.1 of Ontario Regulation 287/07 (General) under the *Clean Water Act, 2006* (as amended), and the level of risk (Low, Moderate, or Significant) associated with each threat is identified by the Province, which periodically updates its assessments. The most restrictive powers available under the *Clean Water Act, 2006* involve the prohibition (Section 57) and regulation (Section 58) of activities and the restriction of land uses (Section 59) that represent significant drinking water threats. The SGBLS SPP has designated certain activities and land uses, both existing and future, for the purposes of those sections of the Act, which is reflected in the policies of this section of the Official Plan.

In addition to the threat-based approach described above, the SGBLS SPP recommends an issue-based approach, where the term “issue” refers to a documented problem with the quality of source

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protecting them – will consult with the Saugeen Valley Conservation Authority when considering applications that could affect drinking water in the SGSNBP Source Protection Region.

water. The first step in this approach is to identify an “Issue Contributing Area” (or “ICA”) in the vicinity of the location at which the issue has been observed. The next step is to identify the specific threats that could reasonably be expected to contribute to the issue, all of which are automatically classified as “significant”. At the time this Official Plan was being prepared, no ICAs had been identified in Clearview Township.

The Council of the Township of Clearview is responsible for enforcement under Part IV of the *Clean Water Act, 2006*. Those responsibilities include the appointment of the risk management official referred to in the policies below, a role that has been delegated to the NVCA.

1. It shall be prohibited to establish any of the following land uses, systems, or facilities in a vulnerable area where activities associated with the use, system, or facility would be a significant drinking water threat:
  - (a) a waste disposal site within the meaning of Part V of the *Environmental Protection Act*, but excluding the storage of wastes described in Clauses (p) through (u) of the definition of “hazardous waste” in Section 1 of Regulation 347 (R.R.O. 1990) under that Act and excluding the storage of hazardous or liquid industrial waste;
  - (b) an on-site sewage system with a design flow greater than 10,000 litres per day; and
  - (c) a facility for the storage of:
    - (i) agricultural source material;
    - (ii) non-agricultural source material (in a WHPA-A);
    - (iii) commercial fertilizer;
    - (iv) pesticide;
    - (v) road salt;
    - (vi) snow;
    - (vii) fuel;
    - (viii) dense non-aqueous phase liquids (“DNAPLs”); or
    - (ix) organic solvents; or
  - (d) an outdoor confinement area or yard for farm animals (in a WHPA-A).
2. Subject to Policy No. 5.3.2.3 below, no application that proposes to use land in an area where any of the following would be a significant drinking water threat for any purpose other than a residential purpose shall be accepted unless the application is accompanied by a notice from the risk management official issued under Subsection 59 (2) of the *Clean Water Act, 2006*:
  - (a) the establishment, operation, or maintenance of a waste disposal site within the meaning of Part V of the *Environmental Protection Act* that does not require an approval under that Act, except for the storage of wastes described in Clauses (p) through (u) of

the definition of “hazardous waste” in Section 1 of Regulation 347 (R.R.O. 1990) under that Act;

- (b) the application of any of the following to land:
    - (i) agricultural source material;
    - (ii) non-agricultural source material;
    - (iii) commercial fertilizer; or
    - (iv) pesticide;
  - (c) the handling and storage of any of the following:
    - (i) agricultural source material;
    - (ii) non-agricultural source material;
    - (iii) commercial fertilizer;
    - (iv) pesticide;
    - (v) road salt;
    - (vi) fuel;
    - (vii) DNAPLs; or
    - (viii) organic solvents;
  - (d) the application of road salt;
  - (e) the storage of snow;
  - (f) the use of land as livestock grazing or pasturing land; or
  - (g) the use of land for an outdoor confinement area or yard for farm animals.
3. Policy No. 5.3.2.2 applies to all applications under a provision of the *Planning Act* that is prescribed for the purposes of Clause 59 (1) (a) of the *Clean Water Act, 2006*.
  4. Notwithstanding Nos. 5.3.2.2 and 5.3.2.3 above, the risk management official may issue written directions specifying the circumstances under which a planning authority or building official may be permitted to make the determination that a site-specific land use is not designated for the purposes of Section 59 of the *Clean Water Act, 2006*.
  5. Where a risk management official has issued written directions as described in Policy No. 5.3.2.3, a site-specific land use shall only be considered to be not designated for the purposes of Section 59 of the *Clean Water Act, 2006* if the planning authority or building official, as the case may be, is satisfied that:
    - (a) the application has complied with the circumstances specified in the written direction issued by the risk management official; and



- (b) the applicant has demonstrated that the application will not result in the engagement in, or will not otherwise affect, an activity designated under Section 57 or Section 58 of the *Clean Water Act, 2006*.
- 6. In vulnerable areas where the application of road salt would pose a significant drinking water threat, the Township shall use any means at its disposal as are necessary to ensure that:
  - (a) the extent and location of impervious services, such as parking lots, roadways, and sidewalks, are minimized;
  - (b) site grading and drainage is designed to reduce ponding; and
  - (c) runoff is directed either outside of vulnerable areas or to storm sewers.
- 7. The Township will take steps to ensure that facilities for the storage and disposal of snow:
  - (a) are located away from areas where this activity would represent a significant drinking water threat; and
  - (b) are sited and operated in a way that reduces or eliminates the risk of refuse, particulate solids, and other contaminants reaching watercourses and other sensitive features.
- 8. To avoid locating potential drinking water threats associated with development infrastructure in vulnerable areas, applications for development in any area identified as a Wellhead Protection Area, regardless of Vulnerability Score, shall generally be required to submit a Master Environmental Servicing Plan ("MESP") as part of a complete application.
- 9. In areas where the establishment of small on-site sewage systems (those with a design flow of 10,000 litres per day or less) would present a significant drinking water threat, new development using such systems may only be permitted where the proposed lot size satisfies the Ontario Ministry of the Environment's most recent guidelines for individual on-site servicing (Guideline D-5-4 or any successor thereto).
- 10. The previous policy shall not apply to lots of record that existed on July 1, 2015, being the effective date of the South Georgian Bay Lake Simcoe Source Protection Plan.
- 11. Where an ICA has been identified:
  - (a) the establishment of a small on-site sewage system in a WHPA-A within that ICA shall not be permitted; and
  - (b) new development not in a WHPA-A within that ICA shall only be permitted in accordance with Policy No. 5.3.2.9 above, subject to No. 5.3.2.10.

12. For the purposes of applying the policies of the South Georgian Bay Lake Simcoe Source Protection Plan, the following shall be deemed “existing drinking water threat activities,” even if the activity itself commenced after the effective date:
  - (a) a drinking water threat activity related to a development proposal for which a complete application under the *Planning Act* or the *Condominium Act, 1998* was made prior to the effective date, including any further applications required under the *Planning Act*, the *Condominium Act, 1998*, or another prescribed instrument to implement said development proposal;
  - (b) a drinking water threat activity related to an application for a building permit, submitted in compliance with Division C 1.3.1.3 (5) of the Ontario Building Code, or for a development permit under the *Niagara Escarpment Planning and Development Act*, made prior to the effective date; and
  - (c) a drinking water threat activity related to an application for the issuance or amendment of a prescribed instrument made prior to the effective date.
13. For the purposes of No. 5.3.2.12:
  - (a) “effective date” means July 1, 2015, being the day on which the South Georgian Bay Lake Simcoe Source Protection Plan came into effect; and
  - (b) “prescribed instrument” means a permit or other legal document issued by the Province of Ontario allowing an activity to take place.
14. The Township will cooperate and collaborate with the local Source Protection Authority in education and outreach programs undertaken and led by the Authority.
15. Council may establish incentive programs to encourage improved use and care of on-site septic systems in areas where such systems represent a significant drinking water threat by establishing a community improvement plan or by exercising its powers under Section 107 of the *Municipal Act, 2001*, in circumstances where Council is of the opinion that such incentives are in the interest of the Township.

### 5.3.3 Watershed & Subwatershed Planning

**At the time this Official Plan** was being prepared, the most recent watershed plan was the Nottawasaga Valley Integrated Watershed Management Plan, released by the NVCA in June 2019. There was also one subwatershed plan in effect within the Township, that being the Black Ash Creek Subwatershed Plan (released in August 2000).

Because watersheds exist independent of any political boundaries, and often overlap many different jurisdictions, this Official Plan recognizes the importance of cooperation, coordination, and partnerships in making decisions at the watershed scale.

1. This Official Plan's objectives for watershed planning are:
  - (a) to support the NVCA in achieving a sustainable watershed that is resilient to the effects of climate change and other human-made ecological stressors;
  - (b) to support the preparation and implementation of watershed plans and subwatershed plans in the Township;
  - (c) to support the long-term goal of preparing a subwatershed plan for each subwatershed area in the Township;
  - (d) to encourage public participation in the subwatershed planning process; and
  - (e) to encourage the development of subwatershed plans whose objectives are appropriate and implementable.
2. In particular, the Township encourages the preparation of subwatershed plans to inform planning for large-scale development in designated greenfield areas, as required by Policy No. 4.2.1.4 of the Growth Plan for the Greater Golden Horseshoe.
3. Until such time as subwatershed plans that apply to the Township's Urban Settlement Areas have been prepared, Council will ensure the following have been satisfactorily addressed before approving plans of subdivision for development in the designated greenfield area:
  - (a) the identification of all key hydrologic features, key hydrologic areas, and linkages in the area that is the subject of the development application;
  - (b) the potential impacts of proposed land uses and development, within the context of existing development, on the features identified and their functions;
  - (c) appropriate measures and practices for managing and minimizing impacts related to severe weather events; and
  - (d) appropriate measures to ensure the protection, restoration, and where possible improvement of the quality and quantity of water in the area.
4. Council may require the completion of an EIS, a water balance analysis, or similar studies to support its consideration of the matters listed in Policy No. 5.3.3.3.
5. Development and site alteration in the Black Ash Creek subwatershed shall occur in a manner that is consistent with the Black Ash Creek Subwatershed Plan and that contributes to the implementation of that Subwatershed Plan's recommendations.

## 5.4 Environmental Impact Studies

**Applications proposing development on lands** that include or are adjacent to a natural heritage feature or area identified in this Official Plan will generally be required to undertake an Environmental Impact Study ("EIS").

The purpose of an EIS is to:

- (1) provide a complete understanding of the extent, characteristics, and functions of all natural heritage features and areas on the subject lands, and their related ecological and hydrological functions;
- (2) describe how these natural heritage features, areas, and functions could be affected by the proposed development and subsequent land use; and
- (3) specify how the proposed development will protect, maintain, or restore significant features, areas, and ecological functions of the natural heritage system.

It is important to note that the submission of an EIS does not guarantee the approval of a development application.

### 5.4.1 Scope & General Requirements

**The scope of an EIS** that is required as part of a complete application will be determined during pre-submission consultation and will depend on many factors, including the scale and type of development proposed, the sensitivity and significance of natural features present on the subject lands, and the availability of previous studies that provide sufficient information on features present.

1. The pre-submission consultation process for a development application requiring an EIS will include the Township and the NVCA.
2. Pre-submission consultation may include neighbouring municipalities, in circumstances where the proposed development could potentially impact natural heritage features or areas within their municipal territory.
3. Pre-submission consultation regarding an EIS will generally involve:
  - (a) identifying the information that will be required by approval authorities;
  - (b) establishing what information is available from previous relevant studies;
  - (c) identifying any gaps in the available information that will need to be addressed and how these gaps should be addressed;
  - (d) establishing the boundaries of the study area;
  - (e) identifying key natural heritage features and areas that could be affected by the proposed development or site alteration;
  - (f) determining the level of detail appropriate for the description of existing natural heritage features and areas;
  - (g) establishing whether field investigations will be needed and, if so, determining the appropriate time of year and methodology for those investigations;

- (h) identifying the nature and extent of additional studies that may be required; and
  - (i) determining whether it will be necessary to include outside consultants with specialized expertise in the study process.
- 4. Where it has been determined that relevant information is already available from the completion of previous studies, the applicant will generally be required to:
  - (a) include such previous studies as appendices to the EIS report;
  - (b) provide a brief summary of the pertinent information in the body of the EIS report; and
  - (c) provide an EIS update, completed by a qualified professional, using current field data to confirm that the findings and recommendations of previous studies remain valid.
- 5. Subject to more specific requirements as determined during the pre-submission consultation process, an EIS will generally only be considered satisfactory if it:
  - (a) establishes an adequate understanding of the terrain and physical environment, which will include:
    - (i) an identification of local landform types;
    - (ii) an identification of the area's position within the landscape and its location within its watershed;
    - (iii) a characterization of the texture and moisture of surface and subsurface soils; and
    - (iv) where necessary, a characterization of the fluvial geomorphology of watercourses using an accepted standard methodology, especially where development could affect peak flows or baseflows of watercourses or the amount of sediment delivery;
  - (b) establishes an adequate understanding of groundwater movements and the relationship between groundwater and surface water in the area, where necessary through the installation of boreholes or groundwater monitoring;
  - (c) establishes a detailed understanding of the site's hydrological characteristics, which will involve:
    - (i) the confirmation of catchment boundaries and drainage patterns;
    - (ii) the calculation of a water balance to determine changes on hydrological pathways caused by development, using data on precipitation, temperature, sunlight hours, and soil permeability, especially where development could have an impact on key hydrologic functions;

- (iii) the installation of water level gauges during the spring and summer to determine seasonal water-level fluctuations, in areas where water quantity could be an issue (for example, in or adjacent to wetlands or fish habitat); and
    - (iv) the use of sampling and analysis to evaluate water quality conditions, including the taking of samples during wet weather conditions and, where necessary, the monitoring of benthic invertebrates using an approach recommended in guidelines or manuals published by the Province of Ontario; and
  - (d) confirms the habitat characteristics of the study area, including an inventory of terrestrial species and a characterization of terrestrial habitat and, where necessary, aquatic habitat, which will involve field investigations in the spring, autumn, and winter seasons.
6. The types of wildlife surveys and field investigations required will be determined in part by the potential for species at risk on the subject lands.
  7. The EIS and associated field investigations shall be completed by qualified professionals with appropriate training.

#### 5.4.2 Submission & Approval of EIS

1. Unless specified otherwise during the pre-submission consultation process, an EIS submitted in support of a development application shall adhere to the guidelines set out in Appendix C to this Official Plan.
2. The Township may establish standards for the formatting and submission of an EIS report and for any materials included with the report.
3. Council shall not approve a development application regarding which an EIS has been required unless it is satisfied that the EIS report has demonstrated there will be no negative impacts from the proposed development.
4. Council may refuse to approve a development application if it is of the opinion that the recommendations made in the EIS submitted in support of that application are impractical, unrealistic, or in any other way unlikely to be effective in providing for the protection, maintenance, or restoration of significant features and ecological functions or in mitigating negative impacts on those features and functions.
5. The recommendations made in an approved EIS report will provide the basis for a development agreement between the proponent and the Township.
6. The Township may require that funds be held in reserve for the long-term monitoring of potential impacts, which may occur after the completion of the development or site alteration.

## 5.5 Mineral Aggregate Resources

The policies in this section focus on the planning, establishment, and rehabilitation of mineral aggregate extraction operations in or adjacent to the Township's natural heritage system (outside the NEP Area) as well as in prime agricultural areas. This section of the Official Plan also contains policies regarding abandoned pits and quarries and the establishment of wayside pits and quarries.

### 5.5.1 New Mineral Aggregate Operations

1. New mineral aggregate operations shall be established in accordance with the requirements set out in Section 4.6.2 of this Official Plan.

#### New Aggregate Operations in the Natural Heritage System

2. No new mineral aggregate operations and no new uses ancillary or accessory to a mineral aggregate operation shall be permitted in the following key natural heritage features and key hydrologic features:
  - (a) provincially significant wetlands;
  - (b) habitat of endangered species and threatened species; and
  - (c) significant woodlands.
3. Notwithstanding Clause 5.5.1.2(c) above, if a significant woodland is occupied by young plantation or early successional habitat, as defined by the Province, then new mineral aggregate operations, including ancillary and accessory uses, may be permitted, provided that the application satisfactorily demonstrates that rehabilitation will meet the requirements set out in Section 5.5.2 of this Plan.
4. No new mineral aggregate operations and no new uses ancillary or accessory to a mineral aggregate operation shall be permitted in the following natural heritage features unless it has been demonstrated that there will be no negative impacts on the natural feature or its ecological functions:
  - (a) significant valleylands;
  - (b) significant wildlife habitat; and
  - (c) significant areas of natural or scientific interest.
5. No new mineral aggregate operations and no new uses ancillary or accessory to a mineral aggregate operation shall be permitted on lands adjacent to one of the natural heritage features and areas identified in Nos. 5.5.1.2 and 5.5.1.4 above unless:
  - (a) the ecological function of the adjacent lands has been evaluated; and



- (b) it has been demonstrated that there will be no negative impacts on the natural feature or its ecological function.
6. Any application proposing to establish a new mineral aggregate operation in the natural heritage system will be required to demonstrate:
    - (a) how the connectivity between key natural heritage features and key hydrologic features will be maintained before, during, and after the extraction of mineral aggregate resources;
    - (b) how the operator could replace key natural heritage features and key hydrologic features that would be lost from the site with equivalent features on another part of the site or on adjacent lands;
    - (c) how the water resource system will be protected or enhanced; and
    - (d) how any key natural heritage features and key hydrologic features not identified in Policy No. 5.5.1.2 above, including any vegetation protection zones associated with those features, will be addressed in accordance with the rehabilitation requirements set out in Section 5.5.2 of this Plan.
  7. An application to expand an existing mineral aggregate operation that requires a new approval under the *Aggregate Resources Act* may be permitted in the Natural Heritage System, including in key natural heritage features, key hydrologic features, and any associated vegetation protection zones, but only if:
    - (a) the decision to approve such an application is consistent with the PPS; and
    - (b) the decision ensures that the rehabilitation requirements in Section 5.5.2 of this Official Plan will be satisfied.

### Extraction in Prime Agricultural Areas

8. The extraction of mineral aggregate resources may be permitted in prime agricultural areas, subject to the policies in Section 4.6.2 of this Plan and provided that the site is rehabilitated to an agricultural condition.
9. Notwithstanding Policy No. 5.5.1.8 above, complete rehabilitation to an agricultural condition is not required if the conditions described in Policy No. 2.5.4.1 of the PPS (2020) are satisfied.
10. Any application proposing to establish a new mineral aggregate operation in a prime agricultural area shall be required to:
  - (a) provide an agricultural impact assessment; and
  - (b) demonstrate how the operation and subsequent rehabilitation will maintain or improve the connectivity of the agricultural system, where possible.

## 5.5.2 Rehabilitation

1. In recognition of the interim nature of the extraction of mineral aggregate resources, progressive and final rehabilitation shall be required:
  - (a) to mitigate the negative impacts from mineral aggregate operations as much as possible; and
  - (b) to promote land use compatibility and accommodate subsequent land uses.
2. The rehabilitation of new mineral aggregate operation sites will be required:
  - (a) to rehabilitate the disturbed area of the site to a state of equal or greater ecological value; and
  - (b) to maintain or enhance the long-term ecological integrity of the entire site.
3. Where a new mineral aggregate operation site contains key natural heritage features or key hydrologic features, or where such features existed on the site at the time the application regarding the new operation was made:
  - (a) the health, diversity, and size of such features shall be maintained or enhanced; and
  - (b) any permitted extraction of mineral aggregate resources occurring in such a feature shall be completed, and the feature or area rehabilitated, as early as possible in the life of the operation.
4. Aquatic areas remaining after extraction shall be rehabilitated to aquatic enhancement, which is to be representative of the natural ecosystem in that particular setting or ecodistrict, and the combined terrestrial and aquatic rehabilitation shall meet the intent of Policy No. 5.5.2.3 above.
5. Final rehabilitation for new mineral aggregate operations in prime agricultural areas shall take place in accordance with Policies No. 5.5.1.8 and No. 5.5.1.9 above.
6. Final rehabilitation for new mineral aggregate operations in the Natural Heritage System of the Growth Plan will be required to meet the additional criteria set out in Section 4.2.8 of the Growth Plan.
7. Rehabilitation will generally be implemented on the basis of the preferred after-uses and after-designations determined during the application process, as described in Section 4.6.2 of this Plan.
8. Rehabilitation should restore or establish ecological linkages wherever the following opportunities exist:
  - (a) opportunities to establish or restore corridors that protect animals from road mortality;

- (b) opportunities to establish, restore, or improve the continuity of corridors; and
- (c) opportunities to restore corridors that link important natural areas or wildlife habitats.

### 5.5.3 Abandoned Pits & Quarries

1. Where an abandoned pit or quarry has been identified in the Township, Council will investigate means for its rehabilitation, in consultation with the OMNR and other appropriate agencies, including investigating possible sources of funding to facilitate rehabilitation.
2. Where development is proposed on a property that contains an abandoned pit or quarry, the proponent shall be required to submit plans to the appropriate approval authorities setting out the proposed rehabilitation program for the abandoned pit or quarry.
3. In considering the rehabilitation of abandoned pits and quarries, Council shall have regard for whether the subject site is located in a prime agricultural area or is located in, or adjacent to, one of the "Greenlands" designations.

### 5.5.4 Wayside Pits & Quarries

**A wayside pit or wayside quarry** is a temporary aggregate extraction operation established in conjunction with a public project (usually road construction or road maintenance).

1. Wayside pits and quarries, portable asphalt plants, and portable concrete plants shall be permitted in connection with a public authority project or contract in all land use designations without requiring an amendment to this Official Plan or to the Zoning By-law.
2. Notwithstanding Policy No. 5.5.4.1:
  - (a) in areas of existing development and areas of particular environmental sensitivity, wayside pits and quarries, portable asphalt plants, and portable concrete plants shall only be permitted through an amendment to the Zoning By-law; and
  - (b) applications for wayside permits in the NEP Area shall comply with the policies in Part 2.9 of the NEP.
3. Council shall take steps to ensure that any wayside permits are issued in conformity with the broad intent of this Official Plan by participating in the application process, as provided for in Ontario Regulation 244/97 under the *Aggregate Resources Act*.



Photo: Sign in front of New Lowell Central Public School, County Road 9.

**A few years ago,** a statement like “Have a safe and healthy summer” would have seemed fairly unremarkable: well-meaning, but not particularly consequential, basically a longer version of “Have a nice day.” But now, after everything we’ve been through, the statement on the sign in front of New Lowell Central Public School feels more significant and more sincere. The challenges of living through a pandemic have reminded us just how much we all rely on one another, how important it is to do the little things that keep each other safe and to appreciate the contributions everybody makes. We’ve re-discovered how much social connections help us thrive, and seen that it’s possible to come together and overcome the biggest challenges while looking out for one another and being well, together.

**The primary focus of an official plan** is on physical change and on providing policies to direct the evolution of a community’s built environment. However, the *Planning Act* also directs official plans to include goals, objectives, and policies to address the effects of physical change on a municipality’s social and economic environment. The purpose of this section of the Official Plan, therefore, is to consider how the built environment and planning decisions can contribute to better health and

well-being for the entire community and can mitigate the risks associated with hazards, both natural and human-made.

Section 6.2 focuses on the protection of public safety by addressing lands that are subject to natural hazards, such as flooding or erosion, and human-made hazards, such as contamination from previous activities. The policies in Sections 6.3–6.5 are largely derived from the strategies and recommendations in the South Georgian Bay and Springwater Community Safety and Well-Being (“CSWB”) Plan, 2021–2025, which was developed as part of a larger initiative that involved all of Simcoe County’s municipalities. The CSWB Plan has three areas of focus: Mental Health & Addiction, Housing, and Access to services. As the CSWB Plan points out, mental health is about supporting sustained mental well-being, not just treating or avoiding mental illness. Mental health and addiction was an area of growing concern even before the COVID-19 pandemic emerged as a complicating factor. There is also evidence that the effects of climate change are already affecting the mental health of farmers and will continue to pose challenges for those working in the agricultural sector.

The Township’s largely rural landscape and residents’ rural lifestyles pose special challenges when it comes to ensuring access to community and social services. The CWSB Plan defines “access” generally as “the opportunity for residents to reach (connect to) and obtain assistance in situations of perceived need” and identifies four interrelated “dimensions” of access: availability, accessibility, accommodation, and acceptability:<sup>13</sup>

**Availability** refers to the physical existence of a service and its actual presence in a community, but also considers factors such as service capacity (i.e., the service is available when people need it, without a long waiting list) and geographic distribution.

**Accessibility** can refer to geographic location and the removal of physical barriers to access, to affordability (in terms of the resources and time needed to access a service), to the language in which a service is offered, and to other elements, such as stable internet connectivity.

**Accommodation** refers to the degree to which the organization and delivery of a service are suited to the needs of the person who requires the service.

**Acceptability** refers to whether a service and the way in which it is offered is a “good fit” with the values, attitudes, and characteristics of the person being served, as well as the social and cultural factors that might influence whether people seek out and accept assistance.

<sup>13</sup> For a more detailed explanation of these four dimensions, see pp. 54–55 of the South Georgian Bay and Springwater Community Safety and Well-Being Plan.



## 6.1 Goals & Principles

**This Official Plan's policies** for community health, safety, and well-being have been guided by the following goals and principles, which reflect the principles embodied in the CSWB Plan:

1. Achieve an equitable distribution of facilities and services that addresses the needs of vulnerable and under-served populations, and provide equitable access to services across the entire Township.
2. Listen to, understand, and plan with vulnerable and under-served populations in mind.
3. Pursue the principles of equity, diversity, and inclusion in the design of public spaces.
4. Encourage co-operation across departments, agencies, and sectors.

## 6.2 Natural & Human-Made Hazards

**Areas that are subject to natural hazards** are generally – but not exclusively – identified using the “Greenlands – Hazard Lands Area” designation on Schedule B. Human-made hazards are most often associated either with the extraction of resources (such as mineral aggregate resources) or with existing or former waste management sites. The goal of this Official Plan is to provide for the potential rehabilitation and remediation of such lands, where feasible, but above all to safeguard the safety and health of the community.

### 6.2.1 Natural Hazards

**The policies in this section** apply to all hazardous lands and hazardous sites, irrespective of how such lands and sites might be designated on Schedule B to this Plan.

1. Any lands that have been demonstrated or determined to be hazardous lands or hazardous sites shall be subject to the policies that apply to the “Greenlands – Hazard Lands Area” designation, regardless of the designation shown on Schedule B to this Plan.
2. Future development in areas where watercourses exist shall be subject to the policies that apply in the “Greenlands – Hazard Lands Area” designation, regardless of how such lands are designated on Schedule B to this Plan.
3. When considering an application proposing major development, the Township, the NVCA, and any other responsible approval authority shall establish the precise location of hazardous lands and hazardous sites in the area that is the subject of the application.
4. Anyone proposing development adjacent to a watercourse where engineered flood-line mapping is not available shall be required to undertake a floodplain analysis to precisely delineate the regulatory flood-line, to the satisfaction of the Township and the NVCA.

5. Whenever more precise or more detailed mapping of floodplains or of erosion hazard areas becomes available, and where such mapping has been approved by the Township in consultation with the NVCA or any other appropriate authorities, the approved mapping shall take precedence over the existing Schedules to this Plan in the consideration of development applications.
6. The Township, in consultation with the NVCA or any other responsible authority, may require the proponent of development to submit an application to amend the Official Plan or the Zoning By-law to reflect more detailed hazard area mapping undertaken as part of a development application, where such mapping becomes available for the area that is the subject of the application.
7. The Township will encourage the granting of easements to facilitate the undertaking and maintenance of flood and erosion control projects.
8. No development or site alteration shall be permitted:
  - (a) in areas that would be rendered inaccessible to people and vehicles during a flooding event, an erosion event, or any other emergency event occurring due to natural hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the proposed development and of the natural hazard; or
  - (b) within the defined floodplain, irrespective of whether the area of inundation contains high points of land not subject to flooding.
9. Notwithstanding No. 6.2.1.8 above, development and site alteration may be permitted in an area that is subject to flooding hazards in situations where:
  - (a) the designation of a Special Policy Area has been approved by the Province; or
  - (b) the development will be limited to uses that by their nature must be located in such an area (including flood or erosion control works or minor additions or passive non-structural uses that do not affect flood flows).
10. Notwithstanding No. 6.2.1.9, no development shall be permitted to locate on hazardous lands or on a hazardous site if the proposed development includes:
  - (a) an institutional use (including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day-care centres, and schools);
  - (b) an essential emergency service (such as that provided by fire, police, and ambulance stations and electrical substations); or
  - (c) any use associated with the disposal, manufacture, treatment, or storage of hazardous substances.



### Floodplain Management

11. Floodplain management and control in the Township will occur in partnership with the applicable conservation authority.
12. The one-zone floodplain management concept shall be used within the Township, except as provided for in Section 13 of this Plan, and:
  - (a) the application of the two-zone concept to any lands other than those provided for in Section 13 shall require an amendment to this Official Plan along with written approval from any conservation authority having jurisdiction in the area; and
  - (b) the establishment of a new Special Policy Area, or the making of changes to an existing Special Policy Area, shall only be permitted with the prior written approval of all conservation authorities having jurisdiction in the area.
13. New development, including the creation of a new lot, shall be prohibited in the regulatory floodplain.
14. New development or redevelopment on an existing lot, or the extension of a lawfully existing use, may be permitted in the floodplain, but only in circumstances where:
  - (a) the use is one that, by its nature, must be located in the floodplain; and
  - (b) the use will be protected by acceptable flood-proofing action or measures, subject to the approval of the Township and any conservation authorities having jurisdiction.

### 6.2.2 Human-Made Hazards

1. Where development is proposed for a site that is known to be, or reasonably suspected of being, contaminated, no activity associated with the proposed development shall take place until and unless the known or suspected contamination has been assessed and remediated as necessary.
2. Proposed development on or adjacent to a former mineral aggregate operation shall only be permitted if rehabilitation or other measures to address and mitigate known or suspected hazards are underway or have been completed.
3. Proposed development on or adjacent to a waste management site shall only be permitted in accordance with the applicable policies in Section 4.5 and Section 7.4 of this Official Plan.
4. The Township may require the preparation of a Record of Site Condition or similar assessment before it will approve any application proposing development on a site where contamination from a former use could generate an adverse effect for the proposed use.
5. Further to No. 6.2.2.4, Council will be particularly mindful of the potential for contamination where development using individual on-site water services is proposed.

6. The Township will encourage the identification and remediation of “brownfield” sites (meaning sites that are potentially contaminated due to a former industrial, commercial, or other use), especially where there is an opportunity for infill development and intensification.

## 6.3 Public Service Facilities

The term “**public service facility**” is broadly defined as referring to any building, structure, or land used by a government, a government-subsidized agency or organization, or another public or private body to provide programs and services. Public service facilities generally serve as locations for institutional uses (see Section 4.4 of this Official Plan).

This section of the Official Plan focuses on facilities and services that address physical and mental health and various aspects of social and economic well-being, and the policies below reflect the direction provided by the policies in Section 4.2 of the SCOP (as amended).

### 6.3.1 Location & Development Criteria

1. Public service facilities are generally directed to locate in Urban Settlement Areas and Community Settlement Areas, with preference given to sites that are close to areas with higher population density, that have municipal services available, and that are easily accessible by active transportation and by transit (where available), but may be located wherever a need for such facilities exists, subject to the policies in this section of the Official Plan.
2. Further to No. 6.3.1.1, where appropriate, public service facilities should be co-located in Community Hubs in order to promote cost-effectiveness, to facilitate the integration of services, and to take advantage of access to transit and active transportation facilities.
3. Decisions regarding the location of public service facilities will prioritize:
  - (a) achieving and maintaining an equitable distribution of services and facilities;
  - (b) addressing the needs of vulnerable and under-served populations; and
  - (c) addressing gaps and areas of need, as identified by processes associated with the implementation of the CSWB Plan.
4. The Township will collaborate with the service planning, funding, and delivery sectors to facilitate the co-ordination and planning of public service facilities.
5. Within Urban Settlement Areas and Community Settlement Areas, public service facilities shall be permitted in any land use designation in which development is permitted.
6. Within Rural Settlement Areas, public service facilities may be permitted in any land use designation in which development is permitted, so long as it has been demonstrated to the

satisfaction of the Township and the County that locating the proposed facility in a Rural Settlement Area will address one or more of the priorities listed in No. 6.3.1.3 above.

7. A public service facility may be permitted in a location outside of the Township's Settlement Areas through a site-specific amendment to this Official Plan and an amendment to the Zoning By-law, provided that it has been demonstrated to the satisfaction of the Township and the County that:
  - (a) locating the proposed facility in the proposed location will address one or more of the priorities listed in No. 6.3.1.3 above, or will otherwise address a demonstrable need in the area in which the proposed facility will be located and within the planning horizon of this Official Plan;
  - (b) the programs and services to be offered by the proposed public service facility in the proposed location cannot reasonably be provided by a temporary or satellite facility;
  - (c) the proposed public service facility will be able to operate effectively and efficiently in the proposed location;
  - (d) the proposed facility will be compatible with the rural character of the surrounding area and will not interfere with or hinder surrounding agricultural operations;
  - (e) the design and scale of the proposed facility will be compatible with surrounding land uses, with appropriate measures taken to mitigate adverse impacts on those uses;
  - (f) the proposed facility will comply with the applicable minimum distance separation formulae;
  - (g) the proposed facility will be located on, or in proximity to, an Arterial Road or a Collector Road, with appropriate access points approved by the road authority having jurisdiction, and the planned or existing transportation infrastructure in the area can accommodate the traffic generated by the proposed use;
  - (h) the proposed site has sufficient land area to accommodate the facility and associated on-site parking; and
  - (i) appropriate stormwater management opportunities are available for the proposed site, with a focus on low-impact development principles.
8. Minor extensions to, and minor expansions of, an existing public service facility not located in a Settlement Area may be permitted, subject to the requirements listed in No. 6.3.1.7 above.
9. In addition to being subject to the requirements listed in No. 6.3.1.7 above:
  - (a) the establishment of a new public service facility in the "Agricultural" designation shall be subject to the same requirements as any other non-agricultural use proposed in the "Agricultural" designation, as set out in Section 3.3.4 of this Official Plan; and

- (b) the establishment of a new public service facility in the “Greenlands – Natural Heritage Area” designation shall only be permitted in accordance with the findings and recommendations of an EIS prepared and submitted according to the policies in Section 5.4 of this Plan.
- 10. The establishment of a new public service facility in the “Greenlands – Hazard Lands Area” designation or in the “Greenlands – Wetlands Area” designation shall not be permitted.
- 11. Before the construction of a new public service facility is approved, opportunities for the adaptive re-use or retrofitting of existing buildings and structures should be considered.
- 12. Public service facilities shall be connected to municipal water services and municipal sewage services wherever such services are available.
- 13. Where municipal water services and municipal sewage services are not available, public service facilities shall be connected to private communal water services and private communal sewage services, provided that such private communal services are immediately available to service the proposed facility without requiring the installation of new systems or infrastructure or the extension of existing systems or infrastructure.
- 14. The development of a public service facility on a site where only individual on-site water services and individual on-site sewage services are available shall not be permitted unless the proponent has demonstrated, to the satisfaction of the Township and the County, that an adequate supply of water is available and that the proposed method of sewage treatment will meet Provincial standards.
- 15. Appropriate buffering shall be provided between public service facilities and adjacent residential uses.
- 16. The Township will encourage and facilitate the provision of temporary locations and satellite locations for the provision of public service facilities in smaller communities.
- 17. The Township will encourage the establishment of facilities to provide temporary emergency shelter, including temporary cooling and warming locations.
- 18. Before selling or otherwise disposing of a publicly owned public service facility, the Township may explore viable opportunities for an alternative use of the site that would retain the facility’s public service function or a similar function.

### 6.3.2 Service Providers & Service Delivery

- 1. The Township may encourage not-for-profit organizations and community-based organizations and agencies to deliver services that meet the needs of local residents.

2. The Township may develop relief programs (such as planning application fee rebates) or incentive programs (such as grants or loans) under a Community Improvement Plan to support the provision of public service facilities.
3. The Township may participate in the co-design and co-delivery of services in partnership with a government agency, a public body, or a not-for-profit organization.
4. The Township will seek opportunities to partner with Simcoe County and other community transportation service providers to improve access to services for residents living in all parts of the Township.
5. The Township will endeavour to improve knowledge transfer and exchange with public service providers and to find more efficient and effective ways to share information.

## 6.4 Community Design

**The main objective of the policies** in this section of the Official Plan is to apply the Community Safety and Well-Being Plan's principles of equity, diversity, and inclusion to the design of public spaces and public service facilities:

**Equity** in design means eliminating all barriers that would prevent any resident from fully participating in activities and enjoying life in the community; it means providing everyone with opportunities to maintain and improve physical health, mental health, and social well-being.

**Diversity** in design means designing spaces in a way that acknowledges the different lifestyles, beliefs, and preferences that people might have; it means making space for individuality while promoting respect for others.

**Inclusion** in design means providing spaces that make everyone feel like they belong and are accepted in the community for who they are; it means creating places where everyone feels welcome and safe.

One way to promote inclusion is by encouraging visibility and activity, two central elements of what is usually called “natural surveillance,” which seeks to enhance the safety of public spaces by providing opportunities for casual observation. High visibility is achieved using landscaping, lighting, clear sightlines, and other design elements – but visibility on its own isn't enough if no one is using the space, hence the importance of activity as well. At the same time, the policies below discourage “hostile design” elements, meaning exclusionary elements intended to deter people from using public spaces. (Examples include slanted or curved benches; the placement of spikes, bumps, or rocks in otherwise level areas; and the removal of benches or seating areas.)

Community design is also subject to the policies in Section 8 (Community Design & Placemaking).

### 6.4.1 Community Design Policies

1. Council will continually strive to ensure that public spaces, public service facilities, and infrastructure are designed and provided in a way that addresses the needs of all residents, regardless of age, physical ability, or financial means.
2. Council will use such means as are at its disposal to ensure that any site or facility to which members of the general public will have access is designed to reflect the principles of equity, diversity, and inclusion.
3. The Township will design all municipal buildings and municipally owned public service facilities to meet or exceed the accessibility standards set by the Province.
4. Council will support the adaptive re-use, redevelopment, and retrofitting of buildings and spaces to support and address the needs of vulnerable and under-served populations.
5. Council will consider the needs of the population that will be served by a public service facility when making decisions about the location and design of such facilities.
6. The Township will seek out opportunities to engage with vulnerable populations in the process of designing public spaces and facilities.
7. The Township will strive to achieve an equitable distribution of public amenity spaces that support mental well-being, including parks, open spaces, and public service facilities.
8. Public spaces shall be designed in a way that provides a high level of visibility, promotes high activity levels for a variety of activities, and fosters positive social interactions.
9. The Township shall discourage the use of hostile design elements in the design of public spaces.

## 6.5 Cooperation & Coordination

**The challenges addressed in** the CSWB Plan represent complex issues that require coordination, cooperation, and collaboration between multiple community partners and across multiple sectors. The purpose of this section of the Official Plan is to affirm the Township's commitment to aligning its land use planning decisions with the wider goals of the CSWB Plan.

### 6.5.1 Policies

1. The Township will continue cooperating and collaborating with its municipal partners, with public agencies, school boards, and community organizations in pursuit of the goals of the South Georgian Bay and Springwater Community Safety and Well-Being Plan.

2. The Township and Council will continue moving forward in the implementation of the CSWB Plan, including the formation of the local CSWB Planning Table and the continuation of the CSWB Advisory Body.
  3. The Township will seek out opportunities to engage with community members and with staff to identify areas of need and to monitor the demand for community and public services.
  4. The Township will consider the dimensions of availability, accessibility, accommodation, and acceptability in conducting all of its public consultation and engagement processes.
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Photo: Water treatment plant in New Lowell Recreation Park.

**You don't see many** people lining up to take pictures of the water treatment plant in New Lowell. It's a small, non-descript building, tucked back behind the soccer fields in New Lowell Recreation Park. Nearby, you might hear the shouts and laughs of children playing, the short ringing of an aluminum bat – the thud shut of the public washroom door as someone comes out. They're likely not thinking about it, but by flushing the toilet and (hopefully) washing their hands, they've just tapped into the system that this little building is a part of. It's a system that is generally meant to be unseen and unnoticed, mostly buried underground, but still, it's what makes the conveniences of daily life possible.

## 7.1 Goals & Principles

This section of the **Official Plan** presents the Township's policy approach to the provision of infrastructure and municipal services. These policies address the provision of water and sewage services, and on developing transportation infrastructure that will support opportunities for active

modes of transportation. This section also sets out policies for stormwater management and for solid waste management.

The policies presented here have been developed with the following goals and principles in mind:

1. Ensure Clearview's residents are provided with safe and reliable services in a cost-effective, economically sustainable manner.
2. Optimize the use of existing services and infrastructure and direct major development towards areas that are suitable for the installation or extension of municipal services.
3. Provide infrastructure and services in a way that supports the achievement of this Official Plan's other objectives regarding matters such as growth management, public safety, and environmental protection.
4. Promote the development of a transportation system that supports multiple modes of travel while recognizing that a Township of this size with multiple Settlement Areas will still require some travel by private automobile.

## 7.2 Water & Sewage Services

**This section sets out** the Official Plan's approach to providing water and sewage services for development in the Township. Overall, this approach is intended to support the achievement of this Plan's growth management objectives by directing the majority of development to the Urban Settlement Areas, where full municipal water services and municipal sewage services already exist or can be extended in a cost-effective and fiscally responsible manner.

Section 1.6.6 of the PPS (2020) establishes a hierarchy for providing water and sewage services for development in settlement areas. This hierarchy consists of the following:

- (1) municipal water services and municipal sewage services, generally meaning water and sewage services provided by systems that are overseen by, or that are in some way the responsibility of, a municipality, which are the preferred form of servicing for all development within settlement areas;<sup>14</sup>

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<sup>14</sup> The word "generally" is used here because, technically, the PPS (2020) uses the term "municipal water services" to refer to a "municipal drinking water system" as defined in Section 2 of the *Safe Drinking Water Act, 2002*, where the term means a drinking water system, or part of a drinking water system: (a) that is owned by a municipality, by a municipal service board established under the *Municipal Act, 2001*, or a city board established under the *City of Toronto Act, 2006*; (b) that is owned by a corporation established under the *Municipal Act, 2001* or under the *City of Toronto Act, 2006*; (c) from which a municipality obtains or will obtain water under the terms of a contract between the municipality and the owner of the system; or (d) that is in a class prescribed in the regulations under the *Safe Drinking Water Act, 2002*.

- (2) private communal water services and private communal sewage services, defined in the PPS (2020) as non-municipal systems that provide services to six or more lots or private residences, which are the preferred form of servicing for multi-unit or multi-lot development where municipal services are not available, planned, or feasible;
- (3) individual on-site water services and individual on-site sewage services, referring (as the name suggests) to systems that provide services to a single property and that are owned, operated, and managed by the owner of that property, which may be used where municipal services and private communal services are not available, planned, or feasible; and
- (4) partial services, meaning a combination of municipal or private communal services, on the one hand, and individual on-site services, on the other, which are only permitted where they are necessary to address failed individual on-site services or to allow for infilling or the minor rounding out of development within settlement areas.

The approach to servicing set out in this section of the Official Plan is consistent with the above hierarchy, as required under Section 3 of the *Planning Act*.

Existing systems in the Township provide both municipal water services and municipal sewage services to Stayner and Creemore, as well as municipal water services to most of New Lowell and part of Nottawa. The possibility exists that municipal sewage services might eventually become available in Nottawa, as an environmental assessment for such a system was completed in 2008–2009, but other than this, the construction of new municipal systems or the extension of municipal services to other Settlement Areas in the Township is not anticipated or contemplated within the planning horizon of this Official Plan.

### 7.2.1 Overall Servicing Strategy

**The Township's overall approach** to the provision of water and sewage services is intended to support the achievement of the Township's growth management objectives, based on the hierarchy of Settlement Areas presented in Section 2.2 of this Official Plan.

- 1. No development shall be approved unless the proposed method of providing water services and sewage services is acceptable to, and approved by, the Township.
- 2. Subject to the policies in this section of the Plan, all development shall be provided with municipal water services and municipal sewage services wherever such services are available.
- 3. To clarify, for the purposes of this Official Plan:
  - (a) the term "municipal water services" shall not refer to any services provided by private waterworks that were not established by, have not been acquired or accepted by, and are not maintained by, the Township of Clearview or its predecessor municipalities; and

- (b) the term “municipal sewage services” shall not refer to any services provided by private sanitary sewer systems that were not established by, have not been acquired or accepted by, and are not maintained by, the Township of Clearview or its predecessor municipalities.
4. Where municipal water services and municipal sewage services are not available, the Township may, at its discretion, permit the use of private communal water services and private communal sewage services in circumstances where the Township considers the use of such systems acceptable and feasible.
  5. For the purposes of No. 7.2.1.4 above, private communal water services or private communal sewage services may, and generally will, be considered not acceptable or not feasible if Council is of the opinion that such services or such systems:
    - (a) would have a negative impact on natural heritage features or on the natural environment;
    - (b) would interfere with the planned extension of existing municipal servicing systems;
    - (c) could impose a financial burden on the Township;
    - (d) could present a liability for the Township; or
    - (e) cannot be installed or extended without generating undue adverse effects on the Township or its residents.
  6. Subject to the policies in this section of the Official Plan, the use of individual on-site water services and individual on-site sewage services may be permitted in circumstances where:
    - (a) municipal water services and municipal sewage services are not available, and the installation or extension of such services is not planned;
    - (b) Council has determined that private communal water services and private communal sewage services are not acceptable or are not feasible; and
    - (c) Council is satisfied that:
      - (i) site conditions are suitable for the long-term provision of individual on-site water services and individual on-site sewage services with no negative impacts;
      - (ii) there are no existing or potential problems with the quality or quantity of drinking water in the area; and
      - (iii) the proposed services will be provided in accordance with all applicable policies in this Official Plan.
  7. All private communal water services and all individual on-site water services shall comply with the Township of Clearview's By-law No. 19-54 or with any successor thereto.

8. All new sewage systems and infrastructure, municipal or otherwise, shall be located outside of vulnerable Wellhead Protection Areas and other areas where such systems or infrastructure would represent a significant threat to drinking water, and the creation of a new lot for development using individual on-site sewage services in such areas shall not be permitted.
9. The Township shall promote water conservation and the efficient use of water by:
  - (a) encouraging new development applications to include measures that minimize additional demands on municipal water and sewage systems;
  - (b) encouraging, and possibly requiring through site plan control or other means at its disposal, the incorporation of elements designed to conserve and promote the efficient use of water;
  - (c) considering and encouraging strategies such as rainwater harvesting, in accordance with all applicable standards and regulations;
  - (d) considering ways to incentivize existing users of municipal systems to conserve water.
10. New major development may be required to provide a scoped water budget and water conservation plan for the subject property and adjacent lands, including:
  - (a) a characterization of groundwater and surface water flow systems;
  - (b) the identification of the availability, quantity, and quality of water sources;
  - (c) the development of a water use profile and forecast;
  - (d) the determination of a water budget; and
  - (e) an identification of water conservation measures.
11. While it is expected that individual on-site sewage services will consist of septic tank and tile systems, alternative systems that have proven effective and have been approved by the Ministry of the Environment may be permitted if the Township is satisfied that the use of the proposed alternative system is appropriate for the site and for the proposed development.

### Construction or Extension of Municipal Systems

12. Council shall ensure that any decision made regarding the extension of municipal services or the construction of new services:
  - (a) supports the achievement of the growth management objectives established in Section 2.3 of this Plan; and
  - (b) is financially sustainable for the Township in the long term.
13. Municipal water services and municipal sewage services should be developed at the same time as one another, except in circumstances where the purpose of constructing or extending such services is to address the needs of an area using partial services.



14. Where the extension of systems or infrastructure for providing municipal water services or municipal sewage services along, under, or adjacent to a public road is required as a condition of development approval, such services or infrastructure shall be installed across or parallel to the entire length of the lot line that abuts the public road.

## 7.2.2 Servicing in Urban Settlement Areas

The policies below apply to the **Urban Settlement Areas** of Stayner and Creemore, where both municipal water services and municipal sewage services are generally available.

1. Subject to the policies in this section, all new development occurring in an Urban Settlement Area, including redevelopment and infill development, shall be provided with municipal water services and municipal sewage services.
2. In areas where the installation or extension of systems or infrastructure for the provision of municipal water services and municipal sewage services is planned, or where such systems or infrastructure are under construction, Council may use holding provisions to ensure that development either occurs at an appropriate time or is adequately designed for the eventual provision of services.
3. The installation of new systems for providing private communal water services and private communal sewage services, and the extension of existing such systems, is not planned or considered feasible, and no such installation or extension shall be permitted within an Urban Settlement Area.
4. Notwithstanding No. 7.2.2.1 above, development in an Urban Settlement Area using individual on-site water services and individual on-site sewage services may be permitted if:
  - (a) the development in question is being proposed for a single site as infilling or for the purpose of rounding out existing development;
  - (b) the development is being proposed for a site in an area where municipal water services and municipal sewage services are not available and where the extension of such services is not considered feasible (for instance, due to topography or the presence of natural features);
  - (c) the proposed development does not involve the creation of a new lot; and
  - (d) Council is fully satisfied that site conditions are suitable for the long-term provision of individual on-site water services and individual on-site sewage services with no negative impacts.

5. Notwithstanding No. 7.2.2.1 above, Council may, at its discretion, permit the establishment of a new industrial use or a new “in-between” use using individual on-site water services and individual on-site sewage services, provided that:
  - (a) the proposed use is one that does not require the provision of full municipal water services and municipal sewage services;
  - (b) the proposed use is permitted in the land use designation within which the site is located, as shown on Schedule B to this Official Plan;
  - (c) municipal water services and municipal sewage services are not already available on the site;
  - (d) the proposed development does not involve the creation of a new lot; and
  - (e) Council is fully satisfied that site conditions are suitable for the long-term provision of individual on-site water services and individual on-site sewage services with no negative impacts.
6. Notwithstanding No. 7.2.2.1 above, development in an Urban Settlement Area using partial services may be permitted:
  - (a) to address failed individual on-site water services or failed individual on-site sewage services in existing development; or
  - (b) to allow for infilling or the minor rounding out of development within the Urban Settlement Area, in circumstances where the Township has determined that the extension of municipal water services and municipal sewage services is not feasible (for instance, due to topography or the presence of natural features).
7. All applications for the approval of a plan of subdivision shall be required to include a Functional Servicing Report prepared in accordance with the applicable policies in Section 7.2.6 of this Plan as part of a complete application.
8. The Township may require that proponents of major development undertake the preparation of a secondary plan or of a block plan in circumstances where the proposed development would require the extension of existing municipal services or infrastructure.

### 7.2.3 Servicing in Community Settlement Areas

**The policies below apply to the Community Settlement Areas** of New Lowell and Nottawa. Municipal water services are available in most of New Lowell and in parts of Nottawa, but municipal sewage services are not currently available in the Community Settlement Areas.

1. New development occurring in a Community Settlement Area shall be provided with municipal water services and municipal sewage services, wherever and whenever such services become available.



2. Council may, at its discretion, permit proposed development by description of condominium using private communal water services and private communal sewage services, if:
  - (a) Council is satisfied that the development is not premature and that providing the proposed development with municipal water services and municipal sewage services is not feasible within the short- or medium-term;
  - (b) the use of private communal water services and private communal sewage services is acceptable and feasible, and none of the criteria set out in Policy No. 7.2.1.5 above apply; and
  - (c) all necessary agreements regarding ownership, maintenance, and all other relevant matters have been entered into to the full satisfaction of the Township.
3. Development in a Community Settlement Area, other than development by description of condominium, may be permitted using private communal water services and private communal sewage services, at the discretion of Council, provided that:
  - (a) the use of private communal water services and private communal sewage services is acceptable and feasible, and none of the criteria set out in Policy No. 7.2.1.5 above apply;
  - (b) the proposed method of providing services will use existing systems that have sufficient reserve water system capacity and sufficient reserve sewage system capacity, as those terms are defined in the PPS (2020); and
  - (c) all necessary agreements regarding ownership, maintenance, and all other relevant matters have been entered into to the full satisfaction of the Township.
4. Development in a Community Settlement Area using individual on-site water services and individual on-site sewage services may be permitted if:
  - (a) the development in question is being proposed as infilling or for the purpose of rounding out existing development;
  - (b) the development is being proposed for a site in an area where municipal water services and municipal sewage services are not available and where the extension of such services is not considered feasible (for instance, due to topography or the presence of natural features);
  - (c) the use of private communal water services and private communal sewage services is not considered acceptable or feasible;
  - (d) Council is satisfied that site conditions are suitable for the long-term provision of individual on-site water services and individual on-site sewage services with no negative impacts; and,

- (e) where the application proposes development by plan of subdivision, Council is further satisfied that:
  - (i) development by plan of subdivision is the most appropriate option with regard to the efficient use of available land;
  - (ii) the proposed development is consistent with the policies in Section 2 of this Official Plan and will support the achievement of this Plan's growth management objectives;
  - (iii) the water supply in the area is able to support the proposed development;
  - (iv) the proposed number of lots to be created is appropriate for the area;
  - (v) the lots in the proposed development are sized so as to make efficient use of the area available while accommodating the necessary individual on-site services; and
  - (vi) the conditions on each individual building lot are suitable for the long-term provision of on-site services with no negative impacts.
- 5. Development in a Community Settlement Area using partial services may be permitted if:
  - (a) the use of partial services is necessary to address failed individual on-site water services or failed individual on-site sewage services; or
  - (b) the development in question is being proposed as infilling or for the purpose of rounding out an area of existing development, provided that:
    - (i) the proposed method of providing partial services is either a combination of municipal water services and individual on-site sewage services or a combination of individual on-site water services and municipal sewage services;
    - (ii) the proposed development is consistent with the policies in Section 2 of this Official Plan and will support the achievement of this Plan's growth management objectives;
    - (iii) Council is satisfied that the proposed method of providing partial services is the most efficient method of providing the proposed development with water and sewage services; and
    - (iv) site conditions are suitable for the long-term provision of partial services with no negative impacts.
- 6. For the purposes of Nos. 7.2.3.7 and 7.2.3.8 below, "private services" may refer to a combination of private communal water services and private communal sewage services or to a combination of individual on-site water services and individual on-site sewage services.
- 7. The Township may require that development using private services proceed through the preparation of a secondary plan preceded by the completion of a Master Environmental

Servicing Plan (“MESP”), especially where more extensive development is proposed in areas that are predominantly vacant and where the use of private services could have impacts on the surrounding area.

8. The Township will encourage planning for private services to be undertaken in a co-ordinated manner between proponents of development so that cumulative impacts might be taken into consideration, and may require two or more proponents to collaborate in the preparation of an MESP or a similar plan, in circumstances where applications are being made concurrently or where the lands subject to different applications are close to one another.
9. Any application for development that proposes the creation of more than one new lot in a Community Settlement Area shall be required to include a Functional Servicing Report (“FSR”), prepared in accordance with the applicable policies in Section 7.2.6, as part of a complete application, unless the Township has specified during pre-submission consultation that such a report is not necessary.
10. The determination by the Township under Policy No. 7.2.3.9 above that an FSR is not necessary in support of a development application shall in no way limit the Township’s ability to require other studies or reports regarding the servicing of proposed development.
11. The Township intends to monitor development activity and applications as one way to assess the possible future need of providing Community Settlement Areas with municipal water services and municipal sewage services.

## 7.2.4 Servicing in Rural Settlement Areas

**The policies below apply to the Rural Settlement Areas** of Avening, Batteaux, Brentwood, Dunedin, Duntroon, Glen Huron, Old Sunnidale, and Singhampton. Municipal water services and municipal sewage services are not available in these areas, and the Township does not plan to extend such services to the Rural Settlement Areas within the foreseeable future.

1. Private communal water services and private communal sewage services are not anticipated or considered feasible in the Rural Settlement Areas, and the construction of new systems or infrastructure for the provision of such services shall not be permitted.
2. Development in a Rural Settlement Area using individual on-site water services and individual on-site sewage services may be permitted if:
  - (a) the development in question is being proposed as infilling or for the purpose of rounding out existing development;
  - (b) Council is satisfied that:
    - (i) site conditions are suitable for the long-term provision of individual on-site water services and individual on-site sewage services with no negative impacts;

- (ii) the water supply in the area is capable of supporting the proposed development; and
  - (iii) the proposed development is consistent with the policies in Section 2 of this Official Plan and will support the achievement of this Plan's growth management objectives; and,
- (c) where the application proposes development by plan of subdivision, Council is further satisfied that:
  - (i) development by plan of subdivision is the most appropriate option with regard to the efficient use of available land;
  - (ii) the proposed number of lots to be created is appropriate for the Rural Settlement Area in which the development will be located; and
  - (iii) the conditions on each individual building lot are suitable for the long-term provision of on-site services with no negative impacts.
- 3. Partial services shall only be permitted in a Rural Settlement Area if such services use existing private communal water services or existing private communal sewage services (as municipal services are not available or planned in these areas, and as new private communal systems are not contemplated) and do not require the extension of existing private communal water services or of existing private communal sewage services, and furthermore shall only be permitted where they are necessary to address failed individual on-site water services or failed individual on-site sewage services or for the purposes of infilling or the rounding out of existing development.

### 7.2.5 Servicing Outside Settlement Areas

**The policies in this section apply** to all lands outside of the Township's Settlement Areas, including the Rural Crossroads identified in Section 2.2.4 of this Plan. Municipal water services and municipal sewage services are not available outside Settlement Areas, nor is the extension of such services anticipated within the foreseeable future, and the establishment of new private communal water services and new private communal sewage services is not planned or considered feasible.

- 1. Development on lands located outside Settlement Areas may be permitted using individual on-site water services and individual on-site sewage services, provided that Council and any other responsible approval authority is satisfied that:
  - (a) the proposed method of providing such services is adequate to support the proposed form of development; and
  - (b) site conditions are suitable for the long-term provision of such services with no negative impacts.

2. Outside of Settlement Areas, partial services shall only be permitted where they are necessary to address failed individual on-site water services or failed individual on-site sewage services, and only where such partial services use existing private communal water services or private communal sewage services without requiring the extension of such private communal services.
3. Development within the NEP Area shall be provided with water and sewage services in accordance with the applicable policies in the NEP.

## 7.2.6 Servicing Studies & Reports

**Applications proposing development that involves** the creation of one or more new lots will generally be required to include studies in support of the proposed method of providing services for the development. This requirement is meant to ensure that proposed development will be provided with adequate water and sewage services in a way that aligns with the Township's long-term objectives, as expressed in this Official Plan, and in a way that protects public health and the natural environment. The studies and reports required can range in scope, depending on the specific nature and scale of the development being proposed:

**Master Environmental Servicing Plans ("MESPs")** consider the servicing and infrastructure needs of future development in an integrated manner, regarding matters such as water and sewage services, utilities, stormwater management, and transportation, along with other factors, such as impacts on the natural environment, drainage requirements, and the potential phasing of development. MESPs are often undertaken in conjunction with, or following, a sub-watershed study, and often provide the basis for secondary plans.

**Servicing Capability Studies** are comprehensive technical studies undertaken with respect to a proposed development or an entire Settlement Area, whose purpose is to assess the capability of the surrounding area to safely accommodate future growth and development using individual on-site water and sewage services (or using partial services, where they already exist). A Servicing Capability Study establishes a technical foundation for the evaluation of secondary plans and of development applications.

**Functional Servicing Reports ("FSRs")** usually address the servicing needs of medium-scale development, such as that proceeding by plan of subdivision, for the purpose of assessing the capability of existing systems and infrastructure to accommodate those needs and identifying any improvements that might be required to support the proposed development. FSRs also address matters such as drainage, grading, and stormwater management.

**Servicing Feasibility Studies** provide a preliminary examination whose purpose is to establish the feasibility of, and costs associated with, servicing a development with more than five lots or

dwelling units.<sup>15</sup> A Servicing Feasibility Study is not considered to be an environmental assessment to which the *Environmental Assessment Act* would apply.

**Site Servicing Options Reports** are essentially “scoped-down” Servicing Feasibility Studies undertaken to address the servicing needs of development that involves the creation of no more than five lots or dwelling units where the proposed method of servicing is something other than full municipal water and sewage services. A Site Servicing Options Report is also not considered to be an environmental assessment to which the *Environmental Assessment Act* would apply.

The policies in this section set out general guidelines and requirements, and it should be understood that the undertaking of any study described above will generally involve the establishing of specific terms of reference as part of the pre-submission consultation process.

1. The Township may require, as part of a complete application, any plans, studies, reports, or assessments that it considers necessary or appropriate to satisfactorily address the provision of proposed development with water and sewage services.
2. In addition to the reports and studies identified in this section of the Official Plan, any development application that proposes the creation of one or more new lots shall be required to provide a hydrological study or hydrogeological study, as determined during the pre-submission consultation process, as part of a complete application.
3. All plans, reports, and studies that address the servicing of proposed development and all hydrological and hydrogeological studies shall be prepared to the satisfaction of the Township, the County of Simcoe, and the Ministry of Environment, in consultation with any other appropriate agency.
4. All plans, reports, and studies required as part of a complete application shall be prepared by qualified, certified professionals.
5. The preparation and submission of any report regarding the provision of services for proposed development shall in no way imply that development using the proposed method of servicing is approved by, or acceptable to, the Township.
6. No development shall proceed except in full accordance with the servicing plans, reports, and studies that have been submitted and approved as part of a complete application, unless modifications have been specifically approved by the Township in consultation with, and to the satisfaction of, all other appropriate approval authorities.

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<sup>15</sup> This stipulation regarding the number of lots is included in the definition of “Servicing Feasibility Study” provided on p. 135 of the SCOP.

7. Development using individual on-site water services and individual on-site sewage services shall be subject to site-specific development standards based on the hydrological and hydrogeological studies that have been provided as part of a complete application.

### **Master Environmental Servicing Plans**

8. The Township may require the preparation of a Master Environmental Servicing Plan (“MESP”) as part of a complete application in any circumstances where the Township is of the opinion that the nature of the proposed development warrants the preparation of such a plan, which determination may be based on factors that include the scale or geographic extent of proposed development or the potential impacts of development on the subject lands or on areas surrounding them.
9. The preparation of an MESP shall be required as part of any application proposing development in the “Future Development” designation for which a secondary plan is required under the policies in Section 4.2.3 of this Official Plan.
10. Where multiple applications are being considered proposing development for areas that are adjacent to, or within reasonable proximity of, one another, the Township may require that the proponents co-operate in the preparation of an MESP for the subject area, even in circumstances where the individual development applications, considered separately or without reference to one another, would not necessarily warrant the preparation of an MESP.
11. Council may, on its own initiative, provide for the preparation of an MESP in any circumstances where Council is of the opinion that the preparation of such a plan is necessary, appropriate, or advisable to address the needs of future development in an area.
12. Where an MESP is required as part of a complete application, the costs of undertaking the MESP shall be borne by the applicant and, where such an MESP pertains to multiple applications being made by separate proponents, may be shared among multiple proponents of development.
13. The process of preparing an MESP shall include a review of existing background information regarding the subject area, including any sub-watershed studies or other environmental studies prepared for the subject area, and where the MESP is being prepared by one or more proponents of development, the Township shall make the fullest reasonable effort to facilitate such a review.
14. Subject to No. 7.2.6.15 below, an MESP shall include the following components:
  - (a) an EIS or similar report that, among other things, confirms and delineates the boundaries of natural heritage features and addresses potential impacts of development on such features and their ecological functions;



- (b) plans showing the proposed method of providing development with water and sewage services, including among other things system modelling and a review and confirmation of capacity within the relevant servicing systems;
  - (c) a stormwater management strategy, which may include plans showing the proposed locations and sizes of stormwater management facilities and preliminary grading;
  - (d) assessments of any hazardous lands and hazardous sites that might be present in the subject area, and the measures that development will need to incorporate to address any such hazards;
  - (e) transportation plans and impact studies that, among other things, include plans showing the proposed road and active transportation networks, identifies connections to the existing road network, and identifies the timing and phasing of improvements and upgrades to existing roads and intersections;
  - (f) archaeological assessments for any Archaeologically Sensitive Areas or lands with archaeological potential in the subject area;
  - (g) studies that assess potential land use conflicts and adverse impacts and that identify specific measures to be implemented for the mitigation or avoidance of such conflicts and impacts;
  - (h) plans showing the proposed phasing of development and the provision of services for each phase; and
  - (i) recommendations for future studies, reports, and assessments that should be included with a complete application proposing development in the subject area, where future development in the subject area is, or can reasonably be, expected.
15. The terms of reference established for an MESP may include components or requirements that are not specifically identified in this section of the Official Plan, as warranted by the specific circumstances surrounding the subject area or the proposed development, and may omit any of the components listed in No. 7.2.6.14 where the Township is of the opinion that existing information is sufficient and can be adequately integrated into the MESP.

### Servicing Capability Studies

16. Any application proposing development that will use anything other than municipal water services and municipal sewage services shall be required to include a Servicing Capability Study as part of a complete application.
17. A Servicing Capability Study shall refer to any existing MESP that affect the subject area and shall be prepared in accordance with all such MESP.
18. Where the preparation of a Servicing Capability Study has been required as part of a complete application, the Township shall take all reasonable steps to identify existing

information relevant to the preparation of the Servicing Capability Study and to make such information available to the proponent.

19. In general, a Servicing Capability Study shall:
  - (a) summarize the scope and the terms of reference established during the pre-submission consultation process;
  - (b) identify and discuss environmental constraints in the study area, including surface water features, Wellhead Protection Areas, highly vulnerable aquifers, significant groundwater recharge areas, and natural heritage features and functions;
  - (c) examine the ability of the soils and groundwater features to assimilate effluent from growth and development;
  - (d) identify appropriate density and design parameters to ensure:
    - (i) there will be no negative impacts on the environmental features identified in Clause 7.2.6.19(b); and
    - (ii) the quality of groundwater and surface water in the study area will be protected or enhanced;
  - (e) identify appropriate limits on the extent and timing of development; and
  - (f) determine appropriate arrangements and capacity for the treatment of hauled sewage from the study area.

### Functional Servicing Reports

20. Any application proposing development that will use municipal water services and municipal sewage services shall be required to include a Functional Servicing Report ("FSR") as part of a complete application.
21. Further to No. 7.2.6.20, any application proposing development that will use one of the following shall be required to include an FSR as part of a complete application:
  - (a) existing systems that provide private communal water services and private communal sewage services;
  - (b) partial services using either municipal water services or municipal sewage services; or
  - (c) partial services using existing systems that provide either private communal water services or private communal sewage services.
22. Any FSR required as part of a complete application shall include a water balance and a hydrogeological study, and may be required to include a scoped water budget or a water conservation plan.

23. In addition to anything required under No. 7.2.6.22, and subject to the specific terms of reference established during the pre-submission consultation process, an FSR shall generally include:
- (a) a description of the subject property along with a key map showing its location;
  - (b) a description of the proposed development, including details regarding its scale and extent, the layout of lots and proposed streets, and other relevant matters;
  - (c) an explanation of any environmental constraints affecting the subject property and of any other limitations on the proposed development;
  - (d) grading plans showing the existing grading of the subject property and the proposed grading of the development;
  - (e) a water servicing plan that identifies existing systems and connections, shows the proposed water distribution concept, assesses the capacities of existing water systems, estimates the water consumption of the proposed development and addresses net impacts, and identifies any improvements or expansions that would be required to accommodate the proposed development;
  - (f) a sanitary sewer servicing plan that identifies existing systems and connections, shows the proposed concept for sanitary sewers, assesses the capacities of existing sanitary sewer systems, estimates discharge from the proposed development and addresses net impacts, identifies any improvements or expansions that would be required to accommodate the proposed development, and demonstrates that the proposed sanitary sewage system conforms to or complies with all applicable policies, regulations, and guidelines;
  - (g) a storm sewer servicing and stormwater management plan, prepared in accordance with Township standards and guidelines; and
  - (h) measures to be implemented to accommodate on-site maintenance of proposed systems and services.
24. Nothing in Policy No. 7.2.6.23 shall be interpreted as in any way limiting the Township's ability to require that other relevant information or site-specific details be included as part of an FSR.

### Servicing Feasibility Studies

25. Any application proposing the development of more than five lots or dwelling units using anything other than municipal water services and municipal sewage services shall be required to include a Servicing Feasibility Study as part of a complete application.

26. Notwithstanding No. 7.2.6.25, the Township may waive the requirement for a Servicing Feasibility Study where:
  - (a) an FSR is required as part of a complete application under Policy No. 7.2.6.20 above; or
  - (b) the Township is of the opinion that the matters that would normally be addressed in a Servicing Feasibility Study can be satisfactorily addressed in a Servicing Capability Study required as part of a complete application under Policy No. 7.2.6.16.
27. Any Servicing Feasibility Study required as part of a complete application shall include or be accompanied by a hydrogeological study.
28. Where a Servicing Feasibility Study supports development using individual on-site water services and individual on-site sewage services, the hydrogeological study referred to in No. 7.2.6.27 shall include details that provide for the site-specific implementation of the Servicing Feasibility Study.
29. Subject to the specific terms of reference established during the pre-submission consultation process, a Servicing Feasibility Study shall generally be required to:
  - (a) summarize the scope of the study and the terms of reference, as established during the pre-submission consultation process;
  - (b) describe the existing site, with a focus on characteristics and features that could affect the provision of water and sewage services;
  - (c) describe the elements of the proposed development that will influence servicing requirements (such as proposed land uses, lot sizes and configuration, number of dwelling units, density of development, etc.);
  - (d) assess the expected demand for water and sewage services and the need for roads and other infrastructure;
  - (e) identify and address environmental constraints, such as wellhead protection areas or natural heritage features;
  - (f) discuss the stormwater management facilities that will be required;
  - (g) evaluate the proximity of existing full municipal services and the long-term potential for the future connection of the proposed development area to full municipal water and sewage services; and
  - (h) identify, describe, and provide a rationale for the proposed method of servicing.
30. Nothing in Policy No. 7.2.6.29 shall be interpreted as in any way limiting the Township's ability to require that other relevant information or site-specific details be included as part of a Servicing Feasibility Study.

### Site Servicing Options Reports

31. Any application proposing the development of five or fewer lots or of five or fewer dwelling units using anything other than municipal water services and municipal sewage services shall be required to include a Site Servicing Options Report as part of a complete application.
32. Any Site Servicing Options Report required as part of a complete application shall include, or be accompanied by, a hydrogeological study.
33. Subject to the specific terms of reference established during the pre-submission consultation process, a Site Servicing Options Report shall generally be required to:
  - (a) summarize the scope and the terms of reference established during pre-submission consultation;
  - (b) describe the existing site, with a focus on characteristics and features that could affect the provision of water and sewage services;
  - (c) describe the proposed development and assess the expected demand for water and sewage services;
  - (d) identify the servicing options considered;
  - (e) assess the environmental suitability of the site for the servicing options considered, with reference to environmental constraints, adjacent land uses, and site characteristics that could affect the provision of water and sewage services;
  - (f) evaluate the proximity of any existing municipal water services and any existing municipal sewage services and assess the long-term potential for the future connection of the site to such municipal services;
  - (g) evaluate the relative merits of each servicing option considered; and
  - (h) identify, describe, and provide a rationale for the servicing option proposed for the development.
34. Nothing in No. 7.2.6.33 shall be interpreted as in any way limiting the Township's ability to require that other relevant information or site-specific details be included as part of a Site Servicing Options Report.
35. The preferred servicing option recommended by a Site Servicing Options Report shall generally only be implemented based on the findings of a hydrogeological study.

## 7.3 Stormwater Management

**Development, especially large-scale development**, has the potential to greatly alter the ways in which the water from rain and melting snow is absorbed into the ground and how it flows as run-off into streams and other bodies of surface water. If proper measures aren't taken, these altered

drainage patterns can contaminate natural features, disrupt groundwater systems, and threaten the property – or even the lives – of those living downstream. Effective stormwater management practices prevent flooding and erosion, help protect surface water features and maintain groundwater resources, and promote resilience in response to climate change, which has already increased the frequency and severity of significant weather events.

Overall, this Official Plan's stormwater management policies are intended to ensure that effective stormwater management is considered as early as possible in the development process, and that facilities for managing stormwater run-off and for minimizing impacts on groundwater are integrated into the design process for new development.

### 7.3.1 Stormwater Management Facilities

1. Stormwater management facilities may be permitted to locate in any land use designation within a Settlement Area, except for the "Greenlands - Wetlands Area" designation.
2. The implementing Zoning By-law may permit stormwater management facilities in any zone, regardless of the underlying land-use designation shown on Schedule B to this Official Plan, except where permitting such facilities would conflict with Policy No. 7.3.1.1.
3. The dedication of land used for stormwater management facilities to the Township, or the granting of easements to the Township to facilitate access to such facilities, may be made a condition of development approval.
4. Any application that proposes to locate stormwater management facilities in the "Greenlands - Natural Heritage Area" or "Greenlands - Hazard Lands Area" designation shall be required to demonstrate that such facilities will have no negative impacts on natural heritage features or their functions.
5. The Township's approach to stormwater management will be to prefer communal facilities, meaning facilities that are capable of providing attenuation for multiple areas of development.
6. As a general rule, any application proposing development outside of Settlement Areas that requires the preparation of a Stormwater Management Report under Policy No. 7.3.3.1, except for major public works under No. 7.3.3.1(c), shall not be approved.
7. Notwithstanding Policy No. 7.3.1.6, Council may approve an application proposing the construction of new stormwater management facilities outside the Township's Settlement Areas, provided that Council is satisfied that the proposed facilities:
  - (a) will have no negative impacts on natural heritage features or their functions;
  - (b) will maintain and protect groundwater systems;

- (c) will not hinder or adversely impact agricultural operations; and
  - (d) will use natural vegetation and other permeable surfacing to the fullest extent possible.
8. Wherever possible, stormwater management facilities shall direct the discharge of stormwater outside of, and away from, vulnerable Wellhead Protection Areas or other areas where the discharge would represent a significant threat to drinking water.
  9. Notwithstanding No. 7.3.1.1 above, end-of-pipe stormwater facilities shall be located outside of:
    - (a) significant natural heritage features and areas, including any protective buffer associated with the feature or area;
    - (b) key hydrologic features, including any protective buffer associated with the feature;
    - (c) the erosion hazard limit established by the NVCA;
    - (d) the regulatory floodplain, unless a location within the regulatory floodplain is approved by the NVCA; and
    - (e) valleylands and their associated setbacks.
  10. Where a development application includes or relates to an existing online stormwater management facility, the Township will require, as a condition of development approval, that the existing online facility be retrofitted to separate the facility from the watercourse, wherever feasible.
  11. Where multiple applications are being considered for development on adjacent parcels of land, the Township will encourage, and may require, the proponents to co-ordinate with one another to provide communal stormwater management facilities.

### Design Guidelines for Stormwater Management Facilities

12. Stormwater management facilities should appear as naturalized features and contribute to the overall aesthetic quality of the community.
13. The edges of stormwater management ponds should be planted with an appropriate mix of native species to stabilize the banks of the pond.
14. The land surrounding a stormwater management pond should be gently sloped and provided with a vegetative buffer designed in a way that discourages human interference with the feature.
15. A stormwater management feature and its vegetative buffer should be encircled by a footpath or pedestrian trail that uses organic shapes to blend in with its natural surroundings.



16. Where stormwater management facilities have been incorporated into a public park, such facilities shall be designed in a way that prevents human interference with the feature and that makes it clear that the feature is not intended for public recreation purposes.
17. Stormwater management facilities should be appropriately separated from any abutting building lots.
18. Any areas where a stormwater management facility fronts onto a road should be designed as landscaped open space with elements to prevent vehicular access.
19. Development applications will be encouraged to incorporate green infrastructure and low-impact development, where such features are appropriate for the site, as well as other innovative approaches that reduce reliance on end-of-pipe stormwater management facilities and that minimize the use of impervious surfaces.
20. Stormwater management facilities shall not place a financial burden on the Township, and Council may require a proponent to enter into agreements regarding items such as maintenance costs as a condition of development approval.

### 7.3.2 Low-Impact Development

**Low-impact development refers to** a set of practices and techniques whose goal is to mitigate the impacts of increased run-off and stormwater pollution by managing stormwater as close to its source as possible (with “source” simply meaning the location where the stormwater has fallen). Low-impact development (“LID”) comprises a set of approaches to site design and small-scale stormwater management practices to promote the use of natural systems for infiltration, evaporation, and transpiration.

LID practices in Ontario are generally sized according to the 90th percentile event, which in the Township of Clearview corresponds to precipitation of approximately 28-29 mm over a 12-hour period. This means that systems are designed to capture and treat 90% of annual rainfall events (that produce run-off). Specific LID practices can include the use of permeable pavement, enhanced grass swales, dry swales, perforated pipe systems, rainwater harvesting downspout disconnection, green roofs, and infiltration trenches. The effectiveness of various techniques will generally depend on the specific characteristics of the site.

1. All new development and redevelopment should incorporate landscape-based stormwater controls and LID best management practices wherever feasible as an important component of climate change adaptation.
2. The Township will encourage new development and redevelopment to incorporate innovative low-impact development strategies and techniques, in addition to the required facilities for managing the quality and quantity of stormwater run-off.

3. The Township may require proposed development or redevelopment to implement appropriate LID strategies to achieve a run-off volume control target of 90%, or to the maximum extent possible, especially in more sensitive areas, such as in the HVAs and SGRAs shown on Schedule D to this Official Plan.
4. The Township may require that a Stormwater Management Report submitted in support of a development application specifically address and consider the use of LID strategies and design elements in the proposed development and, where such strategies and elements are not used, may require that the report provide justification.
5. The Township will consider opportunities to implement LID during the planning and design of linear infrastructure and opportunities for stormwater retrofits on municipal properties.

### 7.3.3 Stormwater Management Reports

**The purpose of a Stormwater Management Report** is to identify the measures that will be taken to minimize any impacts from proposed development on drainage systems and stormwater run-off. The scope and specific terms of reference for a Stormwater Management (“SWM”) Report, which will depend on the scale, characteristics, and location of the proposed development, will be determined during the pre-submission consultation process.

Simcoe County requires a SWM Report, prepared to the County's satisfaction, with any application proposing development adjacent to a County Road. Similarly, applications for development adjacent to a Provincial Highway must provide a SWM Report to be reviewed and approved by the Ministry of Transportation of Ontario.

1. A Stormwater Management (“SWM”) Report shall be required for:
  - (a) any application proposing development by plan of subdivision or description of condominium, and any other application proposing development that involves the creation of more than five lots;
  - (b) any application proposing the development of an institutional use, a commercial use, an industrial use, or an “in-between” use;
  - (c) major public works; and
  - (d) any application proposing development within 120 metres of a key hydrologic feature or in a key hydrologic area, as defined in Section 5.3.1 of this Plan.
2. Anyone proposing any type of development or site alteration not described in Policy No. 7.3.3.1 may be required to provide a SWM Report as part of a complete application, as determined during the pre-submission consultation process.
3. The pre-submission consultation process for any application that is required to provide a SWM Report shall be undertaken in accordance with any Memoranda of Understanding

between the Township and the NVCA, and in the absence of any such Memorandum of Understanding shall involve the NVCA.

4. Any application proposing development in a key hydrologic area, as defined in Policy No. 5.3.1.2, shall be required to include a site-specific water balance analysis as part of the required SWM Report.
5. A SWM Report shall be accompanied by a SWM Plan for the proposed development.
6. A SWM Report and the accompanying SWM Plan shall:
  - (a) be prepared by a qualified individual to the satisfaction of the Township and of any other responsible approval authority;
  - (b) maintain existing subwatershed boundaries and drainage patterns to the fullest practical extent;
  - (c) be informed by a Subwatershed Plan or the equivalent, where one exists; and
  - (d) align with the Stormwater Master Plan, where one exists, for the Settlement Area where the proposed is located.
7. In terms of content, SWM Reports and SWM Plans shall:
  - (a) characterize pre-development conditions for the site, including existing drainage patterns and flow regimes;
  - (b) evaluate the effectiveness of existing stormwater management facilities in reducing impacts from existing development and identify opportunities to improve or retrofit those existing facilities;
  - (c) provide a site-specific assessment to determine whether it is possible to equalize pre-development and post-development run-off rates;
  - (d) identify measures to be implemented for:
    - (i) controlling the quantity of stormwater so that post-development peak flow rates do not exceed corresponding pre-development rates for storm events from the one-in-two-year design storm event up to the regulatory flood standard;
    - (ii) maintaining the quality of stormwater run-off, including measures to minimize contaminants, nutrient loads, and thermal impacts;
    - (iii) controlling erosion, including methods to ensure minimum requirements for on-site retention are met; and
    - (iv) managing water balance in a way that maintains the ecological and hydrological functions of natural and hydrologic features;
  - (e) incorporate an integrated treatment approach, including low-impact development techniques, that minimizes stormwater flows and reliance on end-of-pipe facilities;

- (f) include a grading and drainage plan, prepared according to guidelines and standards established by the Township;
  - (g) identify the location and physical configuration of any permanent end-of-pipe facilities and the service areas of such facilities;
  - (h) describe how the SWM Plan will provide for the protection and maintenance of natural heritage features and systems, including fish habitat;
  - (i) identify measures to be taken during construction to minimize grading and soil compaction, sediment erosion, and the removal of vegetation;
  - (j) identify and describe existing or planned programs for the regular maintenance of stormwater management facilities and works; and
  - (k) make recommendations for the landscaping of the final development, taking into consideration the role landscaping features play in effective stormwater management.
8. The Township may require that a SWM Report specifically address the possibility of incorporating communal SWM facilities into proposed development, where the use of such facilities would be appropriate or where the potential for such facilities exists.
  9. SWM Reports and SWM Plans may provide for methods of directing stormwater flows other than by the use of storm sewers in circumstances where the provision of storm sewers is not practical, feasible, or physically viable, but the decision to use such methods shall be made solely at the discretion of the Township and other approval authorities.
  10. Infill development:
    - (a) shall, at a minimum, be required to adhere to the Township's standards and guidelines for lot grading and draining; and
    - (b) may be required, as part of the development approval process, to incorporate lot-level or end-of-pipe controls.

## 7.4 Waste Management

**Simcoe County has been responsible** for the collection and disposal of waste throughout the County since 1990, which includes responsibility for the operation, monitoring, maintenance, rehabilitation, and closure of County-owned waste management sites in Clearview Township. (Similarly, privately owned and operated waste management sites in the Township are the responsibility of the private landowner.) The Township expects that the County will retain this responsibility for the foreseeable future, and therefore does not intend to own or operate any waste management sites of its own.

### 7.4.1 Waste Management Sites

**The policies in this section** apply to the proposed establishment, expansion, or deletion of a waste management site (County-owned or otherwise). Operating and non-operating waste management sites – both County-owned sites and privately owned – are shown on Schedule F to this Plan and listed in Appendix D.

1. The establishment of a new waste management site or the expansion of an existing waste management site for the purposes of landfilling, shall require an amendment to this Official Plan and to the SCOP.
2. The establishment of a new waste management site or the expansion of an existing waste management site for non-landfilling purposes shall require an amendment to this Official Plan, unless the land that will accommodate the proposed non-landfilling use is already designated “Waste Management Industrial” on one of the Schedules to this Plan.
3. Where a waste management site is owned and operated by the County of Simcoe, the County shall be responsible for the development, operation, monitoring, maintenance, and rehabilitation of the waste management site in accordance with applicable legislation.
4. Where a waste management site is privately owned and operated, the private owner shall be responsible for the development, operation, monitoring, maintenance, and rehabilitation of the waste management site in accordance with applicable legislation.
5. When the deletion of a waste management site has been approved by the Ministry of the Environment, an amendment to this Official Plan will not be required to reflect the deletion.

### 7.4.2 D-4 Assessment Areas

**The following policies apply within** the “D-4 Assessment Area” overlay designation shown on Schedule B to this Official Plan. The land uses that are and are not permitted in a D-4 Assessment Area are set out in Section 4.5.2 of this Plan.

1. Uses, buildings, and structures that are located in a D-4 Assessment Area and that lawfully existed on the day this Official Plan was adopted may be recognized in the implementing Zoning By-law, and minor extensions or enlargements thereto may be permitted, subject to the policies of this Official Plan and the provisions of the Zoning By-law.
2. Anyone proposing development in a D-4 Assessment Area shall be required to provide a D-4 Study as part of a complete application.
3. All D-4 Studies shall, to the satisfaction of the D-4 approval authority:
  - (a) evaluate the presence and impact of any adverse effects or risks to health and safety associated with an identified or suspected waste management site; and

- (b) identify all remedial measures necessary for the proposed development to comply with the Ministry of the Environment's Guideline D-4.
- 4. All D-4 Studies will be peer-reviewed and shall be subject to the approval of the appropriate D-4 approval authority.
- 5. Where the County of Simcoe is the D-4 approval authority, the County may require the proponent of development within a D-4 Assessment Area to undertake any studies as the County considers appropriate, including studies that address any or all of the following:
  - (a) groundwater, surface water, or other hydrological or hydrogeological matters;
  - (b) the migration of methane gas;
  - (c) matters relating to noise, dust, and odour;
  - (d) traffic impacts;
  - (e) land use compatibility; and
  - (f) any other matters that the County considers appropriate.
- 6. Where the Township is the D-4 approval authority, the proponent of development within a D-4 Assessment Area may be required to undertake studies to assess adverse effects associated with the following factors:
  - (a) regardless of whether the waste management site is operating or non-operating:
    - (i) the contamination of groundwater and surface water by leachate;
    - (ii) surface runoff;
    - (iii) landfill-generated gases, with particular attention given to the production and migration of methane gas; and
    - (iv) visual impacts;
  - (b) within the D-4 Assessment Area of an operating waste management site, in addition to those factors identified in Clause 7.4.2.6(a) above:
    - (i) odour, dust, noise, and other air emissions;
    - (ii) litter;
    - (iii) fires;
    - (iv) disease vectors and vermin; and
    - (v) contaminant discharges from vehicular traffic associated with the site; and
  - (c) within the D-4 Assessment Area of a non-operating waste management site, in addition to those factors identified in Clause 7.4.2.6(a) above:
    - (i) soil contamination and hazardous waste; and

(ii) ground settlement.

7. To clarify, nothing in Policy No. 7.4.2.6 above shall limit the Township's ability to require that a D-4 Study or a similar study address factors not identified in that policy, if the Township is of the opinion that such factors warrant assessment.
8. No development shall be permitted in a D-4 Assessment Area unless Council is satisfied that all potential impacts from the waste management site have been appropriately addressed.
9. No development or redevelopment shall be permitted in the D-4 Assessment Area located in Stayner, shown on Schedule B-12 to this Official Plan, unless the proponent has entered into an agreement, to the satisfaction of the County of Simcoe, that acknowledges the existence of County Waste Management Site #34.
10. Any development that occurs in a D-4 Assessment Area may be phased, at the discretion of Council, to ensure that mitigation measures are implemented as development proceeds.

## 7.5 Transportation

**Clearview Township's transportation system**, shown on Schedule G to this Official Plan, is a multimodal network, meaning a system that accommodates and supports the use of several forms of transportation, including automobiles, buses, trucks, pedestrians, and cyclists. A multimodal network also facilitates the use of more than one form of transportation for a single trip. The transportation network's primary purpose is to provide for the movement of people and goods, but it also includes elements like parking and loading facilities and facilities for the storage and maintenance of vehicles.

### 7.5.1 Transportation Policy Goals

**Transportation facilities are central** to everyday life and play a prominent role in shaping communities, meaning it is vital that we design networks to support multiple modes of travel and to help reduce dependence on the private automobile as we build toward a more sustainable future. This Plan's transportation policies will help build that future by working towards the following goals:

1. Promote and enable multiple modes of transportation that offer practical alternatives to the private automobile, while recognizing the necessity of some automobile travel in a large, predominantly rural Township.
2. Ensure that transportation facilities and services are planned for and provided in an equitable and accessible manner, taking into account the needs of diverse demographic groups and equity-seeking communities.
3. Provide for a well-connected and efficient network of public roads that facilitates the movement of people and goods throughout the Township.



4. Support the creation of “complete streets” in Community Hubs and other strategic areas.
5. Ensure that new development is integrated into the multimodal transportation network.
6. Plan for transportation facilities, including parking, that will maintain and enhance the character of Urban Settlement Areas and promote their role as centres for community activity.

## 7.5.2 General Transportation Policies

**The policies presented here are meant** to provide general guidance to direct the planning and development of the Township’s overall transportation network in alignment with the goals articulated in the previous section.

1. The Township will ensure that the planning and development of its overall transportation network:
  - (a) adopts a “complete streets” approach that balances the needs of all users;
  - (b) prioritizes transportation modes that are more efficient than the private automobile in higher-activity areas, such as Community Hubs and other areas with higher population and employment densities;
  - (c) is undertaken in coordination with neighbouring municipalities and with the County of Simcoe, where appropriate; and
  - (d) aligns with the Transportation Plan for the Greater Golden Horseshoe (“GGH”), in coordination with the Ministry of Transportation of Ontario (“MTO”).
2. The Township will work with MTO in identifying, refining, and implementing the Strategic Goods Movement Network established through the Transportation Plan for the GGH.
3. Planning for the Township’s transportation network will include assessing the ability of physical and digital infrastructure to support the deployment of advanced mobility modes and emerging transportation technologies (such as electric vehicles) and ensuring that the network can appropriately accommodate such modes and technologies.
4. The Township shall ensure that transportation and infrastructure corridors, including the rights-of way for road alignments shown on Schedule G to this Plan, as well as electricity generation facilities, electricity transmission systems, and planned corridors, are protected in order to meet current and projected needs.
5. Development proposed in a planned corridor shall not be permitted in circumstances where such development could preclude or negatively affect the use of that corridor for the purposes for which it was identified.

6. For the purposes of No. 7.5.2.4 and No. 7.5.2.5, “planned corridor” shall mean a corridor or future corridor required to meet projected needs, as identified through:
  - (a) a Provincial Plan;
  - (b) a process to determine preferred alignments under the *Environmental Assessment Act*; or
  - (c) one or more planning studies undertaken where MTO, Metrolinx, the Ministry of Energy, the Ministry of Northern Development, Mines and Forestry, or the Independent Electricity System Operator, or any successor to those ministries or entities, is actively pursuing the identification of a corridor.
7. The Township will promote the co-location of linear infrastructure wherever appropriate.
8. Council will support and encourage the preservation and re-use of former transportation corridors in a way that maintains the corridor’s integrity and linear characteristics.
9. The Township will consider, and where appropriate encourage, the use of low-emission and zero-emission vehicles as it explores future transit services and alternative modes of transportation.
10. The Township may require the preparation of a Transportation Demand Management (“TDM”) Plan as part of a complete application, especially where development is proposed in a Community Hub or in another high-activity area intended to support multimodal access.
11. The Township will seek out opportunities to implement TDM programs that take into account the needs of major trip generators (such as Community Hubs, employment areas, and large public service facilities), which may include using a collaborative approach to establish and achieve specific mode-share targets.

### 7.5.3 Road Network

**This section of the Plan** sets out general policies for the Township’s road network and establishes the functional classification system and hierarchy for roads in Clearview Township, as reflected on Schedule G. This section also addresses matters such as access from roads to abutting properties, improvements to the road network, and the creation of complete streets in Settlement Areas. “Complete streets” are roads that have been planned and developed to balance the needs of all road users, including pedestrians, cyclists, transit users, and motorists, providing safe and convenient passage for multiple modes of transportation.

1. It is the intent of this Official Plan that all new development in the Township will be served by public roads and that, in all circumstances, the public road network will take priority over private roads.

2. The establishment of new private roads may be permitted for some small-scale forms of condominium development, but such development should incorporate public roads as much as is reasonably possible in order to maintain the overall intent of this Plan.
3. It shall be a policy of Council to encourage street connectivity and the development of a grid-like pattern for public roads in order to provide an efficient transportation network capable of dispersing traffic in multiple directions.
4. New plans of subdivision shall be directed to provide a well-connected system of public roads that is smoothly integrated with adjacent development and the overall transportation network.
5. The Township will ensure that the planning and development of Township roads outside of Settlement Areas accounts for the mobility needs of agricultural vehicles and equipment.

### Functional Classification & Hierarchy

6. Public roads in Clearview Township shall be classified according to the following hierarchy, as shown on Schedule G:
  - (a) **Provincial Highways**, which are under the jurisdiction of the Ministry of Transportation of Ontario ("MTO");
  - (b) **County Roads (Primary Arterial)**, which are under the jurisdiction of the County of Simcoe and whose purpose is to connect Settlement Areas and accommodate the long-distance movement of people and goods;
  - (c) **County Roads (Secondary Arterial)**, which are also under Simcoe County jurisdiction and whose purpose is to accommodate the long-distance movement of people and goods while also providing some access to local municipal roads and local properties;
  - (d) **Township Arterial Roads**, whose purpose is to carry large volumes of vehicular traffic at relatively high speeds between major traffic-generating areas and between other Arterial Roads;
  - (e) **Collector Roads**, which are designed to collect and carry vehicular traffic to Township Arterial Roads, County Roads, and Provincial Highways; and
  - (f) **Local Roads**, whose primary purpose is to provide access to abutting properties and to carry vehicular traffic at relatively low operating speeds to other roads.
7. The right-of-way widths of Provincial Highways shall be as determined by MTO.
8. Roads under the jurisdiction of the County of Simcoe:
  - (a) are identified in Table 7.1; and
  - (b) shall have the required minimum right-of-way widths identified in Table 7.1.

**Table 7.1 – Required right-of-way widths for County Roads**

Road	Segment	Required Minimum Right-of-Way Width
County Road 7	Highway 26 to County Road 96	45.0 metres
	County Road 96 to municipal boundary (Town of Wasaga Beach)	36.0 metres
County Road 9	(Full length)	30.5 metres
County Road 10	(Full length)	40.0 metres <sup>(a)</sup>
County Road 32	(Full length)	36.0 metres
County Road 34	(Full length)	40.0 metres <sup>(a)</sup>
County Road 64	(Full length)	20.0 metres
County Road 91	(Full length)	36.0 metres
County Road 95	(Full length)	30.5 metres
County Road 96	(Full length)	40.0 metres <sup>(a)</sup>
County Road 124	(Full length)	36.0 metres

<sup>(a)</sup>May be reduced to 36.0 metres where constraints exist.

9. Roads under the jurisdiction of the Township shall have the following right-of-way widths:
  - (a) Township Arterial Roads, which generally have two to four lanes for vehicular traffic, shall have a right-of-way width from a minimum of 26 metres up to 40 metres;
  - (b) Collector Roads, which generally have two to four lanes for vehicular traffic, shall have a right-of-way width from a minimum of 20 metres up to 26 metres; and
  - (c) Local Roads, which generally have two lanes for vehicular traffic, shall have a minimum right-of-way width of 20 metres.
10. The upper bounds listed in Policy No. 7.5.3.9 shall be interpreted as guidelines and may be exceeded in circumstances where it is deemed necessary (for instance, in the interest of public safety) without requiring an amendment to this Official Plan.
11. The classifications shown on Schedule G shall not be interpreted as necessarily indicating an intent to widen an existing road or to eliminate or restrict existing direct access from an existing road to any abutting property.

12. Within Settlement Areas, Township Arterial Roads and Collector Roads should be designed to achieve a balance between the efficient movement of vehicular traffic and pedestrian safety.
13. Local Roads should be designed in a way that:
  - (a) reflects their primary function of providing access to abutting properties;
  - (b) maintains an urban profile, particularly in Urban Settlement Areas and Community Settlement Areas;
  - (c) discourages through traffic; and
  - (d) promotes a safe mix of vehicle and active transportation.
14. Roads shall be located according to the pattern shown on Schedule G to this Plan, but variations in alignment may be permitted for any road without an amendment to this Official Plan, so long as the general intent of the Official Plan is maintained.
15. The establishment of new County Roads, Township Arterial Roads, or Collector Roads may be permitted without an amendment to this Official Plan, so long as the general intent of the Official Plan is maintained.

#### **Access to Abutting Properties**

16. Access to an abutting property from any road whose classification in the hierarchy established in Policy No. 7.5.3.6 above is higher than “Local Road” shall only be permitted where alternate access from a road lower on that hierarchy is not possible.
17. Access to an abutting property from any road shall not be permitted where such access would create a traffic hazard.
18. Development abutting a Provincial Highway or a County Road shall not be permitted unless:
  - (a) an access or entrance permit has been obtained from MTO or Simcoe County, as the case may be; or
  - (b) adequate access to the proposed development can be obtained from a road under the sole jurisdiction of Clearview Township.
19. All development proposed within MTO’s Permit Control Area, as established under the *Public Transportation and Highway Improvement Act*, shall require the approval of MTO, and the proponent of such development will be encouraged to consult with MTO early in the application process.
20. Direct access from development to a Provincial Highway shall only be permitted with the approval of MTO, and such access will be discouraged and, in most cases, will not be permitted.

21. All development on properties abutting a County Road shall be subject to the County of Simcoe's Road Setback By-law (No. 5604 or any successor thereto) and to any other requirements as may be established by the County.
22. All applications for an entrance permit to a County Road shall be subject to the County of Simcoe's Entrance By-law (No. 5544 or any successor thereto).
23. Any development application proposing access from a Township Arterial Road or a Collector Road shall be required to include a Traffic Impact Study as part of a complete application.
24. It is the intent of this Official Plan that improvements to roads, bridges, intersections, and railway crossings be undertaken as conditions warrant.
25. In undertaking necessary improvements, the Township shall endeavour:
  - (a) to acquire lands needed for widening roads or for improving intersections, where such acquisition is feasible, practical, and in the Township's financial interest;
  - (b) to design improvements so as to prioritize the safety of pedestrians and cyclists; and
  - (c) to ensure that improvements to bridges are designed to accommodate projected traffic volumes.
26. The Township will promote sustainable transportation options by using a "complete streets" approach in the design of new roads and in undertaking improvements to the transportation network, especially in Urban Settlement Areas and in Community Settlement Areas.
27. As part of a "complete streets" approach, the Township will use physical separation as appropriate to ensure the safety and comfort of pedestrians and cyclists.
28. To support the development of complete streets, the Township may develop and adopt design guidelines showing recommended cross-sections for different street typologies in various Settlement Areas and outside of Settlement Areas.
29. The typologies referred to in No. 7.5.3.28 should reflect the hierarchy established in Policy No. 7.5.3.6 above, but may introduce sub-classifications to provide context-sensitive guidelines for the design of complete streets.

#### 7.5.4 Parking & Loading Facilities

**Downtown areas rely heavily on** their unique character and a pedestrian-friendly atmosphere to maintain their social and economic viability, and excessive levels of surface parking are usually a major factor in the rapid deterioration of a downtown's vitality. Moreover, the compact form of downtown areas can support the provision of parking facilities in locations that allow visitors to park once and visit multiple destinations, an approach that this Plan encourages in Community Hubs to support their role as vibrant centres for community activity.

1. The Township's overall approach towards the provision of off-street parking facilities shall be:
  - (a) to require that all residential uses, regardless of location, be provided with sufficient off-street parking facilities on-site, generally at a rate of one parking space per dwelling unit;
  - (b) in Urban Settlement Areas:
    - (i) to exempt new non-residential uses in Community Hubs from any requirement to provide off-street parking on-site beyond those facilities that already exist;
    - (ii) to apply reduced parking requirements for new non-residential uses in Commercial areas;
    - (iii) to encourage alternative methods of providing required off-street parking (such as shared parking arrangements or the provision of required parking on another site) for new non-residential uses in Commercial areas;
    - (iv) to prefer the provision of cash-in-lieu through a parking exemption agreement to the creation of new surface parking facilities in Community Hubs and Commercial areas; and
    - (v) to require that new non-residential uses outside of Community Hubs and Commercial areas provide sufficient on-site parking facilities to accommodate normal levels of demand;
  - (c) in Community Settlement Areas:
    - (i) to apply reduced parking requirements for new non-residential uses in Commercial areas;
    - (ii) to consider alternative methods of providing required off-street parking for new non-residential uses in Commercial areas;
    - (iii) to consider the provision of cash-in-lieu through a parking exemption agreement instead of creating new surface parking facilities in Commercial areas; and
    - (iv) to require that new non-residential uses outside of Commercial areas provide sufficient on-site parking facilities to accommodate normal levels of demand; and
  - (d) in Rural Settlement Areas and on lands located outside Settlement Areas:
    - (i) to require that new uses provide adequate on-site parking facilities; and
    - (ii) to consider alternative approaches for non-residential uses in circumstances where such approaches would be appropriate (for instance, arrangements to share existing parking facilities where it can be demonstrated that such facilities are currently under-utilized).



2. Notwithstanding No. 7.5.4.1(a) above, Council may permit a reduction in the amount of off-street parking required for a residential use in order to facilitate the provision of affordable housing or of housing for senior citizens, or in other circumstances where additional parking is not considered necessary.
3. Council will support the reduction or elimination of off-street parking requirements to facilitate the adaptive re-use of existing buildings and structures, especially the re-use of buildings or structures with cultural heritage value or attributes.
4. All commercial uses, industrial uses, "in-between" uses, and institutional uses shall be provided with adequate on-site off-street loading facilities.
5. Curb-side pick-up points shall be provided using off-street facilities and in a manner that provides for the safe and unimpeded movement of vehicular and pedestrian traffic.
6. The Township will ensure that planning for off-street parking facilities considers the provision of infrastructure needed for advanced mobility modes and emerging technologies (such as electric charging stations) and assesses the need to provide such infrastructure in appropriate locations.

#### **Parking Exemption Agreements (Cash in Lieu of Parking)**

7. Council may update its Cash in Lieu of Parking By-law (No. 00-37) or pass a new by-law, thereby exercising its authorities under Paragraph 8 of Subsection 11 (3) of the *Municipal Act, 2001*, to regulate or standardize the process by which Council enters into parking exemption agreements.
8. To clarify, Council may enter into a one or more parking exemption agreements under Section 40 of the *Planning Act*, regardless of whether it has passed a by-law as described in Policy No. 7.5.4.7.
9. The Township intends to use all payments of money received through parking exemption agreements to provide centralized public parking facilities, which includes the acquisition of lands to provide such facilities.
10. The Township will explore opportunities for the provision of centralized parking facilities in Downtown Creemore as a priority for the use of money received through parking exemption agreements.
11. For greater clarity, nothing in this section of the Official Plan shall be interpreted as requiring Council to provide centralized parking facilities in Downtown Creemore if the opportunity to do so in a fiscally responsible manner does not exist.

### Design of Parking & Loading Facilities

12. Access points to off-street parking and loading facilities shall be limited in number and designed in a manner that provides for the safe and unimpeded movement of vehicular and pedestrian traffic.
13. Off-street parking facilities shall be designed:
  - (a) to ensure the safe and efficient circulation of vehicles and pedestrians, including the promotion of safety through design-based interventions;
  - (b) to avoid having frontage on any street, especially in Community Hub areas;
  - (c) to provide landscaping elements appropriate for the size of the facility; and
  - (d) to facilitate pedestrian access to buildings and land uses associated with the facility and to nearby streets, where appropriate.
14. Off-street loading facilities shall be adequately screened from adjacent residential uses or other adjacent sensitive land uses.

### 7.5.5 Public Transit

**Public transit service in Clearview Township** includes one local bus route, operated by Clearview Public Transit, providing service to Stayner with a connection to Wasaga Beach, as well as two routes operated by Simcoe County LINX: Route 2 (between Barrie and Wasaga Beach) and Route 4 (between Wasaga Beach and Collingwood). In partnership with the Towns of Collingwood and Wasaga Beach, the Township now also offers TransitPLUS, a service providing door-to-door accessible transit for residents with disabilities that prevent them from being able to use conventional transit on a regular basis. Intercommunity transit linkages are important to many Clearview residents, helping them meet their daily needs in a large and predominantly rural Township.

1. Clearview Township will continue to work cooperatively with neighbouring municipalities to provide effective, and efficient, and accessible public transit services.
2. The Township will work with Simcoe County to address transportation issues identified in the SCOP, including the feasibility of improved transit links in the “Georgian Triangle” area.
3. The Township will ensure that planning for public transit involves meaningful engagement with diverse demographic groups and with equity-seeking communities in the Township.
4. The Township will explore partnership opportunities with community partners, other municipalities or government agencies, and the private sector to improve mobility options for all residents, including opportunities for rural transit, for transportation between Settlement Areas, and transportation to destinations outside the Township.

5. The Township shall pursue strategies to promote increased transit ridership, such as:
  - (a) facilitating multimodal connections by ensuring transit stops are integrated into the Township's transportation network;
  - (b) improving connectivity between active transportation routes and transit facilities;
  - (c) encouraging the development of higher-density residential uses, affordable housing units, and public service facilities near public transit;
  - (d) prioritizing improvements to the efficiency, capacity, and viability of transit services in Community Hubs and other areas that feature higher population and employment densities;
  - (e) using site plan control and road design to minimize walking distances to transit stops; and
  - (f) improving the convenience, comfort, and safety of transit facilities, including design-based safety interventions, such as increased lighting, improved lines of sight in transit facilities, and similar Crime Prevention Through Environmental Design ("CPTED") strategies.
6. Council will take appropriate steps to ensure the transportation needs of the Township's residents are considered as Simcoe County updates its Transportation Master Plan.
7. The Township or Simcoe County may, through the plan of subdivision approval process, require the dedication of land in strategic locations for public transit rights-of-way or for transit-related infrastructure, where reasonable.
8. Council may undertake surveys and studies to better understand the travel behaviours and preferences of Township residents, subject to the availability of sufficient resources.
9. The Township may explore the feasibility of establishing future transit links between certain Settlement Areas, and between Community Hubs and other areas with higher population and employment densities, if there is clear evidence that demand levels are high enough to support such links.

### 7.5.6 Active Transportation

**Active transportation – a term that** encompasses all forms of human-powered travel (including walking, cycling, inline skating, and travel with the use of mobility aids, which can include motorized vehicles and other power-assisted devices moving at a comparable speed) – is a key component of a healthy, complete community. The Township's Parks, Recreation and Culture Master Plan, adopted in 2019, emphasizes the importance of creating more walkable communities and providing a well-connected network of multi-purpose trails to support active transportation. One recommendation made in the Parks, Recreation and Culture Master Plan is the preparation of a Trails Master Plan,

which this Official Plan supports as part of the potential development of a comprehensive Active Transportation Master Plan for Clearview Township.

The Township's existing trails network, shown on Schedule G, includes the Clearview Train Trail (along the former Barrie–Collingwood Railway right-of-way), the EcoPark Trail Loop in Stayner, the Clearview Meadows Side Trail (which connects the EcoPark Trail Loop to the Clearview Train Trail), the Creemore Trail (which runs from Creemore to Centre Line Road, passing through the Lawden County Forest), the New Lowell Trail along County Road 9, and the New Lowell Recreation Park Trail. Parts of the Ganaraska Trail and the Bruce Trail are also located in the Township.

1. Council supports the continued development of the Township's active transportation network to connect Settlement Areas, community services, recreational areas, regional destinations, and other points of interest.
2. The Township will coordinate and cooperate, as appropriate, with Simcoe County, neighbouring municipalities, the NEC, and other agencies in the planning and development of its active transportation network, including the planning and development of intermunicipal links and links between the regional active transportation network and the Province Wide Cycling Network.
3. The Township will pursue the creation of trails and other active transportation facilities, and the establishment of connections between existing trails and facilities, when considering secondary plans and development applications.
4. Council may require the dedication of pedestrian pathways, including sidewalks, and of bicycle pathways as a condition to the approval of a plan of subdivision or description of condominium, as separate from any dedication of lands for park or public recreational purposes, pursuant to Clause (b) of Subsection 51 (25) of the *Planning Act*.
5. The Township will use such means as are at its disposal through the development approval process to ensure:
  - (a) that new development provides high-quality pedestrian and bicycle facilities on public rights-of-way;
  - (b) that the design of new development prioritizes the safety and efficient movement of pedestrians and cyclists; and
  - (c) that all new development is well connected to the Township's active transportation network, including sidewalks and trails systems.
6. Council may acquire and hold land for the purpose of developing or improving active transportation facilities in accordance with the policies and provisions of this Official Plan.
7. Where the acquisition of lands for active transportation facilities is not feasible, Council may pursue all available options to ensure public access to such facilities, including the obtaining of easements and the entering into of agreements.

8. Where feasible, the Township will ensure the construction or reconstruction of public facilities incorporates elements that encourage and accommodate active transportation.
9. The implementing Zoning By-law may include provisions that require bicycle parking or facilities for bicycle storage, where appropriate.
10. Active transportation facilities will be designed to protect the safety of pedestrians and cyclists:
  - (a) by providing physical separation between active transportation users and vehicular traffic, wherever possible; and
  - (b) by incorporating design-based safety interventions, such as increased lighting, improved sightlines, and similar CPTED strategies.
11. All newly constructed trails and all redeveloped trails will meet the standards for the design of public spaces set out in Part IV.1 of Ontario Regulation 191/11 (Integrated Accessibility Standards) under the *Accessibility for Ontarians with Disabilities Act, 2005*.
12. In setting priorities for creating new active transportation connections and for establishing links between existing active transportation facilities, the Township will consider the following as possible priorities:
  - (a) continuing to improve access to, and linkages along, the Clearview Train Trail, including a connection to Nottawa in or near Batteaux;
  - (b) completing the trail linkage between Creemore and New Lowell;
  - (c) improving connectivity in southwest Stayner and in downtown Creemore; and
  - (d) exploring the possibility of using parts of the old Hamilton & North Western Railway to create a connection between Creemore and Nottawa.
13. To clarify, nothing in Policy No. 7.5.6.12 shall limit the Township's ability to prioritize or pursue the creation or connection of other active transportation facilities.
14. Council may undertake the preparation of a Master Plan for active transportation and trails to assist in implementing the policies of this Official Plan and the recommendations of the Parks, Recreation and Culture Master Plan, with the goal of providing for a comprehensive and well-connected active transportation network across the entire Township.

## 7.6 Energy

**Implementing the policies set out** in other sections of this Official Plan, regarding such matters as compact development, intensification, and active transportation, will help the community become more energy efficient and reduce overall energy consumption, which over time can help mitigate some of the impacts of climate change. This Plan also recognizes the important role that renewable energy sources play in helping us achieve sustainability, while acknowledging that some renewable

energy generation facilities can have adverse impacts on the community. When it comes to generating energy, it is the intent of this Official Plan to support residents who wish to take advantage of renewable energy sources while protecting the interests of the community as a whole.

### 7.6.1 Energy Generation Facilities

**Undertakings related to energy** are not generally subject to the *Planning Act* if such an undertaking has received approval from the Province under the *Environmental Assessment Act* (or if it has otherwise been exempted under that Act). The approval process requires the applicant to give public notice and to undertake public consultation regarding the proposed undertaking and its potential environmental impacts.

1. Council will generally support the establishment and use of alternative energy sources in accordance with Provincial regulations and standards and with the policies in this Official Plan.
2. For the purposes of Section 5.1 of the *Environmental Assessment Act*, the Township is interested in all proposed undertakings in the municipal territory of Clearview Township for which an environmental assessment is required.
3. In circumstances where an energy-related undertaking is subject to the *Planning Act*, except for those uses specifically mentioned in Policies No. 7.6.1.5, No. 7.6.1.7, and No. 7.6.1.8 below, Council shall only permit the undertaking through a site-specific amendment to the Zoning By-law.
4. During consultation regarding an environmental assessment for a proposed energy generation facility or regarding a renewable energy approval under the *Environmental Protection Act*, or before approving an amendment to the Zoning By-law under Policy No. 7.6.1.3, as the case may be, the Township shall ensure:
  - (a) that the nature and scale of the proposed facility is appropriate for the location in which it is proposed;
  - (b) that any potential adverse impacts from noise, vibration, or other potential nuisance factors will be mitigated to the fullest possible extent; and
  - (c) that the proposed facility will not have an adverse impact on views, view corridors, or the rural character of the landscape.
5. The installation of solar panels on the roof or exterior wall of an existing building or structure will generally not require approval under the *Planning Act* but shall require a building permit.
6. Notwithstanding No. 7.6.1.5, the implementing Zoning By-law may establish standards for solar panels mounted on the roof or exterior wall of an existing building or structure regarding matters such as height, setbacks, and encroachment.

7. The installation of free-standing solar panels shall not require an amendment to the Zoning By-law but shall be subject to site plan control.
8. Anaerobic digesters may be permitted as an accessory use in the “Rural” and “Agricultural” designations, but shall be required to comply with applicable MDS formulae.

## 7.7 Telecommunications

**Decisions about the locations** of telecommunications towers are regulated by the Government of Canada, as guided by the policies and procedures established by Innovation, Science and Economic Development Canada (“ISED”). The federal approval process for antenna tower sites follows the requirements and procedure set out in ISED’s “Client Procedures Circular CPC-2-0-03: Radiocommunication and Broadcasting Antenna Systems” (hereafter referred to simply as “ISED Procedures”). The policies in this section of the Official Plan are based on the provisions made for local land-use authorities in the ISED Procedures.

### 7.7.1 Antenna Towers

1. For the purposes of Section 7.7 of this Official Plan, the term “antenna tower” shall refer to a system that consists of an antenna, including any integral mast, and a supporting structure constructed for the purpose of mounting that antenna.
2. Opportunities for sharing existing antenna towers and other infrastructure must be explored before an application is made that proposes the construction of a new antenna tower, and anyone proposing the construction of a new antenna tower shall be required to demonstrate that such opportunities have been satisfactorily explored.
3. Notwithstanding No. 7.7.1.2 above, where Council prefers the construction of a new antenna tower over the sharing of an existing tower, Council may require the construction of a new antenna tower, in accordance with ISED Procedures.
4. The Township will encourage the construction of new antenna towers in strategic locations, as determined by considerations such as the locations of existing antenna towers and the distribution of areas that lack sufficient service coverage.
5. As part of a complete application, the proponent shall, at a minimum, be required to provide the Township with a report providing justification for the proposed undertaking, which shall:
  - (a) explain why it is not possible for the proposed antenna to use an existing antenna tower or to share an existing system (or state that Council prefers the construction of a new antenna tower, as the case may be);
  - (b) identify the location of the nearest existing antenna tower to the proposed location (regardless of whether or not the nearest existing antenna tower is located within Clearview Township);



- (c) describe how the proposed antenna tower will be integrated into the local surroundings;
  - (d) describe the measures that will be taken to ensure that the proposed antenna tower will not be accessible to the general public; and
  - (e) identifying all reasonable steps that the proponent is taking with regard to the requirements under the *Impact Assessment Act* (Canada), Health Canada guidelines, and other general and technical requirements established by ISED.
6. The preferred location for antenna towers is in the “Rural” designation, and where a new antenna tower is proposed in the “Agricultural” designation or in one of the “Greenlands” designations, the justification report described in Policy No. 7.7.1.5 shall also identify alternative locations outside of those designations that were considered and explain why those alternative locations are not suitable for the proposed undertaking.
  7. The process of consulting the public regarding a proposed antenna tower project shall, at a minimum, involve the following:
    - (a) the giving of public notice of the proposed antenna tower project:
      - (i) to all landowners within a 500-metre radius of the proposed location, by mail or by direct delivery; and
      - (ii) to the residents in the affected area, by placing an advertisement in a newspaper with general circulation in the appropriate area;
    - (b) the holding of a public meeting regarding the proposed project, at least 20 days after the giving of public notice under No. 7.7.1.7(a); and
    - (c) the issuing of written responses to all reasonable or relevant concerns (as that term is defined in ISED Procedures) raised during the public meeting.
  8. The public notice given under No. 7.7.1.7(a) shall identify a commenting window of at least 30 days during which members of the public may submit comments regarding the proposed project, and shall clearly identify how such comments are to be submitted.
  9. Council’s concurrence to a proposed antenna tower project will be expressed by Resolution.

## 7.7.2 Exemptions from Public Consultation

1. Anyone proposing to do any of the following shall be exempt from any requirements regarding public consultation set out in this section of the Official Plan:
  - (a) constructing a new antenna tower whose height is less than 15 metres above ground level, but not if the proponent is a telecommunications carrier, a broadcasting undertaking, or a third-party tower owner;

- (b) making modifications to an existing antenna tower, adding an antenna to an existing antenna tower, or replacing an existing antenna tower, including modifications made to facilitate sharing, provided that the total cumulative height increase is no greater than 25% of the height of the antenna tower as it was originally installed;
  - (c) installing an antenna on an existing structure that is not an antenna tower (such as a building or water tower), provided that the height above ground of that structure, exclusive of appurtenances, is not increased by more than 25%;
  - (d) constructing or installing a temporary antenna tower for a special event or an emergency, provided that the temporary antenna tower is removed within three months of the start of the special event or emergency; and
  - (e) performing maintenance on an existing antenna or an existing antenna tower.
2. Notwithstanding No. 7.7.2.1(b) above, no increase to the height of an antenna tower may occur within one year of the completion of its initial construction.
  3. The exemption in No. 7.7.2.1(b) does not apply to an antenna system using a purpose-built antenna-supporting structure with a height less than 15 metres above ground that is operated by a telecommunications carrier, a broadcasting undertaking, or a third-party tower owner.
  4. For the purposes of No. 7.7.2.1(a) and No. 7.7.2.3 above:
    - (a) “telecommunications carrier” shall mean a person who owns or operates a transmission facility used by that person or by another person to provide telecommunications services to the public for compensation;
    - (b) “broadcasting undertaking” shall mean any distribution undertaking, programming undertaking, or network operation to which the *Broadcasting Act* (Canada) applies; and
    - (c) “third-party tower owner” shall mean any person who installs antenna towers or antenna systems on behalf of others or for leasing purposes.
  5. Notwithstanding the exemption provided by No. 7.7.2.1, anyone proposing an undertaking described in Nos. 7.7.2.1(a)-(d) will be encouraged to consult with the public.
  6. For the purposes of this section of the Official Plan, the height of an antenna tower is defined as the measurement from the lowest ground level at the base of the tower, including the foundation, to the tallest point of the antenna tower (which might be the antenna itself, or an appurtenance like a lightning rod or aviation obstruction lighting).



## PART IV

# Community & Culture

Enhancing community identity and sense of place

*The OFFICIAL PLAN of the TOWNSHIP of CLEARVIEW*





Photo: Looking west along Main Street from Station Park, Stayner.

**In its most basic sense,** “place” is simply another word for “spot” or “location” – but when we use the term “placemaking,” we’re talking about more than creating a physical space: we’re talking about shaping that little portion of the physical world in a way that makes it mean something. Placemaking is about our relationship with space: it’s about the way a space makes us feel, both when we interact with the space itself and when we interact with other people in that space. Placemaking helps us know where we are and provides us with a sense of belonging – it turns a place into the *right* place.

## 8.1 Goals & Principles

The earlier sections of this Official Plan have set out policies regarding the overall pattern of development in Clearview Township and the location of various land uses. The purpose of this section of the Plan is to give more specific direction on what new development should look like and how it should relate to existing buildings, neighbourhoods, and communities.

The challenge for Clearview, as a big place made up of many small places, is to find a balance between respecting and preserving the unique qualities of each Settlement Area, on the one hand, and, on the other, providing a unified identity for the entire Township. The Township's role in achieving this balance will be:

- (1) to **support** individual Settlement Areas in preserving unique elements of community character;
- (2) to **coordinate** between communities in a way that enhances points of similarity while respecting differences; and
- (3) to **connect** communities so that each can benefit from the unique qualities of the others.

The policies presented in this section of the Official Plan are intended to help the Township fulfill its role in achieving this balance. These policies have been developed on the basis of the following goals and principles:

- 1. Preserve, maintain, and enhance features that define and contribute to community character.
- 2. Encourage and foster forms of development that complement the unique identity and the historical form and function of the Township's Settlement Areas.
- 3. Promote the development of neighbourhoods and subdivisions that are connected to and well integrated with the larger community.
- 4. Provide safe and attractive streetscapes for pedestrians, especially in Community Hub areas, with buildings and façades that promote "compatible variety" and accessibility.
- 5. Provide for the flexible application of design policies and guidelines in a way that is sensitive to local context.
- 6. Provide opportunities for everyone to participate in social, cultural, and recreational activities.

## 8.2 Neighbourhood Design

The "**character**" of a neighbourhood can be defined by a number of physical characteristics, including lot size and frontage, building height and setbacks, tree preservation, and the orientation of buildings relative to the street. The specific elements defining an area's character will generally depend on the context: the character of a main downtown street, for example, will more likely be defined by short frontages, smaller setbacks, and street-oriented buildings, whereas that of an older, low-density residential neighbourhood might instead be defined by the presence of mature trees and by houses set back from the street on larger lots.

The Township and Council will use the full range of tools at their disposal to implement the policies presented here, including the Zoning By-law, site plan control, and agreements entered into as part of the development approval process.

### 8.2.1 Streetscapes & Public Spaces

1. The Township will use all means at its disposal to ensure that the public realm is designed and developed in way that promotes activity, accessibility, and aesthetic appeal.
2. Streetscape features located in public rights-of-way (such as lighting fixtures, street furniture, waste receptacles, bollards, and signage) should be designed in a complementary and integrated fashion.
3. Council may facilitate the implementation of Policy No. 8.2.1.2 by defining specific standards and style guidelines for hard surfacing and streetscape features, with consideration given to the recommendations made in the Stayner Downtown Open Space (Amenities) Improvement Plan (May 2018).
4. Planned road construction and reconstruction projects will be encouraged to include improvements to existing streetscape features.
5. The Township will promote streetscape design in the following areas that supports their role as major and minor focal points for community activity:
  - (a) in Community Hub areas;
  - (b) along Arterial and Collector Roads in Urban Settlement Areas and Community Settlement Areas; and
  - (c) along commercial street frontage in Urban Settlement Areas and Community Settlement Areas.
6. Buildings with frontage on public streets in the higher-activity areas listed in Policy No. 8.2.1.5 should be designed:
  - (a) to provide continuous façades with as few interruptions as possible;
  - (b) to incorporate “deep” commercial façades that create opportunities for pedestrian engagement by providing opportunities for shelter (such as awnings and overhangs) and opportunities for physical interaction (such as standing, leaning, or sitting);
  - (c) to ensure that principal entrances are accessible from public sidewalks; and
  - (d) to maximize glazing and the number of street-facing ground-floor windows in order to more seamlessly integrate commercial interiors with the street.
7. The implementing Zoning By-law will facilitate the achievement of pedestrian-friendly street frontages in higher-activity areas by establishing standards and requirements that:
  - (a) minimize setbacks from front and side lot lines;

- (b) limit building façades to a maximum width (generally no more than 10 metres) that suits the rhythm of pedestrian traffic by providing something “new” to see every five to ten seconds; and
  - (c) ensure that off-street surface parking does not have frontage on major streets and does not detract from the walkability of the built environment.
- 8. The Township will ensure that streetscapes and street design support the achievement of “complete streets,” especially in higher-activity areas.
- 9. Public spaces shall be designed to promote:
  - (a) safety, by providing appropriate pedestrian-scaled lighting and maximizing opportunities for natural surveillance;
  - (b) accessibility, by integrating barrier-free access as seamlessly as possible; and
  - (c) connectivity, by emphasizing the strategic role of trails as linkages between public spaces and by providing safe, convenient, and interesting corridors for pedestrian movement.
- 10. Council shall ensure that open spaces and areas generally accessible to the public within private developments and condominium developments are designed to be inclusive and integrated into the public realm by obtaining easements for public access and public trails.
- 11. The Township will encourage tree retention and tree-planting along streets, on boulevards, and adjacent to parking lots to improve aesthetic appeal and to help regulate temperatures.

## 8.2.2 Subdivision Design

The following design policies apply to all forms of development, as that term is defined in Section 41 of the *Planning Act*, proceeding by plan of subdivision or description of condominium.

- 1. New residential neighbourhoods and new development should be designed:
  - (a) to complement the historical pattern of development in the surrounding area;
  - (b) to include streetscape features and elements that complement the built form of the development;
  - (c) to incorporate dark sky-friendly design features to the fullest feasible extent;
  - (d) to incorporate a range of housing types and an appropriate diversity of land uses;
  - (e) to avoid the inclusion of reverse-frontage residential lots;
  - (f) to be integrated with adjacent development and with the transportation network; and
  - (g) to provide a compact and walkable pattern of streets and blocks, with a grid-like road system that allows for the efficient movement of vehicles and pedestrians.



2. New development, as that term is defined in Section 41 of the *Planning Act*, proceeding by plan of subdivision or description of condominium shall be required to provide an integrated urban design plan that addresses matters such as architectural control, public spaces, dark sky-compliant lighting, and active transportation linkages.
3. To promote visual interest and variety, the Township may require that new development incorporate varied roof designs, including appropriate variations in roof pitch from one building to the next.
4. Development by plan of subdivision or description of condominium shall generally not introduce significant changes to the elevation or grading of land, especially where such changes require the installation of new structures, such as fences or retaining walls, unless Council is of the opinion that such changes are necessary to ensure the efficient and orderly development of the land.
5. Further to No. 8.2.2.4 above, any changes in elevation within a plan of subdivision and any changes between the existing grade and the proposed final grade should be gradual and designed in a manner that does not require the installation of new structures, such as fences or retaining walls, unless Council is of the opinion that such changes are absolutely necessary to ensure the efficient and orderly development of the land.
6. Open spaces in new development should provide connections with adjacent areas and opportunities for active recreation.
7. The implementing Zoning By-law may use “character-based” zoning that establishes standards for different areas that reflect character-defining elements of surrounding development (such as lot size, building heights, setbacks, and street frontage).

### 8.2.3 Landscape Design

**The natural landscape is** a vital component of Clearview Township’s rural character. Plant life enhances the quality of Settlement Area neighbourhoods and of rural communities, while at the same time providing a range of important ecological services, such as soil stabilization and temperature regulation. This Official Plan intends for the natural landscape to be retained as much as is feasible whenever new development or redevelopment occurs, with landscaping designed to respect and exist in harmony with the natural environment.

1. Major development and redevelopment should strive to preserve the natural landscape and retain as much existing vegetation as is feasible.
2. Landscape design should aim to maintain or restore existing topography and grading as much as is consistent with sound engineering practice.
3. Landscaping should make use of native plant species that are appropriate for existing and future site conditions and suitable for all seasons.

4. Landscaping elements should be designed to:
  - (a) work in harmony with buildings and structures to contribute to the site's visual appeal and pedestrian scale;
  - (b) incorporate drought-resistant materials in order to reduce long-term maintenance requirements and contribute to water conservation;
  - (c) support stormwater management functions and contribute towards maintaining pre-development drainage patterns;
  - (d) make use of natural construction materials for structural elements;
  - (e) maintain unobstructed visibility for building entrances, important architectural features, and signage;
  - (f) provide definition and structure for walkways and open spaces;
  - (g) provide protection from sun, wind, and precipitation for areas that have higher levels of pedestrian activity or that are meant for congregations of people;
  - (h) support the achievement of dark sky-friendly design; and
  - (i) maintain compatibility and continuity between neighbouring properties.
5. Landscaping elements in Community Hubs and other higher-activity areas should complement and support the continuity of building façades and should avoid imposing barriers between buildings and pedestrian traffic.

## 8.2.4 Public Art

**Public art takes a variety** of forms, such as decorative features, landscaping elements, fountains, murals, and sculptures. When designed and placed appropriately, public art has the potential to make valuable contributions to the character, appeal, and identity of a community.

1. Council will encourage reasonable contributions of public art as part of major development.
2. Public art should be placed in an appropriately conspicuous location and, where possible, sited so as to be publicly accessible.
3. Public art must be sensitive to the context of the site and its surrounding area.
4. Public art works are encouraged to incorporate themes that reflect the history and character of the site and the Settlement Area in which it is located.
5. Council shall ensure that contributions of public art do not create any liability for the Township.

## 8.3 Site Design & Architectural Control

**The policies presented here concentrate** on design at the individual site level, and are meant to apply both when for development or redevelopment is proposed for a single site on its own and when an individual site forms part of a larger development or redevelopment project. In either case, individual sites should be incorporated into the broader context of the area or neighbourhood in which they are located, and the design of the site should be consistent with the policies in Section 8.2 above.

### 8.3.1 Design Principles for New Development & Redevelopment

**The purpose of this subsection** is to establish the design principles that will be applied during site plan control for new development and for redevelopment, wherever Section 41 of the *Planning Act* provides that such development or redevelopment may be subject to site plan control.

1. New development and redevelopment shall be designed so that it:
  - (a) maintains and complements the existing built character of the community in which it is located;
  - (b) is compatible with existing land uses and built forms;
  - (c) provides barrier-free access for everyone;
  - (d) supports the safe and efficient movement of pedestrians and vehicles;
  - (e) contributes to walkability in Community Hubs and higher-activity areas;
  - (f) incorporates sustainable elements, including elements to support the conservation of water and of energy;
  - (g) supports the achievement of dark sky-friendly design; and
  - (h) preserves and accentuates heritage features and features of public interest.
2. Buildings should be designed to reflect the principle of “compatible variety” – that is, to exist in harmony with, but not be the same as, abutting properties, with some noticeable variation in architecture or design.
3. Building façades should be oriented towards the street, with front setbacks that are appropriate for the area and for the intended flow of pedestrian traffic to and from the building to the street as well as along the street in front of the building.
4. Buildings should be oriented to support energy conservation by optimizing the use of sunlight in the winter and of natural shading in the summer.

5. The Township will encourage the use of higher-quality, more durable materials for building exteriors in order to promote sustainable design that takes into consideration a building's entire life-cycle, and may use architectural control to require the use of such materials, especially where doing so would contribute towards achieving other objectives of this section of the Official Plan, such as maintaining compatibility and complementing existing built character.
6. The design of buildings and structures should be mindful of the impacts of wind and of icing, with respect to adjacent properties and to areas for public access and parking.
7. Multi-tenanted non-residential buildings should present a unified exterior appearance by providing a uniform location and height for fascia signage.
8. Accessory uses should be designed to complement the primary use and to be compatible with adjacent uses.

#### **Site Access & Circulation**

9. Site access shall be designed so that it does not interfere with or hinder the normal circulation of vehicular or pedestrian traffic.
10. New development and redevelopment shall be designed:
  - (a) to minimize the number of access points to the site from public roads; and
  - (b) to provide off-street connectivity with adjacent sites to the fullest extent possible.
11. Each site shall be designed to provide barrier-free access throughout the site, with barrier-free features incorporated into functional and design components.
12. Barrier-free access shall be provided to building entrances from public streets and from parking areas.
13. On-site routes for vehicular traffic and for pedestrians shall be clearly indicated and separated to the fullest practical extent.
14. On-site circulation should be designed to minimize dead ends and to avoid the need for reversing or complex maneuvering.
15. On-site loading facilities shall be designed to eliminate any conflicts with the movement of other vehicles or pedestrians.
16. Parking facilities should be designed to make efficient use of space while facilitating access to building entrances.

### Screening & Lighting

17. Off-street parking and loading facilities should be situated away from public streets and appropriately screened.
18. In areas where outdoor storage is permitted, outdoor storage areas should be appropriately screened from public streets and from adjacent residential uses.
19. Parking areas should be screened to prevent headlights from illuminating adjacent properties, especially adjacent residential properties and other sensitive uses.
20. Site lighting should be designed:
  - (a) to prevent or mitigate light pollution by using appropriately directed lighting sources and shielding;
  - (b) to prevent illumination from spilling over onto adjacent residential properties; and
  - (c) to ensure that lighting enhances public safety and site security.
21. To clarify, Policy No. 8.3.1.20 applies to all forms of exterior illumination, including outdoor signs and illuminated display boards.

### Residential Development

22. Any residential development or redevelopment to which Section 41 of the *Planning Act* may apply shall only proceed in accordance with an Architectural Control Plan implemented through a development agreement with the Township.
23. All townhouse dwellings should be designed so that:
  - (a) each individual unit is provided with a direct entrance from the outside of the building through the front face of the building; and
  - (b) each individual unit has direct access to the rear yard.

## 8.3.2 Design Principles for Residential & Commercial Infilling

The principles established in this subsection are meant to guide the design of infilling projects in the Urban and Community Settlement Areas. With respect to residential infilling, one important goal is to ensure that architectural control and design guidelines are applied fairly and consistently for all residential development and redevelopment, regardless of whether it proceeds by plan of subdivision or takes place by infilling on individual lots.

1. For the purposes of this section of the Official Plan:
  - (a) “residential infilling” shall refer to the development or redevelopment of a building or structure for residential purposes on an existing lot of record within the delineated built

boundary of an Urban Settlement Area or within an area of existing development in a Community Settlement Area; and

- (b) “commercial infilling” shall refer to the development or redevelopment of a building or structure for commercial purposes on an existing lot of record within the delineated built boundary of an Urban Settlement Area.
2. Further to No. 8.3.2.1, any infilling project that incorporates both a residential and a commercial component:
    - (a) shall be deemed a “commercial infilling” project; and
    - (b) shall not be approved unless the residential component is accessory to the commercial component.
  3. All commercial infilling projects and all residential infilling projects that meet the definition of “development” in Section 41 of the *Planning Act* shall be subject to site plan control.
  4. The implementing Zoning By-law may establish standards and provisions that regulate the height, size, bulk, location, spacing, or character of buildings, or any other matters contemplated in Paragraph 4 of Subsection 34 (1) of the *Planning Act*.
  5. For the purposes of No. 8.3.2.4, the character of a building may include the orientation of building faces or of doors, windows, and other openings with respect to the public street, and the implementing Zoning By-law may define the character of a building with reference to the physical characteristics (such as heights or setbacks) of buildings and structures on adjacent properties.
  6. Where the standards and provisions referred to in No. 8.3.2.4 apply in a zone in which residential or commercial infilling is permitted, Council should ensure that the implementing Zoning By-law regulates such matters according to the following principles:
    - (a) There should be no abrupt changes in the heights of adjacent dwellings (such as the abrupt change in height from a single-storey dwelling to a three-storey dwelling).
    - (b) The bulk and size of a dwelling should be proportional to, and appropriate for, the size of the lot on which it is situated.
    - (c) Dwellings should be situated in a manner that maintains consistency between the depths of front yards of dwellings on abutting properties.
    - (d) Garages should be no closer to the street than the front face of the building (or should be no closer than such minimum distance as may be established in the Zoning By-law), and in all cases should not dominate the front face of the building.
    - (e) The front faces of buildings should be oriented towards the street and should incorporate doors, windows, and other openings so as to avoid the exposure of large areas of flat façade.

- (f) A building situated on a corner lot should incorporate doors, windows, or other openings on both street-facing façades.
- (g) Tall blank façades above garages should be avoided.
- (h) Where possible, gas and other utility meters should be placed or screened so as not to be visible from the street.

## 8.4 Parks, Recreation & Culture

**Parks and green spaces make communities** more attractive and inviting, but they also do much more. Parks and recreation facilities are essential elements in the daily lives of residents, providing spaces for active recreation, for social interaction, and for relaxation and simple enjoyment, supporting the physical, mental, and social well-being of the community. By highlighting unique natural and cultural heritage features, they can also serve as crystallization points for placemaking and community identity.

This section of the Official Plan sets out policies for the location and design of public parks, recreational and cultural facilities, considering also the role that these facilities play in promoting community identity and sense of place. These policies are meant to help ensure that all Township residents have equitable and affordable access to opportunities to participate in recreational and cultural activities. In implementing these policies, Council will be guided by the recommendations made in the 2019 Parks, Recreation & Culture Master Plan.

### 8.4.1 Public Parks

**For the purposes of this Official Plan,** a public park is defined as any recreational area or open space that is owned or controlled by the Township, by Simcoe County, by the Province of Ontario, or by any public body or agency established under provincial statute. This definition includes any buildings, structures, or uses that are accessory to the recreational area or open space, such as pavilions, administrative offices, retail outlets for the sale of products associated with the principal public recreational use, and accessory parking lots. Accordingly, this Official Plan recognizes the three non-operating provincial parks<sup>16</sup> located in Clearview Township: Devil's Glen Provincial Park, Noisy River Provincial Park, and Nottawasaga Lookout Provincial Park. This Plan also recognizes the areas that are included as part of the Niagara Escarpment Parks and Open Space System, as well as those owned and operated by the NVCA.

<sup>16</sup> A "non-operating provincial park" is defined in provincial regulations as one that the public "makes considerable use of" but that provides minimal (if any) facilities and services for users and that does not normally charge any fees for its use.



This Official Plan adopts the classification system recommended in the Township's 2019-2028 Parks, Recreation & Culture Master Plan ("PRCMP"). Table 8.1 summarizes the provision and operating standards for each park class, while Table 8.2 (p. 221) presents standards for park sizes and site amenities. Both tables are based on the recommendations made in Appendix C of the PRCMP.

### Park Classifications & Standards

1. The Township's parks classification system shall consist of the following park classes:
  - (a) Regional/Multisport Facilities, intended to serve the entire Township and beyond, with the capacity to deliver sports and cultural activities with a regional draw;
  - (b) Community/Sports Parks (Youth & Adult), which should have the capacity to deliver events with a Township-wide draw;

**Table 8.1 – Provision and operating standards for park classes**

Park Class	Service Area	Description	Provision Standard	Operating Standard
Regional/Multi-sport Facility	Entire Township & beyond	Has capacity to deliver variety of sport and cultural events with a regional draw. Should include level of access, accessibility & comfort associated with large events.	Maximum of two sites for the Township. Sites should be developed in conjunction with Cultural Plan.	Maintain fields to tournament quality: cut two or three times per week, depending on usage.
Community/Sports Park (Youth & Adult)	Entire Township; may include some from outside Township	Has capacity to deliver variety of sport (and possibly cultural) events with Township-wide draw. Should include level of access, accessibility & comfort associated with medium-size events.	Maximum of two sites for the Township. Sites should be developed in conjunction with Cultural Plan.	Maintain fields to tournament quality: cut two times per week, depending on usage.
Sports Park (Children)	Local	Dedicated to providing sport activities for junior play.	One diamond site and one rectangular site for Township; may be included with Community/Sports Park (Youth & Adult) class.	Maintain fields to level of play: cut weekly.
Neighbourhood Park	Local, within 10- to 15-minute walk	Dedicated to use by local residents only. May include site amenities focused on children, youth, adults & seniors; may include programmed play space for "little league" sports.	Develop in conjunction with provision of other park classes. Elements for adults and seniors to be developed alongside playground replacement schedule.	Maintain fields to open play standard: cut weekly.
Open Space	Varies	General parkland for use by all; may serve as view corridor or to provide linkages to other green space areas.	N/A	Maintain fields to open play standard: cut weekly.

**Table 8.2 – Recommended sizes and site amenity standards for park classes**

Park Class	Size	Playground	Walkways	Seating & Shade	Comfort	Field	Parking
Regional/Multi-sport Facility	4-10 ha	Large, combined junior & senior elements, fully accessible	Gravel or paved, fully accessible	Bleacher seating, fully accessible; shade structure	Permanent, including accessible/family	Tournament quality (Cat. 3)	Gravel or paved, fully accessible
Community/Sports Park (Youth & Adult)	4-10 ha	Large, combined junior & senior elements, fully accessible	Gravel or paved, fully accessible	Bleacher seating, fully accessible; shade structure	Permanent, including accessible/family	League quality (Cat. 3)	Gravel or paved, fully accessible
Sports Park (Children)	3-4 ha	Medium, combined junior & senior elements, fully accessible	Gravel, fully accessible	Optional	Semi-permanent or portable	Junior (Cat. 4)	Gravel, fully accessible
Neighbourhood	2-3 ha	Medium, combined or separate junior & senior elements, target accessibility of 25%	Optional	Optional	Optional	Not required	Not required
Open Space	Varies	N/A	N/A	N/A	N/A	N/A	N/A

- (c) Sports Parks (Children), intended to serve the local community;
  - (d) Neighbourhood Parks, intended to serve residents living within a five- to ten-minute walk; and
  - (e) Open Spaces, which are meant to provide general parkland for use by everyone at various levels of service.
2. The park classes listed in Policy No. 8.4.1.1 should:
    - (a) be planned, provided, and maintained according to the standards set out in Table 8.1; and
    - (b) have the recommended areas and provide site amenities according to the standards presented in Table 8.2.
  3. The Township will be guided by the classification system established in this section of the Plan, including the standards presented in Table 8.1 and Table 8.2, in the planning, development, management, and operation of its parks, open spaces, and recreation facilities and resources.
  4. Council will be guided by the classifications and standards presented in Table 8.1 and Table 8.2 in making decisions about acquiring or improving lands for public parkland purposes.

5. The Township intends to monitor the suitability of its park classification system and may revise or update this system at regular intervals.

### **New Public Parks**

6. The establishment of a new public park shall be permitted in all land use designations without an amendment to this Official Plan or to the implementing Zoning By-law, subject to the following restrictions:
  - (a) Public parks shall not be permitted:
    - (i) within the “Agricultural” designation; or
    - (ii) within a prime agricultural area in the NEP Area.
  - (b) The establishment of a public park within the “Greenlands – Natural Heritage Area” designation shall require the satisfactory completion of an EIS in accordance with the policies in Section 5.4 of this Official Plan.
  - (c) Public parks within the “Greenlands – Wetlands Area” designation shall be limited to those devoted to passive recreation uses only.
  - (d) The establishment of a public park within the NEP Area shall comply with all relevant provisions of the NEP.
  - (e) To clarify, the establishment of a new public park shall be permitted in all land use designations in a Rural Settlement Area located in the NEP Area, subject to Clauses (a)-(d) above.
7. In determining the preferred locations for new public parks and open spaces, the Township will prioritize:
  - (a) the provision of significant public parks and open space areas near areas with concentrated residential development;
  - (b) the provision of Neighbourhood Parks and Open Spaces within safe walking distance of the community they are intended to serve;
  - (c) the ability for proposed parks to provide services and programming that are well suited to the local community; and
  - (d) the use of parks and open space to highlight unique identifying features and to provide focal points for the community.
8. In accordance with the PRCMP, the Township recognizes that the development of new park blocks with an area less than 0.5 hectares is very strongly discouraged.
9. The Township intends to consult with residents and with school boards during the planning and development of new parks and recreation facilities.

10. The Township will seek out opportunities to create or enhance linkages between parks, open spaces, and recreation facilities, and Council will seek out strategic opportunities to use parks in Settlement Areas as a way to provide pedestrian-friendly connections between important areas and points of interest.

### Design of Parks & Open Spaces

11. Parks and recreation facilities will be designed and developed to be multipurpose, multi-generational, accessible to everyone, and connected wherever possible to other elements of the parks and recreation system.
12. Public parks should be sited and designed:
  - (a) to provide as much visibility as possible through adequate street frontage;
  - (b) to serve as central features of the neighbourhoods in which they are located;
  - (c) to provide direct and safe pedestrian access from adjacent areas;
  - (d) to minimize any potential adverse impacts on abutting properties; and
  - (e) to connect to trail systems, walking paths, and other active transportation routes wherever possible.
13. Where a proposed public park abuts a school, public service facility, or other public use, the park should be designed and developed so that the abutting uses complement one another.
14. Wherever feasible, the Township will encourage the maintenance, improvement, or creation of park facilities and amenities that highlight the community's history and that promote a unified identity for the Clearview community, and will seek out opportunities to include elements that emphasize important aspects of the history or heritage of different cultural communities in the Township.
15. The Township's public parks will reinforce community identity and sense of place by:
  - (a) supporting a healthy, active community while also providing opportunities for passive enjoyment;
  - (b) serving as an attractive setting for important public and community events;
  - (c) providing spaces for a diverse range of cultural and recreational programming in cooperation with community organizations and third-party program providers; and
  - (d) enhancing overall quality of life in the Township.
16. Public parks shall provide a safe, accessible, inclusive, and welcoming environment for all residents and visitors.

17. Public parks should be designed according to similar guidelines as those provided for landscape design in Section 8.2.3 above, by:
  - (a) maintaining natural topography and vegetation wherever possible;
  - (b) using native species that are appropriate for existing and planned conditions;
  - (c) incorporating drought-resistant materials to reduce maintenance requirements and conserve water resources;
  - (d) providing definition for trails and pathways;
  - (e) providing protection from sun, wind, and precipitation in areas with high levels of pedestrian activity or where people are likely to congregate; and
  - (f) supporting the achievement of dark sky-friendly design.

## 8.4.2 Recreational Facilities

**Facilities for both indoor and outdoor recreation** are essential for supporting health and well-being by providing spaces for residents to come together to exercise, play, or simply enjoy being spectators. It is the intent of this Official Plan that the principles of availability, accessibility, accommodation, and acceptability articulated at the start of Section 6 (see p. 154) will guide decision-making about recreational facilities.

1. Council encourages the provision of adequate recreational facilities and spaces with all new residential development.
2. As recommended in the PRCMP, the Township intends to pursue a “community-first” allocation policy to provide facility access that maximizes benefits to the local community.
3. Council will work with school boards, public agencies, and other partners to optimize the provision of recreational facilities for the Township’s residents and to promote coordinated and collaborative decision-making.
4. Council will ensure that new recreational facilities are developed to be multi-purpose and multi-generational, with linkages to connect them to other elements in the Township’s parks and recreation network.
5. Planning for the development of new park and recreation assets and amenities will endeavour to match proposed programming with local settlement profiles.
6. The Township will develop “facility fit” options to help identify the best opportunities for the use of existing sites when considering potential upgrading or alternative use.
7. The Township intends to undertake an assessment of municipally owned facilities with regard to their capacity, their potential for adaptive re-use, and their ability to provide indoor space for drop-in activities for adults and seniors.

8. The Township intends to assess community centre amenities for their ability to accommodate requirements under the *Accessibility for Ontarians with Disabilities Act, 2005* ("AODA") and the *Human Rights Code* for change-rooms and for washroom facilities.
9. Council will take steps to ensure that upgrades to existing sites and facilities are made to include amenities for both active and passive patrons, as recommended in the PRCMP.
10. Council will explore opportunities to collaborate with adjacent municipalities in the potential development and utilization of regional destination and hub facilities, including large-scale outdoor facilities and regional multi-purpose indoor facilities.
11. Planning for recreation facilities will incorporate and be undertaken in conjunction with planning for active transportation and trails.
12. In planning for new development or major redevelopment, Council will seek to leverage opportunities for active transportation connections among assets and facilities.
13. The Township will ensure that signage and wayfinding for recreational facilities align with broader marketing initiatives regarding municipal identity.

### 8.4.3 Cultural Facilities

**Cultural facilities are places that** provide and promote opportunities for people to enjoy the arts and to participate in a full range of cultural activities, whether as spectators or as active participants. As with recreational facilities, this Official Plan intends for decision-making regarding cultural facilities to be guided by the principles of availability, accessibility, accommodation, and acceptability.

All cultural facilities are considered institutional uses, and as such should ideally be integrated into the community, in accordance with the policies in Section 4.4 of this Plan. The policies below, regarding the overall approach to providing cultural facilities, are based in part on the recommendations made in the 2019 PRCMP.

1. As a general principle, Council will endeavour to ensure that all residents have adequate access to cultural facilities, in recognition of the important role that artistic and cultural expression play in the life of the individual and of the community.
2. Council will encourage the establishment of cultural facilities in centralized locations, such as in or near Community Hub areas in Urban Settlement Areas, to maximize the number of residents who can access such facilities.
3. To help ensure that all residents have an opportunity to participate in cultural activities, Council will encourage the establishment of smaller or satellite cultural facilities in Community Settlement Areas and in Rural Settlement Areas, provided that the cultural facility is appropriate to and compatible with the area in which it is located.

4. Cultural facilities meant to serve a broad user based or that are expected to generate high activity levels shall generally be directed to locate in or near Community Hubs.
5. The Township will explore opportunities to convert under-utilized spaces to support cultural activities and to create a potential “cultural hub”.
6. Decisions made with regard to the creation of a “cultural hub” will involve community members and organizations in order to ensure that development and programming are community-led and reflect the full cross-section of the Township’s cultural groups.
7. The Township will work with existing program providers, with community groups, and with “small halls” to provide space for cultural programming in smaller Settlement Areas, including alternative programming for children and youth and programming on an after-school basis.
8. The Township and Council will work with community organizations to identify, create, and organize sporting and cultural events, especially events that will promote Clearview Township and that can generate “spin-off” economic and cultural activities, and may consider the creation of a cultural working group or committee.

#### 8.4.4 “Small Halls”

**Clearview Township features a unique network** of small community centres – referred to as “small halls” – that have long been considered vital components to community identity. There are seven “small halls” across the Township: Avening Hall, Brentwood Hall, Creemore Station on the Green, Dunedin Village Hall, Duntroon Hall, Nottawa Memorial Community Centre, and Sunnidale Corners Community Centre. Each hall is unique in its own right while also being part of a larger, Township-wide system with the potential to bring together the entire community.

The policies presented here are based in part on the recommendations made in the PRCMP.

1. Council will work to ensure the long-term sustainability of the Township’s “small halls” in recognition of their importance and role as signature cultural assets.
2. Council will work with community partners to establish a clear sense of the role that the Township’s “small halls” will play in the community, with a focus on maintaining their current social role as local gathering places while considering opportunities to develop under-utilized facilities into cultural or recreational nodes.
3. Council may collaborate with Hall Board Chairs and other community partners towards developing a strategic plan with a long-term vision for the “small halls” system.
4. Council will explore ways to maximize community benefit by integrating “small halls” into the recreation system and the Township’s active transportation network.
5. Council may consider identifying “small halls” as cultural heritage resources, either informally or by formal designation, in recognition of their contextual heritage value.



6. Council may prepare and adopt a Community Improvement Plan, or otherwise exercise its authorities under the *Planning Act* or any other Act, to address the condition of “small halls” as a matter of municipal interest and to provide for improvements to “small halls,” including improvements to ensure compliance with the AODA.
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# Cultural Heritage

PRESERVATION · RESTORATION · ARCHAEOLOGY

Photo: The Creemore Log Cabin, on Library Street.

**Early in the 21st century,** community members came together to save the Creemore Log Cabin, raising funds to reconstruct the building on a site next to the Clearview Public Library's Creemore branch. Originally built in the 1870s and significantly altered since then, the Log Cabin now stands as a quiet reminder of how important history and heritage are to the Township's residents. As you stand there taking in the scenery, you can hear, off to your left, a mother helping her two young children read the different information signs posted about the site, a link between past and future generations very much in harmony with this place.

## 9.1 Goals & Principles

**Clearview Township's cultural heritage resources** – which include properties that have historical value or architectural merit, sites and landscapes that are important to local communities, and areas with potential archaeological significance – provide us with the opportunity to connect with our past and to understand who we are, who we have been, and who we're becoming. Having this

opportunity is a privilege: cultural heritage resources are unique and often non-renewable, and many of them grow more sensitive and fragile over time, which confers upon all of us a responsibility to act as stewards of history. We also have a responsibility to recognize, respect, and help preserve cultural heritage and archaeological resources that have value for Indigenous communities, who, since the arrival of European settlers and colonists, have too often been denied the same opportunity to connect with their history and culture.

To promote the identification, preservation, and restoration of cultural heritage resources, this section of the Plan contains policies that have been developed to achieve the following objectives:

1. Work with local and regional partners, including Simcoe County, to identify and conserve cultural heritage resources, cultural heritage landscapes, and archaeological resources.
2. Encourage the recognition, restoration, and rehabilitation of cultural heritage features, resources, and landscapes.
3. Support, promote, and in some cases require measures to preserve, maintain, and restore features and properties with cultural heritage value.
4. Promote adaptive re-use that is compatible with character-defining elements and that requires minimal or no changes to these elements
5. Ensure that new development proceeds in a manner that respects and complements existing built character and heritage.

The NEP sets out its own policies regarding cultural heritage and archaeological resources, which can be found in Part 2.9 of that Plan. The parts of the Township located in the NEP Area are subject to those policies.

## 9.2 Heritage Conservation

**Heritage conservation refers to** the preservation of individual properties and of whole districts that have some historical, cultural, architectural, or scenic value that gives them local, regional, or wider significance. This includes “cultural heritage landscapes,” which are defined areas identified as having cultural heritage value or interest for a particular community, whose elements – which may consist of natural elements, archaeological sites, buildings and structures, features modified by human activity, or any combination thereof – work together to create cultural meaning or value.

The *Ontario Heritage Act* uses a technical definition of what gives a property heritage value, with criteria that fall into three broad categories: (1) physical or design value, (2) historical or associative value, and (3) contextual value.

**Physical value** or **design value** means that the property is “a rare, unique, representative or early example” of a particular architectural style or method of construction, or that it exhibits a high degree of craftsmanship, artistic merit, or technical or scientific achievement.

**Historical value** or **associative value** means that the property has direct associations with a person, event, activity, organization, institution, or theme that is significant to a community; that the property “demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to the community”; or that it contributes to our understanding of a particular community or culture.

**Contextual value** means that the property is a landmark, is linked “physically, functionally, visually, or historically” to its surroundings, or “is important in defining, maintaining, or supporting the character of an area.”

### 9.2.1 Identification & Designation of Cultural Heritage Resources

**It is the overall intent of this Official Plan** to assist Council in identifying and preserving properties, resources, and landscapes with cultural heritage value or interest, in recognition of the significance that the history and heritage of the Township’s built environment holds for residents and members of the community.

1. Council may designate a property within the Township as being of cultural heritage value or interest by passing a designating by-law under Section 29 of the *Ontario Heritage Act* in accordance with the process set out in that section.
2. A designating by-law shall contain:
  - (a) a description of the property that allows for the property to be readily identified and ascertained;
  - (b) a statement explaining the property’s cultural heritage value or interest;
  - (c) a description of the property’s heritage attributes; and
  - (d) any other information required by the *Ontario Heritage Act*.
3. Once a property has been designated as being of cultural heritage value or interest, no alteration that is likely to affect the property’s heritage attributes shall be made without Council’s written consent to the alteration.
4. Council may provide for the Township’s acquisition of a designated heritage property or of any part thereof by passing a by-law under Section 36 of the *Ontario Heritage Act*.
5. Council may enter into an easement or covenant with a property owner to provide for the conservation of a property that is of cultural heritage value or interest by passing a by-law under Section 37 of the *Ontario Heritage Act*.

#### Cultural Heritage Landscapes

6. Council will take steps to ensure the identification and conservation of significant cultural heritage landscapes in the Township.

7. Council may designate any defined area within the Township as a heritage conservation district by passing a by-law under Section 41 of the *Ontario Heritage Act* in accordance with the policies in Section 11.7 of this Official Plan, where:
  - (a) Council is of the opinion that the defined area meets the criteria for a cultural heritage landscape prescribed by the regulations under the *Ontario Heritage Act*; or,
  - (b) where no such criteria are prescribed, Council is of the opinion that the defined area is a cultural heritage landscape that warrants designation.
8. The passing of a by-law to designate an area as a heritage conservation district shall be accompanied by the adoption of a heritage conservation district plan for that area, prepared in accordance with the policies and procedures set out in Section 11.7 of this Plan.
9. Council may require a Heritage Assessment or Heritage Inventory as part of a complete development application to determine whether the subject lands represent, or form part of, a significant cultural heritage landscape.

### **Municipal Heritage Register**

10. All properties in the Township that are of cultural heritage value or interest, including cultural heritage landscapes and heritage conservation districts, shall be included on a Municipal Heritage Register, to be kept by the clerk of the municipality in accordance with Section 27 of the *Ontario Heritage Act*.
11. The Municipal Heritage Register shall:
  - (a) list all properties for which Council has passed a designating by-law under Part IV of the *Ontario Heritage Act*;
  - (b) include the required information to identify each property and to explain its cultural heritage value or interest; and
  - (c) include a Register of Municipal Heritage Conservation Districts, pursuant to Section 39.2 of the *Ontario Heritage Act*, listing all heritage conservation districts designated under Part V of that Act, including a map or description of each such district.
12. Council may, by resolution, include a property on the Municipal Heritage Register without passing a by-law to designate that property under Part IV of the *Ontario Heritage Act*, if:
  - (a) Council is of the opinion that the property has cultural heritage value or interest; and
  - (b) the property meets any criteria prescribed under the *Ontario Heritage Act*.
13. Subject to No. 9.2.1.14 below, where Council has adopted a resolution to include a property on the Municipal Heritage Register, as described in No. 9.2.1.12 above, Council shall, on or



before the second anniversary of the day on which the property was included on the Register, or within any other period of time prescribed by Section 27 of the *Ontario Heritage Act*:

- (a) issue notice of its intention to designate the property under Section 29 of the *Ontario Heritage Act*; or
  - (b) adopt a resolution to remove the property from the Municipal Heritage Register.
14. Policy No. 9.2.1.13 shall no longer apply if Section 27 of the *Ontario Heritage Act* is amended to remove the requirement that Council make a determination about the designation of a property included on the Municipal Heritage Register within a specified period of time.

## 9.2.2 Conservation of Heritage Resources

**The conservation of cultural heritage resources** generally encompasses one of three “primary treatments”: preservation, rehabilitation, or restoration. **Preservation** means protecting, stabilizing, and maintaining the existing form, material, and integrity of the heritage resource. **Rehabilitation** means adapting the resource for a compatible contemporary use in a manner sensitive to its original function or purpose. **Restoration** means accurately returning the resource to the way it appeared at a particular point in history. The choice of “treatment” should be made with a clear sense of the resource’s heritage value and character-defining elements, a thorough understanding of its original condition and the changes that have occurred over time, and a thoughtful consideration of an appropriate and sustainable use of the resource.

1. This Official Plan intends for cultural heritage resources to be identified, conserved, and promoted *in situ* wherever practical.
2. The Township shall consult with First Nations and Métis communities and have regard to their interests in the conservation of cultural heritage resources and archaeological resources.
3. No development or site alteration shall occur on a site that contains a significant cultural heritage resource unless Council is satisfied that the resource will be appropriately conserved.
4. No development or site alteration shall occur on a site adjacent to a site that contains a significant cultural heritage resource unless Council is satisfied that the resource will be appropriately conserved or that the proposed development or site alteration will have no negative impacts on such resources.
5. Where proposed development could affect a building or structure with potential cultural heritage value or interest, the Township may require that the proponent provide a Heritage Assessment identifying all heritage attributes of that building or structure as a part of a complete application.
6. New development will be encouraged to integrate and promote significant cultural heritage resources to the fullest practical extent.

7. Development or site alteration on municipally owned properties and projects undertaken by a public authority shall have regard to the protection and conservation of significant cultural heritage resources in accordance with the policies of this Official Plan.
8. Any works undertaken for the preservation, rehabilitation, or restoration of a cultural heritage resource should proceed according to the *Standards and Guidelines for the Conservation of Historic Places* issued by Parks Canada.
9. Council will work with community partners to support initiatives that promote the appreciation and conservation of cultural heritage features and resources.
10. Council may pass a by-law under Section 39 of the *Ontario Heritage Act* or under Section 107 of the *Municipal Act, 2001* to establish grants or loans in support of heritage conservation initiatives as a matter of municipal interest.
11. Council will encourage the adaptive re-use of properties with cultural heritage value or interest in circumstances where:
  - (a) rehabilitation is an appropriate primary conservation treatment for the property;
  - (b) the adaptation will involve minimal changes, or no change, to the property's character-defining elements;
  - (c) the proposed re-use represents an appropriate and sustainable use for the property; and
  - (d) the proposed re-use is compatible with adjacent land uses.
12. Council will use site plan control, or any other means at its disposal, to ensure that redevelopment projects protect and preserve significant architectural details and features that have been identified as heritage attributes or as having cultural heritage value or interest.
13. New buildings and structures in an existing built-up area shall be designed to ensure that they complement and are compatible with the character of the surrounding area.

### 9.2.3 Heritage Impact Statements

1. Any application proposing development, redevelopment, or site alteration on or adjacent to a site that contains a significant cultural heritage resource shall be required to include a Heritage Impact Statement as part of a complete application.
2. Council may require a Heritage Impact Statement as part of a complete application in any circumstances where it is of the opinion that the proposal is likely to affect a significant cultural heritage resource.



3. A Heritage Impact Statement shall contain:
  - (a) a description of the cultural heritage resource and its heritage attributes or character-defining elements;
  - (b) a description of the proposed development, redevelopment, or site alteration and its effects on the cultural heritage resource;
  - (c) an explanation of the measures needed to avoid or mitigate adverse impacts from development, redevelopment, or site alteration on the cultural heritage resource; and
  - (d) an explanation of how the proposed development, redevelopment, or site alteration will relate, in terms of physical characteristics, to existing heritage buildings and structures on the site and in the surrounding area.
4. To clarify, nothing in Policy No. 9.2.3.3 above shall limit the Township's ability to require that a Heritage Impact Statement contain any other information that it considers appropriate for the purpose of assessing a proposal's potential impacts on cultural heritage resources.

#### 9.2.4 Municipal Heritage Committee

1. Council may pass a by-law under Section 28 of the *Ontario Heritage Act* to establish a Municipal Heritage Committee to assist and advise Council on matters relating to cultural heritage and the conservation of cultural heritage resources.
2. A Municipal Heritage Committee shall consist of at least five members appointed by Council and should be composed of members who reflect the distribution and demographics of the Township's population.
3. Once it has established a Municipal Heritage Committee, Council shall consult with the committee:
  - (a) before issuing notice of intent to designate a property under Section 29 of the *Ontario Heritage Act*;
  - (b) before repealing a designating by-law, or any part thereof, or considering an owner-initiated application to repeal a designating by-law, or any part thereof;
  - (c) before including on the Municipal Heritage Register a property that has not been designated by by-law, or before removing the reference to such a property on the Register;
  - (d) with respect to a background study undertaken in association with the preparation of a heritage conservation district plan;

- (e) with respect to a proposed heritage conservation district plan, before passing a by-law to adopt that plan; and
  - (f) before taking any action with respect to an application made under Section 42 of the *Ontario Heritage Act* regarding a property in a heritage conservation district.
4. Once Council has established a Municipal Heritage Committee, the committee may:
- (a) be consulted regarding development applications that could have an impact on the heritage attributes of a property with cultural heritage value or interest;
  - (b) provide advice regarding properties that should be included on the Municipal Heritage Register;
  - (c) assist Council in identifying properties that are good candidates for designation under Part IV of the *Ontario Heritage Act*; and
  - (d) be consulted with respect to any background study undertaken for the purpose of designating a heritage conservation district and during the preparation of a heritage conservation district plan.

## 9.3 Archaeological Conservation

**The history of human activity** in the area now referred to as Clearview Township goes back millennia before contact between First Nations peoples and European settlers, with hunter-gatherer bands having occupied present-day Simcoe County as early as 13,000 years ago. The artifacts and traces left behind by human activities and events are crucial to helping us understand the history of the area and its peoples, but these archaeological resources are scarce, fragile, and non-renewable. Overall, the Township intends to ensure that the conservation of archaeological resources is undertaken in accordance with Simcoe County's Archaeological Management Plan (2019). The Township also recognizes that sites and artifacts of interest to the First Nations and Métis communities warrant special attention, in light of the long-running attempts by colonizers to erase Canada's Indigenous peoples, their histories, and their cultures.

Archaeological sites come in a variety of physical forms, including the remains of structural features, the surface scattering of artifacts, and subsurface strata of human origin or that incorporate cultural deposits. Subsection 48 (1), Paragraph 2, of the *Ontario Heritage Act* prohibits anyone without a licence from altering or removing an artifact, or any other physical evidence of past human use or activity, from a site that they know to be an archaeological site.<sup>17</sup>

<sup>17</sup> Ontario Regulation 170/04, under the *Ontario Heritage Act*, defines an "archaeological site" as "any property that contains an artifact or any other physical evidence of past human use or activity that is of cultural heritage value or interest."

### 9.3.1 Archaeologically Sensitive Areas & Areas with Archaeological Potential

**The County of Simcoe has developed** a detailed archaeological potential model that identifies potential pre-Contact Indigenous sites, as well as more recent sites with archaeological potential through detailed historical research. The County makes its Composite Archaeological Potential Layer, derived from this model, available to the public. The County has also identified "Archaeologically Sensitive Areas" (ASAs) in order to assess development proposals that could impact sensitive archaeological sites and resources.

1. As part of the evaluation process for development applications, the Township will consult with Simcoe County and make use of the County's data on areas with archaeological potential and on Archaeologically Sensitive Areas ("ASAs").
2. The Township shall consult with First Nations and Métis communities in cases where artifacts related to Indigenous peoples are discovered or where development or site alteration may impact their interests.
3. An archaeological assessment shall be required as part of a complete application for any proposed development or site alteration with respect to lands that:
  - (a) are located in an ASA;
  - (b) abut an ASA; or
  - (c) have been identified as lands with archaeological potential.
4. The Township may require an archaeological assessment in connection with a development application where the proposed development or site alteration, or any associated activities, could alter natural processes (such as surface water run-off) in a way that might affect an ASA.
5. All archaeological assessments shall be carried out by qualified and licensed individuals.
6. Where an archaeological assessment has been required as part of a complete application, the Township shall provide the following to the County of Simcoe for the purpose of updating the County's GIS-based Archaeological Potential Layer:
  - (a) a digital copy of the completed archaeological assessment report; and
  - (b) a copy of all Ministry acceptance or compliance letters related to the report (where "Ministry" refers to the ministry presided over by the Minister, as that term is defined in the *Ontario Heritage Act*).
7. Where an archaeological assessment has identified the presence of archaeological resources, Council shall not approve any development or site alteration until a conservation plan for those resources has been prepared to the satisfaction of the Township and of any other responsible approval authority.

8. Where significant archaeological resources are identified or discovered on lands that are the subject of a development application, such resources shall, to the fullest feasible extent, be incorporated into the proposed development, either through preservation or interpretation *in situ*, or through commemoration and interpretation through the development of an on-site exhibition.
9. Council may establish a separate zone in the implementing Zoning By-law to restrict the use of land on sites that contain significant archaeological resources.
10. The Committee of Adjustment shall consider whether the subject lands of an application for a consent or a minor variance contain or abut an ASA and shall ensure that any consent or minor variance granted is consistent with the policies in this section of the Official Plan.

### 9.3.2 Burial Sites

**Any burial sites encountered** during excavation, site alteration, or any other activity, are subject to the provisions in Ontario's *Funeral, Burial and Cremation Services Act, 2002* (S.O. 2002, c. 33).

1. The discovery of a previously unknown burial site shall be reported immediately to the police or coroner, as required by Section 95 of the *Funeral, Burial and Cremation Services Act, 2002*.
2. No person shall disturb, or order the disturbance of, a burial site or of any artifacts associated with human remains, except under the circumstances described in Section 94 of the *Funeral, Burial and Cremation Services Act, 2002*.



Photo: Streetlight with banners at the side of Main Street (Highway 26), Downtown Stayner.

**The wind has picked up,** and if you stop and listen, you can hear it snapping past the edges of the banners on the lampposts along Main Street in Stayner. Just, be sure to check behind you before stopping: the streets are full of life again, and you don't want someone to walk smack into you when you suddenly, unexpectedly stop. On second thought, maybe it's a better idea to appreciate the banners while you keep walking. After all, that's really what an economy is all about: activity, and the life around you.

## 10.1 Goals & Principles

**The articulation of a full economic development strategy** falls outside the purview of an official plan. The purpose of this section is to provide an overview of how land use and development decisions in Clearview Township can be used to support sustainable economic growth. This Official Plan seeks to encourage opportunities for economic development that respect the overall character of the Township and its Settlement Areas and opportunities to enhance the role of Community Hub areas as primary activity centres. By providing for an appropriate mix of land uses, this Plan seeks to

promote the emergence of a healthy and diverse local economy that allows people to work, shop, and socialize close to the places where they live.

The policies presented here, and throughout this Official Plan, have been developed with the following economic development goals and principles in mind:

1. Foster conditions that will support a diverse economy and sustainable local employment.
2. Provide certainty and predictability for established sectors, industries, and employers.
3. Encourage the development of new and expanded commercial, industrial, and “in-between” uses in appropriate locations.
4. Ensure that policies provide sufficient flexibility to capitalize on emerging opportunities.
5. Recognize the role that small businesses play in providing local employment opportunities and in maintaining economic diversity.

## 10.2 Economic Development Policies

**This Official Plan’s economic development policies** are meant to align with and complement the achievement of the objectives articulated in other sections of this Plan, which encourage the development of Community Hubs into complete, pedestrian-friendly activity centres, while directing larger forms of industrial development to locate in appropriate areas and supporting the long-term sustainability of the Township’s agricultural economy.

### 10.2.1 General Policies

1. Clearview Township shall maintain and ensure the availability of a sufficient supply of lands to accommodate projected growth in population-based employment, employment land-based employment, and rural-based employment.
2. The Township shall maintain a designated supply of commercial and employment lands provided with appropriate levels of municipal services and shall direct new commercial, employment, and “in-between” uses to appropriately serviced sites.
3. Council will foster the development of complete communities that provide a high quality of life to attract residents and investment to the Township.
4. Council will ensure that employment areas, including designated “Industrial” areas:
  - (a) are protected and preserved for current and future uses, which includes being appropriately protected from encroachment by sensitive land uses;

- (b) are provided with the infrastructure necessary to support current and projected needs; and
  - (c) are well connected to the transportation network, which includes protecting employment areas near major goods movement facilities and corridors for uses that require such locations.
- 5. The Township will plan for improved transit connections to areas with high employment densities, in coordination with Simcoe County and neighbouring municipalities.
- 6. Council will explore opportunities to improve telecommunications infrastructure, internet connectivity, and access to high-speed internet services, especially in Settlement Areas, as a way to support small businesses and home occupations.
- 7. Council may identify and pursue effective means of supporting local businesses in a fair and equitable manner.
- 8. Council will consider exploring apprenticeship or co-op opportunities with educational institutions in the Township and in neighbouring municipalities.
- 9. Council may exercise any of its powers under the *Municipal Act, 2001* to support the achievement of its economic development goals, including taking steps to provide for the establishment of counselling services for small businesses in the Township, pursuant to Section 108 of that Act.
- 10. The Township may monitor development and economic activity in order to identify emerging sectors and foster the growth of economic “clusters.”

### 10.2.2 Community Hubs

- 1. Council encourages mixed-use development in the Community Hubs of Urban Settlement Areas as a way to support the achievement of complete communities in these areas and to promote them as centres for community life and economic activity.
- 2. New commercial uses, especially small- and medium-format commercial uses, will be encouraged to locate in or near Community Hubs.
- 3. Council will support the establishment of multi-tenanted commercial buildings and of “flex spaces” in Community Hub areas.
- 4. Council will encourage commercial uses in Community Hubs to be located in such a way that commercial uses that rely on customer flow and benefit from higher levels of pedestrian activity are located on the ground floors of buildings.
- 5. The Township will plan for, and invest in, its transportation network in a manner that prioritizes multimodal access to Community Hubs, including improvements to the efficiency and



viability of transit services and enhancements that support a well-integrated and well-connected active transportation network.

6. Council may use Community Improvement Plans to support and incentivize improvements to, and the revitalization of, Community Hub areas.

### Artisanal Industrial Uses

7. Council may permit the establishment of certain small-scale “artisanal” light industrial uses in the “Commercial” designation in a Community Hub through a site-specific amendment to the Zoning By-law.
8. Any of the following may be permitted as an artisanal industrial use:
  - (a) light manufacturing, fabricating, assembly, processing, and repairing operations, such as pottery, glass-blowing, and similar artisanal uses, taking place in fully enclosed buildings;
  - (b) workshops and service shops taking place in fully enclosed buildings;
  - (c) artist’s studios;
  - (d) bakeries; and
  - (e) research facilities.
9. No by-law shall be passed that permits any of the following as an artisanal industrial use in the “Commercial” designation:
  - (a) warehouses;
  - (b) broadcasting and communications facilities;
  - (c) light equipment sales and rental;
  - (d) motor vehicle repair garages and service stations;
  - (e) industrial laundromats and linen supply facilities; and
  - (f) commercial storage units or facilities.
10. Artisanal industrial uses are encouraged to include an accessory retail commercial use for the purpose of selling goods and materials produced on-site.
11. Outdoor storage areas shall not be permitted for artisanal industrial uses.
12. All artisanal industrial uses shall:
  - (a) be limited in scale;
  - (b) take place in self-contained facilities or buildings with a very low probability of fugitive emissions; and

- (c) operate during daytime hours only, with very infrequent movement of products or heavy truck traffic.
13. Artisanal industrial uses shall not:
    - (a) generate noise that is audible off-property;
    - (b) generate dust, odour, or ground-borne vibrations; or
    - (c) generate any other emissions that have an adverse impact on adjacent land uses.
  14. The Zoning By-law may establish one or more “Artisanal Industrial” zones within which some or all of the uses listed in No. 10.2.2.8 above may be permitted.

### 10.2.3 Agricultural Economy

**This Official Plan anticipates that** agriculture will remain a cornerstone of economic activity in Clearview Township and will continue to represent a central component of community identity.

1. Council will support the continued viability and long-term sustainability of the Township’s agricultural sector by:
  - (a) promoting and protecting agricultural operations of all types, sizes, and intensities, and all normal farm practices, in the Township’s prime agricultural areas;
  - (b) supporting the establishment of on-farm diversified uses that are compatible with surrounding agricultural operations;
  - (c) encouraging the establishment of agriculture-related uses, preferably in the “Rural” designation; and
  - (d) working to maintain and preserve agriculturally viable farm units that are sufficiently flexible to respond to future changes.
2. Where appropriate, the Township will encourage the preservation of existing small agricultural lots in recognition of the important role smaller holdings play in accommodating farmers who are in the early stages of their careers, in supporting the diversification of “niche” farming operations, and in maintaining flexibility in response to future changes.
3. Further to No. 10.2.3.2, the Township will strongly discourage the giving of a consent to sever a surplus dwelling that is located on an existing small agricultural lot.
4. For the purposes of No. 10.2.3.2 and No. 10.2.3.3 above, “existing small agricultural lot” shall mean a lawfully existing agricultural lot that is less than 40 hectares or smaller than the original survey lot size (whichever is lesser), or that is less than 16 hectares in a speciality crop area, those being the minimum sizes for new farm lots permitted by the SCOP.
5. Council will ensure that development in the “Rural” designation supports and promotes the continued health and sustainability of the agricultural economy.

6. Council may exercise its powers under Sections 113 and 114 of the *Municipal Act, 2001* to:
  - (a) establish, maintain, operate, or regulate a farmers' market or similar type of market; and
  - (b) establish, maintain, or operate agricultural, horticultural, commercial, or industrial exhibitions.
7. Council may promote or facilitate the provision of affordable housing for temporary farm workers as one way to support the agricultural sector, so long as the provision of such housing is consistent with the applicable policies of this Official Plan (regarding, for instance, permitted uses and development criteria in the "Rural" and "Agricultural" designations).
8. The Township may provide for the establishment of counselling services for small farm businesses, pursuant to Section 108 of the *Municipal Act, 2001*.

#### 10.2.4 Tourism & Agri-tourism

**Clearview Township's rural landscape** not only provides the foundation for the long-term viability of agriculture, but also represents an important economic asset in its own right, one that provides ample opportunities for outdoor tourism, including outdoor recreation, for sight-seeing, and for agri-tourism. The unique landscape and natural scenery of the Niagara Escarpment further enhances Clearview's status as an outdoor tourism destination.

1. Council will explore opportunities and work with other agencies, organizations, and partners to enhance outdoor recreation-based tourism in the Township.
2. Council will seek out opportunities to create trail connections and active transportation linkages between important destinations and tourism assets.
3. The Township's approach to planning for larger-scale parks and recreation facilities will recognize the potential that such facilities have as tourism assets.
4. Council supports and encourages the establishment of agri-tourism as an on-farm diversified use, subject to the policies in Section 3.3.3 of this Plan.
5. Council will generally encourage bed-and-breakfast establishments as the preferred method for providing temporary accommodations for visitors to the Township, especially in smaller communities and outside Settlement Areas.
6. Council intends to work with community organizations to identify, create, organize, and promote sporting and cultural events, especially events that will promote Clearview Township and that can generate "spin-off" economic and cultural activities.
7. Council will ensure that decisions regarding tourism and economic development are mindful of the goal of maintaining the existing character of Settlement Areas and rural communities.

8. All development in the NEP Area shall take place in accordance with Part 2.13 of the NEP to ensure the protection of the Escarpment's scenic resources (as defined in the NEP).
  9. All land uses within the Bruce Trail corridor, including recreational uses, overnight rest areas, and Bruce Trail access points, shall be planned, designed, and located in accordance with the policies in Part 2.11 and Part 2.14 of the NEP (where the terms "Bruce Trail access point", "Bruce Trail corridor", and "overnight rest area" have the same meaning as they do in the NEP).
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## PART V

# Implementation & Interpretation

*The OFFICIAL PLAN of the TOWNSHIP of CLEARVIEW*





# Implementation

# 11

POLICY TOOLS · BY-LAWS · SUPPORTING PLANS

Photo: Simcoe County Road 91, looking west towards Duntroon.

**As you travel west** along County Road 91, heading out of Stayner towards Duntroon, you can see the road, which so far has carried you over level countryside, rise up to climb the hills in the distance. Even from this far out, the Escarpment is an imposing presence – but what’s most striking is that clear line, like a slash from the sky, drawn by the road, showing you the way. There’s something exciting about seeing the road reach out to the horizon like this: it offers a sense of hope and quiet confidence, that you know exactly where you’re going and how to get there.

**This section describes the different methods** available to help us achieve the vision set out in this Plan – to get us where we want to go. It describes a number of instruments and tools that the Township has at its disposal to implement the Official Plan’s policies, provided by various provincial statutes. In some cases, an official plan is required to include enabling provisions in order to make use of a particular instrument or tool: the primary goal of this section is to include all such necessary provisions and to outline how the Township intends to use the tools at its disposal. This section is not intended as an exhaustive inventory of the available instruments, and Council may make use of any of the tools it has at its disposal as authorized by provincial legislation.

While the implementation tools described in this section all apply to the Township's entire municipal territory, different tools tend to concentrate on different levels of geographic scope. Certain tools, like zoning by-laws, encompass the entire municipality; others, like plans of subdivision and community improvement plans, shape development or redevelopment within a given area; still others, such as site plan control, focus on development on a specific property. This section of the Official Plan has been organized to reflect this range, moving from the broad to the site-specific.

At times, the Township might need to prepare other plans, strategies, or special projects to help guide the implementation of this Official Plan's policies, such as Urban Design Guidelines and various Master Plans. Such plans, projects, and strategies are not considered amendments to this Official Plan, but rather operate within the overarching framework this Plan provides to help bring about the community's long-term vision.

## 11.1 Official Plan Amendments

**Because an official plan is meant** to shape growth and development over the span of many years, it will be necessary to monitor changes in the Township over the lifetime of this Plan and to assess the effectiveness of this its policies. As circumstances change, it might also become necessary to amend this Official Plan, either to address particular challenges or to provide more specific direction for development in certain areas.

### 11.1.1 Amendments to the Official Plan

**Official Plan Amendments may be initiated** by Council or at the request of anyone who submits a request to amend the Plan under Section 22 of the *Planning Act*. In either case, there is a public process, required by the *Planning Act*, which generally involves the holding of at least one public meeting and, in some circumstances, an open house in advance of that public meeting.

1. Council may, on its own initiative, amend this Official Plan under any circumstances where Council considers it necessary, appropriate, or desirable, subject to the requirements of the *Planning Act*.
2. Council shall review this Official Plan and revise it as necessary at regular intervals, as required under Section 26 of the *Planning Act*.
3. When necessary, Council shall amend this Official Plan to ensure that it:
  - (a) has regard to the matters of provincial interest listed in Section 2 of the *Planning Act*;
  - (b) remains consistent with policy statements issued under Section 3 of the Act; and
  - (c) conforms or does not conflict, as the case may be, with Provincial Plans and with the Official Plan of the County of Simcoe.
4. Council shall consider all complete applications for an amendment to this Official Plan.



5. The Township may require that an applicant provide such information and material as it considers necessary or advisable for Council to make a decision regarding the applicant's request to amend this Official Plan.
6. Council shall not give an affirmative response under Subsection 22 (6.1) of the *Planning Act* regarding the completeness of an application requesting an amendment to this Official Plan unless and until it is fully satisfied that all information and material needed to make a determination on the request has been provided in an acceptable format.
7. When evaluating an application to amend this Official Plan, Council shall consider, among other things:
  - (a) the impacts of the proposed amendment on the character of the surrounding area and on adjacent land uses; and
  - (b) whether the proposed amendment is consistent with the general goals and objectives of this Plan.

### 11.1.2 Secondary Plans

**A secondary plan is** a land use plan for some defined portion of a municipality (such as a neighbourhood, district, or settlement area) that provides more detailed policy direction than an official plan usually does. Secondary plans provide a “closer look” at development within a given area: they establish a coherent and detailed concept for land use and infrastructure, provide more specific direction and guidance for development, and articulate detailed objectives, principles, and policies. A secondary plan is adopted as an amendment to the municipality's official plan, using the same public process as an Official Plan Amendment.

1. Council may undertake the preparation of a secondary plan for any defined contiguous portion of the Township under any circumstances in which the preparation of such a plan is considered necessary, appropriate, and desirable.
2. The preparation of secondary plans will be guided by the intent, principles, and policies of this Official Plan.
3. The preparation of secondary plans will have regard for:
  - (a) the appropriate phasing and timing of development;
  - (b) the efficient and effective provision of municipal services, infrastructure, and roads;
  - (c) the creation of complete communities through the provision of an appropriate mix of compatible land uses;
  - (d) the provision of a range of housing types and densities;
  - (e) the accessibility and safety of transportation systems and public service facilities;

- (f) environmental constraints and the physical suitability of the area;
  - (g) minimizing impacts on natural heritage features and systems;
  - (h) maintaining consistency with the character of the surrounding area and with the rural landscape; and
  - (i) ensuring compatibility with land uses in areas surrounding the proposed secondary plan area.
4. Council may, at its discretion, initiate or undertake such studies, assessments, or other projects as it considers necessary or advisable to support the preparation of a secondary plan, either on its own or in co-operation with landowners and other stakeholders with potential interest in the secondary plan area.
  5. The Township may require that the proponent of major development undertake the preparation of a secondary plan or of a block plan in circumstances where the preparation of such a plan is considered necessary, appropriate, or desirable for the orderly and sustainable development of the community.

### 11.1.3 Monitoring & Reviewing this Plan

**Regular monitoring and review are** necessary to ensure that the various objectives articulated throughout this Plan are being achieved and that the desired outcomes are emerging from the implementation of its policies.

1. The Township will monitor development activity within the Township, including the issuance of building permits, the creation of lots, and applications for changes of use, in order to evaluate the effectiveness of this Plan and its policies.
2. The Township may establish monitoring programs, either on its own or in cooperation with other levels of government, agencies, or public bodies, to evaluate the implementation of this Official Plan.
3. The Township may identify specific indicators to facilitate the monitoring and evaluation of this Official Plan and may undertake the collection and analysis of data to monitor such indicators or to evaluate more generally the implementation of this Official Plan.
4. Council may, on its own initiative, undertake the process of amending this Official Plan if it finds that any of the Plan's policies are not achieving their objectives or producing their desired outcomes.
5. Council shall regularly review and revise this Plan, as required under Section 26 of the *Planning Act*.

## 11.2 Zoning

**The Township's Zoning By-law** is one of the principal tools for achieving the intended land-use patterns expressed in the Official Plan. The regulations and standards established in the by-law, which implement the Plan's land use designations and other policies, are legally enforceable, and compliance with the Zoning By-law is required before a building permit can be issued.

The Zoning By-law applies to all lands within Clearview Township. However, development within the area covered by the NEP is regulated by the development permit system administered by the NEC.

### 11.2.1 Zoning By-law

**At the time this Plan** was being prepared, the Zoning By-law in effect for the Township of Clearview was Comprehensive Zoning By-law No. 06-54 (as amended). This by-law is referred to as the "existing Zoning By-law" in the policies that follow.

1. Council shall review the Township's existing Zoning By-law and amend or replace that by-law, as necessary, to implement the land use designations and policies of this Official Plan, and the existing Zoning By-law shall remain in effect until such time as it is so amended or replaced.
2. The categories, regulations, and standards established in the implementing Zoning By-law shall be consistent with the intent of this Official Plan and with its land use designations, although this does not necessarily imply that all lands designated for a particular category of use, as shown on Schedule B to this Plan, will be immediately zoned to permit such uses.<sup>18</sup>
3. The names of the zoning categories established in the implementing Zoning By-law may differ from the specific names given to the land use designations in this Plan.
4. The uses permitted in any specific zone may exclude uses that are identified in this Plan as uses that may be permitted in the corresponding land use designation.<sup>19</sup>
5. The implementing Zoning By-law may permit uses that are not specifically identified as uses that may be permitted in the land use designations established by the SCOP, provided that permitting such uses is consistent with the PPS and conforms with (or does not conflict with, as the case may be) all applicable Provincial Plans and with the SCOP.

<sup>18</sup> In other words, just because a particular area is identified as "Residential" (or "Commercial", or any other designation) on Schedule B does not mean that the entire area so designated will immediately be zoned to permit the uses that may be permitted in that designation.

<sup>19</sup> So, for example, just because this Plan lists something as a permitted use for the "Commercial" designation does not necessarily mean that it will be permitted in all Commercial zones.

6. The implementing Zoning By-law shall include provisions and regulations that implement the policies in Section 2.4.1 of this Official Plan regarding the provision of an appropriate mix and range of housing types and densities.
7. The implementing Zoning By-law may include standards that establish maximum ground floor areas or maximum lot sizes for single detached dwellings, as one way to implement the policies and targets set out in Section 2.4.3 of this Official Plan regarding housing affordability.

### 11.2.2 Lawfully Existing & Legal Non-Conforming Uses

Under the *Planning Act*, land uses that lawfully existed before a zoning by-law came into effect are considered “legal non-conforming” uses and are permitted to continue, even if the use is no longer permitted in the zone in which it is now located. Accordingly, nothing in this Official Plan shall be interpreted as interfering with or prohibiting the lawful continuation of a legal non-conforming use, and nothing in the implementing Zoning By-law shall apply to prevent or prohibit the lawful continuation of such uses.

1. It is the intent of this Official Plan that, in the long run, the use of all lands, buildings, and structures will come into conformity with this Plan and with the implementing Zoning By-law.
2. Council may permit the extension or enlargement of a building or structure associated with a legal non-conforming use, if it considers such an extension or enlargement desirable in light of the specific merits of the case, by passing a by-law to amend the Zoning By-law, as provided for in Subsection 34 (10) of the *Planning Act*.
3. In deciding whether to permit the extension or enlargement of a building or structure associated with a legal non-conforming use, Council shall consider the following:
  - (a) whether it is feasible for the Township to acquire the property in question in order to hold and develop the property, or in order to sell, lease, or otherwise dispose of the property, for a use that is permitted by the Zoning By-law;
  - (b) whether it is feasible to relocate the legal non-conforming use to another site where the use is permitted by the Zoning By-law;
  - (c) whether the proposed extension or enlargement represents a reasonable and appropriate increase to the size, scale, or intensity of the legal non-conforming use; and
  - (d) whether the proposed extension or enlargement will adversely impact adjacent conforming uses or aggravate an incompatible situation.
4. The extension or enlargement of a building or structure associated with a legal non-conforming use may be permitted by the Committee of Adjustment in accordance with the policies set out in Section 11.14 of this Official Plan.

5. A lawfully existing lot that does not conform with the Zoning By-law's standards (regarding elements such as lot area and frontage) may be used for a purpose that is permitted by the Zoning By-law, and buildings and structures may be erected or enlarged upon the lot, provided that those buildings and structures comply with all other provisions of the Zoning By-law.

### 11.2.3 Amendments to the Zoning By-law

The process of amending the Township's Zoning By-law may be initiated by Council or undertaken at the request of someone who submits an application to amend the by-law. Like Official Plan Amendments, proposed amendments to the Zoning By-law are required to undergo a public process that involves the holding of at least one public meeting and, in some circumstances, the holding of an open house ahead of the public meeting.

1. Council shall consider all complete applications to amend the Zoning By-law.
2. Council shall not give an affirmative response under Subsection 34 (10.4) of the *Planning Act* regarding the completeness of an application for an amendment to the Zoning By-law unless and until it is fully satisfied that all information and material needed to make a determination regarding the application has been provided in a format that Council considers satisfactory.
3. Applications to amend the Zoning By-law that pertain to legal non-conforming uses shall be considered in accordance with the policies set out in Subsection 11.2.2.
4. Amendments to the Zoning By-law shall be consistent with the intent and policies of this Official Plan and shall generally maintain the overall intent of the Zoning By-law.

### 11.2.4 Minor By-laws

Section 39.2 of the *Planning Act*, which came into force on December 2, 2021, permits Council to delegate the authority to pass "by-laws under section 34" – i.e., zoning by-laws – "that are of a minor nature" to a committee or to "an individual who is an officer, employee or agent of the municipality." This Official Plan refers to such by-laws as "minor by-laws".

1. Council may, by by-law, delegate its authority to pass minor by-laws, pursuant to Section 39.2 of the *Planning Act*.
2. A by-law delegating Council's authority pursuant to Section 39.2 of the *Planning Act* may make that delegation subject to such conditions as Council considers to be appropriate or advisable.
3. The following shall be considered minor by-laws for the purposes of this Official Plan:
  - (a) a by-law to permit one of the following in the "Agricultural" designation:
    - (i) an agriculture-related use identified in Policy No. 3.3.2.3;

- (ii) an on-farm diversified use identified in Policy No. 3.3.3.3;
    - (iii) a temporary on-farm use that fits all the criteria of an on-farm diversified use, subject to Policy Nos. 3.3.3.23–28; or
    - (iv) a non-agricultural use identified in Policy No. 3.3.4.1;
  - (b) a by-law that permits the expansion of an agriculture-related use that has been permitted by a previous by-law, as described in Policy No. 3.3.2.10;
  - (c) a by-law that permits an on-farm diversified use to exceed the standards established in the Zoning By-law for such uses, subject to Policy No. 3.3.3.19;
  - (d) a by-law to permit an on-farm diversified use as a primary use in the “Rural” designation, as described in Policy No. 3.4.3.2;
  - (e) a by-law to permit an institutional use in the “Commercial” or “Transition Corridor” designation in an Urban Settlement Area, as described in Policy No. 4.4.2.2(a);
  - (f) a by-law to permit an institutional-residential use in the “Residential” designation, as described in Policy No. 4.4.2.4(a);
  - (g) a by-law to permit an “in-between” use as a Light Industrial use in the “Industrial” designation, as described in Policy No. 4.5.1.4;
  - (h) a by-law to permit one of the uses listed in Policy No. 4.6.2.4 in the “Extractive Industrial” overlay designation;
  - (i) a by-law to remove a holding symbol, subject to the policies in Section 11.2.5;
  - (j) a by-law to authorize the temporary use of land, buildings, or structures, including the use of a garden suite, subject to the policies in Section 11.2.6;
  - (k) a by-law that extends the period of time during which a temporary use of land, buildings, or structures, including the use of a garden suite, is authorized, subject to the policies in Section 11.2.6; and
  - (l) a by-law required as a condition of a provisional consent, as described in Policy No. 11.9.1.11 below.
4. A minor by-law that amends the Zoning By-law with site-specific provisions that permit a land use may also establish site-specific standards and regulations for that use.
  5. Nothing in this section of the Official Plan shall prevent Council from passing a by-law to amend the Zoning By-law for any of the purposes listed in Policy No. 11.2.4.3, regardless of whether Council has delegated its authority to pass minor by-laws.

## 11.2.5 Holding Provisions

**Section 36 of the *Planning Act*** allows a municipality to use a “holding symbol” to reserve land, buildings, or structures for future uses that will only be permitted once the holding symbol (“H”) has been removed through an amendment to the Zoning By-law or through a minor by-law. Holding provisions are used to ensure orderly development and to prevent or limit the use of certain lands until Council is satisfied that development can proceed while meeting appropriate criteria (for example, in situations where development is anticipated at some point in the future but would at present be considered premature).

An amendment to remove an “H” is not required to follow the same public process as a Zoning By-law Amendment, although Council or the minor by-law authority, as the case may be, is required to give public notice of its intention to pass such a by-law.

1. Council may apply holding provisions to land in any zone by appending the holding symbol “H” to the alphanumeric symbol representing that zone in the Zoning By-law.
2. Holding provisions may be applied to specific parcels or properties, to a category of land uses, or to all zones within the Township.
3. The Zoning By-law shall specify the uses, if any, that are permitted within the zone while the holding provision remains in place, which shall include any lawfully existing uses.
4. The conditions for the removal of a holding symbol may include:
  - (a) the provision of adequate infrastructure and municipal services;
  - (b) the completion of previous phases of development;
  - (c) the completion of studies or assessments;
  - (d) the taking of actions needed to remediate the site or to address hazards associated with the site;
  - (e) the satisfaction of all conditions of any agreements between the owner and the Township; or
  - (f) any other conditions that are considered necessary under the specific circumstances.
5. A holding provision may stipulate multiple conditions necessary for the removal of the holding symbol.
6. A holding symbol may be removed through the passing of a minor by-law.
7. Notwithstanding No. 11.2.5.6 above, a holding provision may stipulate that the removal of the holding symbol requires the passing of a Zoning By-law Amendment by Council, in which case the minor by-law authority shall not pass a minor by-law to remove the holding symbol.



8. Before passing a by-law to remove the holding symbol, Council or the minor by-law authority, as the case may be, shall be satisfied that all conditions have been met and that all necessary agreements have been entered into.
9. Once Council or the minor by-law authority, as the case may be, is satisfied that all conditions for the removal of a holding symbol have been met and that all necessary agreements have been entered into, it shall pass a by-law to remove the holding symbol.

### 11.2.6 Temporary Uses & Garden Suites

Under Section 39 of the *Planning Act*, Council is able to authorize the temporary use of land or buildings for purposes that would otherwise be prohibited by the Zoning By-law for a period of up to three years, with the option to grant extensions of no more than three years at a time. Where the temporary use in question is a garden suite, Section 39.1 of the *Planning Act* allows Council to require the owner to enter into an agreement regarding matters such as installation, maintenance, and period of occupancy. A garden suite may be authorized for up to twenty years, with Council able to grant additional three-year extensions. Temporary uses, including garden suites, are not considered legal non-conforming uses when the temporary authorization expires.

Generally speaking, temporary uses should be authorized where the proposed use would be inappropriate as a permanent permitted use or where alternatives such as relocating the use in question would not be practical. Examples of temporary uses include temporary housing, temporary or seasonal sales kiosks, and parking lots used for one-time events (or, in some cases, for such one-time events themselves).

1. The implementing Zoning By-law may include provisions authorizing the temporary use of land, buildings, or structures in any zone.
2. A temporary use may be authorized through the passing of a minor by-law, subject to the policies in this section of the Official Plan.
3. Notwithstanding No. 11.2.6.2 above, the implementing Zoning By-law may:
  - (a) prohibit one or more specific temporary uses, a category of temporary uses, or all temporary uses within a specific zone or within any class of zones;
  - (b) permit one or more specific temporary uses, a category of temporary uses, or all temporary uses within a specific zone or within any class of zones; or
  - (c) stipulate that one or more specific temporary uses, a category of temporary uses, or all temporary uses within a specific zone or within any class of zones may only be authorized through Council's passing of a by-law that amends the Zoning By-law, in which case the minor by-law authority shall not pass a minor by-law that authorizes the temporary use or temporary uses so identified.

4. A by-law that authorizes a temporary on-farm use shall only be passed if the use will comply with the policies in Section 3.3.3 of this Official Plan.
5. Before authorizing a use as a temporary use, Council or the minor by-law authority, as the case may be, shall be satisfied that:
  - (a) the proposed use will not conflict with the intent of this Official Plan or interfere with the achievement of this Plan's objectives;
  - (b) the water and sewer services available on the site are sufficient and appropriate for the proposed temporary use;
  - (c) the size of the parcel and of any buildings and structures thereupon is appropriate for the proposed temporary use;
  - (d) any development or redevelopment proposed in connection with the temporary use is consistent with the temporary nature of the use;
  - (e) the temporary use is compatible with surrounding uses and with the character of the surrounding area;
  - (f) the proposed use will not have any adverse impacts on surrounding uses; and
  - (g) the Township and the owner of the land have entered into all necessary agreements to ensure that any buildings and structures associated with the temporary use can be removed upon expiry of the authorization.
6. All applications for the authorization of a temporary use shall be considered as applications for an amendment to the Zoning By-law, with all requirements regarding public consultation that such an amendment entails.
7. A by-law that authorizes a temporary use shall specify the period of time for which that authorization will be in effect, which:
  - (a) where the temporary use is a garden suite, shall not exceed a period of twenty years from the day on which the by-law was passed; and
  - (b) for all other temporary uses, shall not exceed a period of three years from the day on which the by-law was passed.
8. Council or the minor by-law authority, as the case may be, may pass a by-law that extends the period of time during which a temporary use is authorized, provided that the extension does not exceed a period of three years from the day on which the extending by-law was passed.
9. The minor by-law authority may only pass a minor by-law that extends the period of time during which a temporary use is authorized if:
  - (a) the original authorization of the temporary use was made through the passing of a minor by-law; or

- (b) the amending by-law passed by Council to authorize the temporary use specifically provides for the period of time during which the temporary use will be authorized to be extended through the passing of a minor by-law.
- 10. Any development related to a temporary use may be subject to site plan control, if the use is situated within an area designated as a site plan control area.

### 11.2.7 Parking Exemption Agreements

**A municipality may enter into an agreement** to exempt the owner of a building from providing and maintaining the parking facilities that would normally be required by the Zoning By-law. According to Section 40 of the *Planning Act*, such an agreement, which may be registered on title, “shall provide for the making of one or more payments of money as consideration for the granting of the exemption.” (For this reason, such agreements are often referred to as “cash in lieu of parking.”) Although, as a general principle, it is intended that development and redevelopment will comply with all existing parking regulations, the Township recognizes that there might be situations in which it is desirable to enter into a parking exemption agreement – for example, in circumstances where the parking that would normally be required is considered unnecessary or excessive, or where the installation of parking facilities would significantly disrupt the fabric of the built environment or have a detrimental impact on an area’s walkability.

The Township’s Cash in Lieu of Parking By-law should be regularly updated and may be indexed yearly, to ensure that the amount charged is sufficient with respect to the costs associated with the acquisition, development, and maintenance of parking facilities. Further, should the Cash in Lieu of Parking By-law require a payment that, in the opinion of Council, is for an amount that is less than what is needed to create a sustainable parking lot under the specific circumstances being considered, Council may adjust that amount accordingly prior to entering into any agreement or approving any development.

1. Council may enter into an agreement with an owner of land, buildings, or structures to exempt the owner from a requirement to provide or maintain parking facilities in exchange for one or more payments of money.
2. A parking exemption agreement may provide an exemption for the full amount of parking that would otherwise be required or for any portion thereof.
3. The establishment of parking exemption agreements is encouraged where such agreements will contribute to preserving the character and integrity of the built environment in the Township’s Urban Settlement Areas, especially in Community Hubs and Transition Corridors.
4. As a general rule, Council will not enter into an agreement that exempts an owner of land, buildings, or structures from the requirement to provide parking facilities that are associated with a residential use, especially with a low-density residential use.

5. Notwithstanding Policy No. 11.2.7.4 above, Council may, at its discretion, enter into an agreement that provides a full or partial exemption for a residential use where such an exemption would facilitate:
  - (a) the provision of one or more units of affordable housing;
  - (b) the provision of age-friendly or supportive housing;
  - (c) residential infilling or intensification, especially where Council is of the opinion that existing on-site parking facilities will be sufficient;
  - (d) the provision of one or more dwelling units in a Community Hub or a Transition Corridor; or
  - (e) the achievement of any other objective that Council considers to be in the community's interest and consistent with the goals of this Official Plan.
6. Where Council has determined that it is appropriate to enter into a parking exemption agreement with respect to a residential use, such an agreement may provide for the issuance of residential parking permits, in which case the payment required may be adjusted to account for additional costs associated with issuing and enforcing such permits.
7. Before it enters into a parking exemption agreement, Council should consider the amount of parking provided in existing facilities within a reasonable distance of the proposed development, including on-street parking spaces, taking into account factors that include the proximity of existing facilities to the proposed development and current utilization rates of those facilities.
8. All money received by the Township under parking exemption agreements shall be paid into a special account in accordance with the provisions of Subsection 40 (3) of the *Planning Act*.
9. Money paid into the special account mentioned in Policy No. 11.2.7.8 may be used to facilitate the provision of public parking facilities.
10. Once it has been entered into and registered against the land to which it applies, a parking exemption agreement shall require no amendment to this Official Plan and no amendment to the Zoning By-law in order to come into effect.

### 11.3 Community Planning Permits

**Community planning permits, also known** as “development permits,” provide an alternative approach for evaluating and approving proposed development. In general terms, a community planning permit system combines matters that are usually dealt with separately by zoning and site plan control, which can streamline the development approval process and make the evaluation of applications more efficient.

The purpose of this section of the Official Plan is to set out basic enabling provisions for the Township to move towards adopting a community planning permit system, to establish general requirements for such a system, and to reserve this section for more detailed policies, should Council choose to amend this Official Plan for the purpose of implementing a community planning permit system.

### 11.3.1 Policies

1. Council may, at its discretion, establish a community planning permit system by passing a by-law in accordance with the applicable provisions of the *Planning Act* and the regulations under that Act.
2. Before passing a by-law to establish a community planning permit system, Council shall amend this Official Plan to introduce policies that:
  - (a) identify the area or areas that are proposed as community planning permit areas, which may be the entire Township or any part or parts thereof;
  - (b) state the Township's goals and objectives in establishing a community planning permit system;
  - (c) set out the types of criteria that a Community Planning Permit By-law may include for determining whether any class of development or any use of land may be permitted by a community planning permit;
  - (d) set out the types of conditions that a Community Planning Permit By-law may include as conditions that Council may impose on its decision to approve an application for a community planning permit; and
  - (e) set out the scope of any authority under the Community Planning Permit By-law that may be delegated and any limitations on that delegation, if Council intends to delegate any authority under such a by-law.
3. The amendment referred to in No. 11.3.1.2 may, at Council's discretion:
  - (a) identify the information and materials that will be required as part of a complete application for a community planning permit;
  - (b) exempt any class of development or any use of land from any of the requirements of Schedule 1 to Ontario Regulation 173/16 under the *Planning Act*, provided that the amendment establishes the information and materials that will be required with an application regarding that class of development or use; or
  - (c) introduce policies regarding conditions of approval that require the provision of specified facilities, services, and matters in exchange for a specified height or density of development.

4. Section 34 of the *Planning Act* and the regulations under that section of the Act apply, with necessary modifications, to the making of a Community Planning Permit By-law.

## 11.4 Interim Control By-laws

**Section 38 of the *Planning Act*** authorizes Council to pass interim control by-laws to prohibit the use of land, buildings, or structures for any purposes other than those specified in the by-law, which can remain in effect for a total of up to two years. Municipalities can use interim control by-laws to afford themselves enough time to appropriately review and understand some particular issue or challenge related to land use planning policy.

At the time this Official Plan was being prepared, the most recent interim control by-law passed by Council was Interim Control By-law No. 20-64 regarding cannabis operations. By-law 20-64, which was in effect for the entire Township, came into effect on October 5, 2020, and expired on October 4, 2021. Under Section 38 of the *Planning Act*, this means that Council cannot pass another interim control by-law until October 5, 2024, at the earliest.

### 11.4.1 Policies

**The following policies reflect** the requirements set out in Section 38 of the *Planning Act*.

1. Council may pass interim control by-laws to prohibit the use of land, buildings, or structures for such purposes, or except for such purposes, as are set out in the by-law.
2. An interim control by-law may apply to the entire Township or to any part of the Township, as defined in the by-law.
3. An interim control by-law shall specify the period of time for which it will be in effect, which period shall not exceed one year from the date the by-law was passed.
4. Council may amend an interim control by-law to extend the period of time during which it is in effect, provided that the total period does not exceed two years from the date on which the original by-law was passed.
5. Prior to passing an interim control by-law, Council shall pass a resolution or a by-law that identifies the land use planning issue the by-law will address and that directs Township Staff to undertake a review or study of that issue.
6. Council shall give public notice of the passing of an interim control by-law as required in Section 38 of the *Planning Act*.
7. Once an interim control by-law ceases to be in effect, Council may not pass another interim control by-law that applies to any of the lands to which the original by-law applied for a period of three years.

## 11.5 Community Benefits Charges

**A community benefits charge is** a charge imposed to offset the capital costs of any facilities, services, or other matters required to support the community because of development or redevelopment, either as a payment in cash or as an in-kind contribution. Community benefits charges can only be imposed on certain categories and types of development or redevelopment. Council may pass a by-law to impose community benefits charges by following the requirements set out in Section 37 of the *Planning Act*, which include, among other things, the preparation of a community benefits charge strategy.

### 11.5.1 Policies

1. The Township may prepare a community benefits charge strategy, as a preliminary step towards passing a community benefits charges by-law.
2. As required by the *Planning Act* and by Ontario Regulation 509/20, a community benefits charge strategy prepared by the Township shall:
  - (a) provide estimates of the anticipated amount, type, and location of development or redevelopment regarding which community benefits charges will be imposed;
  - (b) identify the facilities, services, and other matters that will be funded with community benefits charges;
  - (c) provide estimates of the increased need for those facilities, services, and other matters attributable to anticipated development or redevelopment;
  - (d) identify existing excess capacity with regard to those facilities, services, and other matters;
  - (e) provide estimates of the capital costs necessary to provide the increased facilities, services, and other matters;
  - (f) identify any grants, subsidies, or other contributions that have been made, or that are anticipated, with respect to those capital costs; and
  - (g) provide estimates of the extent to which an increase in a facility, service, or other matter would benefit existing development.
3. During the preparation of a community benefits charge strategy, the Township shall consult with the people and public bodies that it considers appropriate.



## 11.6 Community Improvement

**Community improvement projects and** community improvement plans can encompass a wide range of issues and can be used to undertake improvements that are considered desirable for environmental, social, aesthetic, or economic reasons. Community improvement plans are important tools in supporting the rehabilitation of the physical environment and in promoting enhancements to quality of life, making the Township a more attractive place to work and live.

### 11.6.1 Goals

**Community improvement initiatives in the Township** will be directed towards the following goals:

1. Improve and enhance quality of life in Clearview by fostering a safe, friendly, and attractive environment for residents and businesses.
2. Promote the Township's visual appeal by encouraging and supporting the maintenance and improvement of buildings and properties, the preservation of heritage features, and the quality and consistency of architectural design.
3. Maintain and enhance the Township's physical infrastructure, public services, utilities, and transportation facilities.
4. Improve the social, cultural, and recreational facilities that serve the community and that foster connections and a sense of place.
5. Maintain and improve Clearview's existing housing stock in a way that promotes the provision of safe and affordable housing and of a full range of housing options.
6. Improve the integrity of the Township's built fabric by supporting infilling and the development of vacant or under-utilized lots.
7. Undertake community improvement projects in a fiscally responsible manner and within a framework for monitoring and reporting expenditures.

### 11.6.2 Designation & Criteria

**The criteria listed here are meant** to assist Council in identifying areas for potential designation in a way that will facilitate the achievement of this Plan's community improvement goals. However, regardless of any specific criteria presented here, any decision regarding the designation of a community improvement project area will be made at the sole discretion of Council.

1. Council may pass a by-law designating any part or parts of the Township, or the entire Township, as a community improvement project area, if Council is of the opinion that the

improvement of the area in question is desirable for any environmental, social, or community economic development reason.

2. Without limiting the generality of Policy No. 11.6.2.1 in any way, Council may designate a community improvement project area for any of the following reasons:
  - (a) The area requires the installation, replacement, upgrading, or repair of infrastructure or servicing systems, such as water and sewer systems, stormwater management and drainage systems, roads and sidewalks, street lighting, traffic signals, or directional information signs.
  - (b) The area possesses a deficiency in relation to matters such as traffic circulation and access (including access by modes of active transportation), accessibility, or the quality and condition of streetscapes.
  - (c) The area possesses a deficiency related to the amount, variety, quality, or affordability of housing.
  - (d) The area possesses buildings, structures, or properties of cultural heritage value or interest, and is not included in an adopted heritage conservation district plan.
  - (e) The area is in need of upgrades to existing, or the construction of new, facilities for recreational, cultural, social, or community purposes.
  - (f) Existing land uses within the area are incompatible or in conflict with one another.
  - (g) The area possesses vacant or under-utilized lots that have potential for development or redevelopment, including lands that are under-utilized due to the need for remediation or rehabilitation.
  - (h) The area possesses unique features that could be used to enhance tourism opportunities, public education, community identity, or place-making.
3. A by-law designating a community improvement area may, at the discretion of Council, prioritize certain types of community improvement projects.
4. Following the passage of a by-law to designate one or more community improvement project areas, Council may provide for the preparation of a plan for each designated area suitable for adoption as a community improvement plan.

### 11.6.3 Implementation

**The Township has various means** at its disposal to support and promote the implementation of community improvement plans. In general, the use of these implementation tools will be guided by the objectives of improving quality of life, serving the community, and adhering to principles of fiscal responsibility.

1. Following the passage of a by-law designating one or more community improvement project areas, the Township may:
  - (a) acquire land within the project area;
  - (b) hold land within the project area that was acquired before or after the passing of the by-law; or
  - (c) clear, grade, or otherwise prepare the land for community improvement.
2. In order to implement an adopted community improvement plan, Council may:
  - (a) construct, improve, repair, or rehabilitate buildings on land that it has acquired or that it holds within the community improvement project area in conformity with the community improvement plan;
  - (b) sell, lease, or otherwise dispose of land or buildings that it has acquired or that it holds within the project area for use in conformity with the community improvement plan;
  - (c) make grants or loans to pay for the whole or any part of the eligible costs from carrying out the community improvement plan;
  - (d) provide other financial incentives, such as reductions to development charges or tax relief, in support of carrying out the community improvement plan; or
  - (e) apply for grants and other forms of financial assistance from other levels of government and enter into agreements regarding assistance in carrying out community improvement within a defined project area.
3. The Township encourages the active involvement of residents and businesses in its community improvement plans and projects, including in the identification of areas where improvement may be needed and in the evaluation of priorities.
4. The Township encourages the private sector to use government programs where those programs complement active efforts towards community improvement.
5. Council shall conduct an annual review of its active community improvement plans and report to the public on the uptake of financial incentives and the value of incentives disbursed through the programs under each active community improvement plan.
6. In addition to this regular review, Council may undertake or initiate programs for the purposes of monitoring and reporting on the effectiveness of all or part of any active community improvement plans.

#### 11.6.4 Identified Project Areas & Existing Plans

**At the time that this Official Plan** was being prepared, the Township of Clearview had identified all of its municipal territory as a community improvement project area. The existing Clearview

Community Improvement Plan offers incentives for improvements to building façades and for the installation of accessibility features, subject to the eligibility requirements set out in that plan.

1. It is the intent of Council that the Clearview Community Improvement Plan, as amended by By-law No. 18-46, remain in effect until such time as Council passes a by-law to further amend the Clearview Community Improvement Plan or passes a by-law to dissolve the community improvement project area.
2. Council may identify additional community improvement project areas, and adopt additional community improvement plans, in accordance with the requirements set out in the *Planning Act*, without requiring an amendment to this Official Plan.

## 11.7 Heritage Conservation Districts

**Heritage conservation efforts often go beyond** the designation of individual properties to encompass the protection and preservation of “cultural heritage landscapes”: neighbourhoods, districts, and other areas with unique features that work in concert to create cultural meaning or value. Part V of the *Ontario Heritage Act* authorizes Council to designate such areas as heritage conservation districts, subject to certain requirements, including the adoption of a heritage conservation district plan to explain and describe the district’s heritage attributes and to establish objectives and policies for managing change within the district.

### 11.7.1 Policies

**The following policies are meant** to guide the Township in the potential pursuit of designating one or more heritage conservation districts. (Policies regarding the designation of individual buildings and properties can be found in Section 9.2 of this Official Plan.)

1. Council may pass a by-law designating one or more areas of the Township to be heritage conservation districts, pursuant to Section 41 of the *Ontario Heritage Act*, as amended, and subject to the requirements of that Act and the regulations under it.
2. As part of a by-law described in Policy No. 11.7.1.1, Council shall adopt a heritage conservation district plan for each heritage conservation district identified and designated in the by-law.
3. When considering an area for possible designation as a heritage conservation district, the Township and its Council shall have regard for:
  - (a) the urban or rural character of the area; and
  - (b) the incidence within the area of buildings, structures, and sites of cultural, historical, or architectural value or interest, as identified in the Township’s heritage inventory.

### Background Study

4. Prior to the preparation of a heritage conservation district plan, Council shall initiate a background study of the area being considered for designation.
5. A background study initiated under Policy No. 11.7.1.4 shall:
  - (a) examine and make recommendations regarding the geographic boundaries of the area to be designated;
  - (b) examine the character and appearance of the area, including buildings, structures, and property features of the area;
  - (c) examine land use patterns and ownership patterns within the area;
  - (d) consider the historical or architectural significance of individual buildings and sites within the area;
  - (e) examine the physical condition of existing buildings and structures within the area;
  - (f) examine the condition of municipal services and infrastructure within the area;
  - (g) examine the transportation network within the area, including pedestrian and vehicular movements;
  - (h) consider the socio-economic characteristics of the area's population;
  - (i) consider and make recommendations regarding the objectives of the designation and the contents of the heritage conservation district plan;
  - (j) make recommendations regarding any changes that will be required to the Official Plan and to any of the Township's by-laws, including the Zoning By-law; and
  - (k) fulfill any other requirements or criteria as may be prescribed by the *Ontario Heritage Act* and the regulations under that Act.
6. Council may pass a by-law under Section 40.1 of the *Ontario Heritage Act* to designate the area that is the subject of a background study as a heritage conservation study area, which designation shall be in effect for a period of time of up to one year, as specified in the by-law.
7. For greater clarity, a background study may recommend that an area not be designated as a heritage conservation district.

### Heritage Conservation District Plan

8. Following the completion of the background study, and provided that the area that was the subject of the background study meets any criteria as may be prescribed under Section 41 of the *Ontario Heritage Act*, Council may, at its own discretion:
  - (a) direct that a heritage conservation district plan be prepared for the area; or

- (b) decide not to proceed with the preparation of a heritage conservation district plan for the area.
- 9. For greater clarity, a decision not to pursue a heritage conservation district plan for an area, as described in No. 11.7.1.8(b), shall not necessarily preclude the future designation of the same area, or any part thereof, as a heritage conservation district or from being included in another heritage conservation district.
- 10. Public involvement and participation will be encouraged throughout the process of preparing a heritage conservation district plan, through means such as public meetings, workshops, and surveys.
- 11. A heritage conservation district plan shall:
  - (a) define the geographic boundaries of the heritage conservation district;
  - (b) explain the cultural heritage value or interest of the district;
  - (c) describe the heritage attributes of the district and of the properties within the district;
  - (d) state the objectives to be achieved in designating the area as a heritage conservation district;
  - (e) include policy statements, guidelines, and procedures for achieving the stated objectives and for managing change within the district;
  - (f) make recommendations, related to the district's physical, social, and economic features, regarding the preservation of the district's heritage attributes; and
  - (g) describe the property alterations that are considered minor in nature and that may be undertaken without the need to obtain a permit.
- 12. A heritage conservation district plan shall not come into effect until it has been adopted and approved as an amendment to this Official Plan.

## 11.8 Subdivision of Land

**The legal bases for subdivision control** and part-lot control are established in Subsections 50 (3) and 50 (5), respectively, of the *Planning Act*, which set out the legal requirements regarding the sale or conveyance of parcels of land. The language used in those subsections is quite technical: in more everyday terms, Subsection 50 (3) stipulates that no one is allowed to sell or convey one piece of land while keeping another abutting piece of land, unless the land in question is part of a registered plan of subdivision (or under certain other circumstances). Subsection 50 (5) adds the requirement

that the land being sold or conveyed must be an entire lot within a registered plan of subdivision, not just part of one (again, with certain exceptions).<sup>20</sup>

### 11.8.1 Plans of Subdivision & Descriptions of Condominium

**The County of Simcoe has delegated** its authority to approve plans of subdivision under Subsection 51 (5) of the *Planning Act* to the Township of Clearview. According to Subsection 9 (2) of the *Condominium Act, 1998*, any provisions in the *Planning Act* regarding plans of subdivision also apply, with necessary modifications, to descriptions of condominium. (A “description of condominium” is the technical term for the plans and materials that must be approved and registered in order for a condominium development to proceed.) Therefore, where the policies in this section refer to a plan of subdivision, the reference should be understood as including a description of condominium.

1. All residential development shall be by approved plan of subdivision, except for minor infilling and development by consent.
2. For the purposes of No. 11.8.1.1 above, “minor infilling” shall mean development on an existing vacant or under-utilized lot of record within a Settlement Area.
3. A plan of subdivision shall generally be required in any circumstances where the proposed development:
  - (a) would create four or more lots;
  - (b) would require the construction of a new road or the extension of an existing road;
  - (c) would require the extension of municipal services or the reconfiguration of the stormwater management system; or
  - (d) is deemed by Council to require a plan of subdivision in order to ensure that development proceeds in a manner that serves the public interest.
4. All lots within a plan of subdivision shall have frontage onto an existing or planned public road, but exceptions may be granted for lots within a description of condominium where the condominium development has access to an existing public road.
5. As a general rule, all plans of subdivision shall maintain all environmentally sensitive areas as a single contiguous block, or, where locating such areas on a single contiguous block is not physically possible, shall locate such areas on as few blocks as possible.

<sup>20</sup> In no way at all is this basic summary meant to replace or supersede Section 50 of the *Planning Act*.



6. For the purposes of No. 11.8.1.5 above, “environmentally sensitive areas” shall refer collectively to all lands within a proposed plan of subdivision that:
  - (a) are lands to which one of the “Greenlands” designations applies, as shown on Schedule B to this Plan;
  - (b) contain significant natural heritage features, irrespective of their designation on Schedule B;
  - (c) are hazardous lands or hazardous sites, irrespective of their designation on Schedule B; or
  - (d) are part a buffer area associated with lands described in Clauses 11.8.1.6(a)-(c).
7. A plan of subdivision submitted for approval must identify the proposed land use or land uses for all lots, blocks, and parcels, and no plan of subdivision shall be approved unless:
  - (a) the proposed land uses are permitted in the land use designation or designations that apply to the subject lands; or,
  - (b) where the application for approval of the plan of subdivision is accompanied by an application requesting an amendment to this Official Plan for the purpose of re-designating land to permit the proposed uses, the proposed land uses maintain the overall intent of this Official Plan and the SCOP.
8. No plan of subdivision shall be approved unless the proposed development:
  - (a) is consistent with all applicable policies in this Official Plan, including the design policies set out in Section 8.2;
  - (b) can be supplied with adequate services to the satisfaction of Council;
  - (c) will not impose a financial burden on the Township or adversely affect the Township’s economic situation;
  - (d) is not considered premature by Council; and
  - (e) will not adversely impact prime agricultural areas as a result of the location or form of the proposed development.
9. It shall be a policy of Council to encourage development that promotes sustainable, energy-efficient design and that contributes to the achievement of complete communities, including the provision of a full range of housing, commercial, and employment opportunities.

### **Agreements & Final Approval**

10. Council may require anyone proposing development by plan of subdivision to enter into one or more agreements with the Township in respect of such aspects of the proposed development as Council considers necessary or advisable.

11. In approving a draft plan of subdivision, Council may establish conditions that must be satisfied before the plan of subdivision will receive final approval and may be registered.
12. The conditions established with the approval of a draft plan of subdivision may include the lapsing of that approval after a specified period of time from the date on which draft approval was granted, provided that the period of time specified is not less than three years.

### **Location & Phasing of Development**

13. The preferred location for all development in the designated greenfield area shall be adjacent to the delineated built boundary or adjacent to existing development.
14. Development outside of, but adjacent to, the boundary of a Settlement Area is strongly discouraged and shall only be approved through an amendment to this Official Plan.
15. As a general rule, phased development should proceed so that the initial phase is located adjacent to the delineated built boundary or to existing development, with subsequent phases maintaining an orderly progression by maintaining adjacency with earlier phases.
16. Development proceeding by plan of subdivision may be phased in order to:
  - (a) maintain a sustainable and logical progression of development that can proceed in an orderly, well-planned manner;
  - (b) make efficient use of existing or proposed infrastructure and servicing facilities; and
  - (c) promote the development of a compact, pedestrian-friendly built environment that supports the achievement of complete communities.
17. The following principles shall be considered in determining the phasing of development:
  - (a) Priority shall be given to infill and intensification that takes advantage of existing servicing facilities and infrastructure.
  - (b) Development shall generally proceed outward from the delineated built boundary in a contiguous fashion.
  - (c) The infrastructure and servicing facilities required for development must be implemented in a timely and cost-effective way.
  - (d) The absorption rate of previous phases of construction should be consistent with the purported need for further phases of development.
18. As a condition of the approval of a draft plan of subdivision, Council may require that any parkland, trails, or combination thereof to be included in the proposed development be developed as part of the first phase of development, irrespective of the specific location of such elements within the proposed development.

## 11.8.2 Archaic Plans of Subdivision

**Within the Township of Clearview**, especially within the former Township of Nottawasaga, there exist archaic plans of subdivision, including subdivisions created by Reference Plans that were deposited in the County of Simcoe Registry Office prior to the imposition of a Subdivision Control Order by the Minister of Municipal Affairs in April 1969. Most of these archaic plans of subdivision are located outside the Settlement Areas identified in this Official Plan and are no longer considered suitable for development for various reasons, such as lot areas that are too small to accommodate individual on-site water and sewage services, a lack of frontage on an improved public road, or incompatibility with surrounding existing uses. As a rule, this Official Plan does not recognize these archaic plans as approved plans of subdivision.

1. For the purposes of this section of the Official Plan, “archaic plan of subdivision” shall refer to:
  - (a) any draft plan of subdivision whose approval has lapsed in accordance with Subsection 50 (32) of the *Planning Act*; or
  - (b) any plan of subdivision that has, through the passing of a by-law under Subsection 50 (4) of the *Planning Act*, been deemed not to be a registered plan of subdivision.
2. Notwithstanding anything else in this section of the Official Plan, any decision made regarding the proposed development of any lands in an archaic plan of subdivision shall be consistent with the PPS (2020) or with any successor thereto that is in effect at the time such a decision is made.
3. The land use designations shown on Schedule B to this Official Plan and the corresponding policies shall apply to all lands in archaic plans of subdivision.
4. Council may use holding provisions to ensure that the development of any land in an archaic plan of subdivision proceeds in a manner that conforms with the intent of this Official Plan.
5. The development of an archaic plan of subdivision that is located entirely within a Settlement Area may be considered, but such development shall only be permitted if:
  - (a) a new plan of subdivision is prepared, approved, and registered to subdivide the land within the archaic plan of subdivision in accordance with the policies in Section 11.8.1 of this Official Plan;
  - (b) the proposed development conforms with the land use designations shown on Schedule B to this Official Plan and the corresponding policies, or, where this is not the case, this Official Plan has been amended accordingly;
  - (c) the proposed development complies with the Zoning By-law, or, where this is not the case, the Zoning By-law has been amended accordingly; and

- (d) an agreement between the Township and the landowners in the plan of subdivision has been entered into regarding the conveyance of land for park or other public recreation purposes or the payment of cash in lieu of such a conveyance, the dedication of land for other public purposes (such as public roads), the provision of water and sewage services, the provision of adequate stormwater management and drainage facilities, and any other matters as Council deems relevant or appropriate.
- 6. Subject to No. 11.8.2.7 below, no development shall be permitted in an archaic plan of subdivision that is not located within one of the Settlement Areas identified in this Official Plan.
- 7. Development on an individual lot within an archaic plan of subdivision that is not located within a Settlement Area may be permitted, but only if:
  - (a) the lot in question has frontage on an existing improved public road, and the applicant has demonstrated that any necessary access permits can be acquired;
  - (b) the proposed method of providing the development with water and sewage services is acceptable to the Township; and
  - (c) the proposed development will comply with all applicable policies in this Official Plan.
- 8. Where only part of an archaic plan of subdivision is located within a Settlement Area:
  - (a) development of the portion of the archaic plan of subdivision that is located within the Settlement Area may be permitted in accordance with Policy No. 11.8.2.5, except that a new plan of subdivision may only be prepared, approved, and registered, as described in Clause 11.8.2.5(a), with respect to lands lying within the Settlement Area boundaries; and
  - (b) the development of any lands located outside the Settlement Area shall be subject to Policies No. 11.8.2.6 and No. 11.8.2.7 above.
- 9. Notwithstanding Policies No. 11.8.2.5(a) and No. 11.8.2.8(a) above, where an archaic plan of subdivision has, through the passing of a by-law under Subsection 50 (4) of the *Planning Act*, been deemed not to be a registered plan of subdivision, Council may, at its sole discretion, pass another by-law rescinding the previous by-law in whole or in part and re-establishing the archaic plan of subdivision or part thereof as a registered plan of subdivision, so long as Council is fully satisfied that the development of the plan of subdivision, as re-established, will conform with all applicable policies of this Official Plan.

## 11.9 Lot Creation

**One of the situations** in which the sale or conveyance of land is permitted under Subsections 50 (3) and 50 (5) of the *Planning Act* is if a consent (sometimes referred to as a “consent to sever”) has been given by Council (or by the Committee of Adjustment, to which Council may delegate its consent-

giving authority). The giving of a consent permits the creation of one or more new lots in circumstances where Council (or the Committee of Adjustment, as the case may be) is satisfied that a plan of subdivision is not necessary for the proper and orderly development of land.

This section of the Official Plan sets out general policies for the creation of new lots and the giving of consents, as well as policies for lot creation in different land use designations.

### 11.9.1 Consents

**The policies below apply** to all applications for a consent made to Council or to the Committee of Adjustment, as the case may be.

1. As a general rule, a consent shall not be given:
  - (a) for an application with respect to which any of the circumstances listed in Policy No. 11.8.1.3 apply; or
  - (b) where the consent would create a new lot in an environmentally sensitive area, as that term is defined in No. 11.8.1.6 above, or would result in any part of a new lot being located in such an area.
2. A consent shall not be given unless:
  - (a) existing municipal services and infrastructure are capable of supporting the proposed use of the lot to be created; or,
  - (b) in circumstances where municipal services are not available and the extension of such services is not planned, where available private services are capable of supporting the proposed use of the lot to be created.
3. A consent shall not be given unless the lot retained and all new lots created will have access to and frontage on a public road.
4. Notwithstanding No. 11.9.1.3, Council or the Committee of Adjustment, as the case may be, may give a consent to create a new lot that will not have access to or frontage on a public road, if:
  - (a) both the lot retained and the lot created are part of a condominium development that has access to a public road;
  - (b) the lot created will have access to an existing private road, provided that the lot retained has access to a public road or to an existing private road; or
  - (c) the purpose of the consent is to facilitate the conveyance of land to an approved conservation organization for the purpose of establishing a nature preserve.

5. No consent to create a new lot with frontage on a Provincial Highway or County Road shall be given unless the applicant has demonstrated that an access permit from the appropriate road authority can be obtained.
6. Notwithstanding anything to the contrary in this section of the Official Plan, a consent may be given:
  - (a) for the purpose of correcting a conveyance or for other legal and technical reasons, provided that the consent does not result in the creation of a new lot or the re-creation of a merged lot;
  - (b) as part of, or following, the acquisition of lands by a public body; or
  - (c) as part of, or following, the acquisition of lands by a conservation organization for the purpose of establishing a nature preserve.
7. Council or the Committee of Adjustment, as the case may be, may require that the applicant for a consent provide such information or material as it considers necessary to make a decision regarding the application.
8. Any application that proposes the creation of one or more new lots shall be required to include a hydrological or hydrogeological study as part of a complete application.
9. If an application for a consent has been amended by the applicant pursuant to Subsection 53 (4.2.1) of the *Planning Act*, Council or the Committee of Adjustment, as the case may be, may impose such terms as it considers appropriate, including:
  - (a) terms requiring the provision of additional information or material regarding the amendment to the application; and
  - (b) terms specifying that the time period after which the applicant may appeal to the Tribunal on the grounds of a failure to make a decision regarding the application is deemed not to have begun until the later of:
    - (i) the date on which the application was amended; and
    - (ii) the date on which all additional information and material required under No. 11.9.1.9(a) above was provided.
10. Council or the Committee of Adjustment, as the case may be, may require that the owner of land enter into an agreement with the Township as a condition of giving a consent.
11. Where the giving of a consent requires an amendment to the Zoning By-law or the passing of a minor by-law, Council or the Committee of Adjustment, as the case may be:
  - (a) may direct the applicant to make an application requesting an amendment to the Zoning By-law or the passing of a minor by-law, as the case may be, and to obtain approval for that application before it will further consider the application for the consent; or

- (b) may give a provisional consent with conditions imposed requiring the approval of the necessary amendment to the Zoning By-law or minor by-law, as the case may be.

## 11.9.2 Lot Creation in Residential Designations

In addition to the **general policies** above, the creation of a new lot in one of the Residential designations shown on Schedule B to this Plan shall be subject to the following policies.

### “Residential” Designation

1. A consent to create a new lot in the “Residential” designation in a Settlement Area may be given, provided that:
  - (a) where the lands subject to the application are located in an Urban Settlement Area, both the lot created and the lot retained are already provided with municipal water services and municipal sewage services capable of supporting the proposed development; or,
  - (b) where the lands subject to the application are located in a Community Settlement Area or in a Rural Settlement Area, both the lot created and the lot retained will be provided with adequate water and sewage services in accordance with standards established by the Township.
2. Before giving a consent to create a new lot in the “Residential” designation, Council or the Committee of Adjustment, as the case may be, shall be satisfied that:
  - (a) the lot that is the subject of the application was not itself created by an earlier consent;
  - (b) the proposed development represents logical infilling or intensification of an already built-up area and complies with the applicable policies for residential infilling in Section 2.3.2 of this Plan;
  - (c) the giving of the requested consent will not hinder or limit future planned development in the area, such as by creating a situation in which the development of the remnant parcel by plan of subdivision would be impractical or unduly prejudiced in terms of the location of future streets, stormwater management facilities, parks, trails, and other such features, or where the remnant parcel would be unsuitable for development due to its size, configuration, location, or other factors; and
  - (d) the cumulative effects of lot creation by consent in the area in which the subject property is located are not such as will have an adverse impact on infrastructure, services, or other matters.
3. The creation of a new lot for an additional residential unit, a garden suite, or a home occupation shall not be permitted.



4. A consent may be given to create a new lot for a medium-density or high-density residential use, where such uses are permitted by the Zoning By-law and provided that all matters regarding the proposed development have been addressed to the satisfaction of the Township.
5. Council or the Committee of Adjustment, as the case may be, may, at its discretion, give a consent to create a new lot for one of the following purposes, but such a consent shall be a provisional consent to which Policy No. 11.9.1.11 above applies:
  - (a) a medium-density or high-density residential use, where such uses are not already permitted in the Zoning By-law, subject to the applicable policies in Section 4.2.1;
  - (b) a Neighbourhood Commercial use, subject to the applicable policies in Section 4.2.1; or
  - (c) an institutional use or public service facility, subject to the applicable policies in Section 4.4.2.

#### **“Estate Residential” Designation**

6. No consent shall be given to create a new lot in the “Estate Residential” designation unless the situation is one in which Policy No. 11.9.1.6 above applies.
7. Any consent to create a new lot in the “Estate Residential” designation given under Policy No. 11.9.1.6(b) or No. 11.9.1.6(c) shall be a provisional consent subject to the condition that this Official Plan be amended to re-designate the lot created by the consent as “Open Space” or another appropriate land use designation
8. The creation of a new lot in the “Estate Residential” designation for a new dwelling unit, an additional residential unit, a garden suite, or a home occupation is expressly prohibited and shall not be permitted.

#### **“Future Development” Designation**

9. No consent shall be given to create a new lot in the “Future Development” designation unless the situation is one in which Policy No. 11.9.1.6 above applies, in which case the requirements set out in Policy No. 4.2.3.2 shall not apply.
10. Other than as provided for in No. 11.9.2.9 above, lot creation in the “Future Development” shall be subject to the requirements set out in Policy No. 4.2.3.2 and shall only be permitted through the approval of a plan of subdivision.

### **11.9.3 Lot Creation in Commercial Designations**

**In addition to the general policies** in Section 11.9.1, the creation of a new lot in one of the Commercial designations shown on Schedule B shall be subject to the following policies.

### **“Commercial” Designation**

1. A consent to create a new lot for a permitted commercial use, or for an institutional use permitted in accordance with the policies in Section 4.4.2 of this Plan, in the “Commercial” designation in a Settlement Area may be given, provided that:
  - (a) where the lands subject to the application are located in an Urban Settlement Area, both the lot created and the lot retained are already provided with municipal water services and municipal sewage services capable of supporting the proposed development; or,
  - (b) where the lands subject to the application are located in a Community Settlement Area or in a Rural Settlement Area, both the lot created and the lot retained will be provided with adequate water and sewage services in accordance with standards established by the Township.
2. A consent to create a new lot for a permitted commercial use in the “Commercial” designation in a Rural Crossroads may be given, provided that:
  - (a) both the lot created and the lot retained will be provided with adequate water and sewage services in accordance with standards established by the Township; and
  - (b) Council or the Committee of Adjustment, as the case may be, is satisfied that the proposed development is consistent with the objectives and policies set out in Section 2.2.4 of this Official Plan.
3. For the purposes of No. 11.9.3.1 and No. 11.9.3.2 above, the term “permitted commercial use” may be interpreted as including artisanal industrial uses (as defined in Section 10.2.2 of this Plan) and dwelling units that are accessory to a primary commercial use, but not a residential use as the primary use.
4. Before giving a consent to create a new lot in the “Commercial” designation, Council or the Committee of Adjustment, as the case may be, shall be satisfied that:
  - (a) the lot that is the subject of the application was not itself created by an earlier consent;
  - (b) the proposed lot creation will not hinder or limit planned development in the area;
  - (c) the proposed development represents logical infilling in an area of existing development;
  - (d) the proposed development will not create adverse impacts with regard to pedestrian and vehicular movements, traffic, or other matters; and
  - (e) the cumulative effects of lot creation by consent in the area in which the subject property is located are not such as will have an adverse impact on infrastructure, services, or other matters.

5. Council may, at its discretion, permit a commercial use on a lot in the “Commercial” designation created by consent to share parking facilities with an existing use on the lot retained through an amendment to the Zoning By-law.

#### “Transition Corridor” Designation

6. A consent to create a new lot for a permitted use in the “Transition Corridor” designation may be given, provided that:
  - (a) both the lot created and the lot retained will be provided with water and sewage services that are acceptable to, and approved by, the Township;
  - (b) the lot that is the subject of the application was not itself created by an earlier consent;
  - (c) the lot to be created contains an existing building within which the proposed use will be located; and
  - (d) all other matters identified in Policy No. 11.9.3.4 above have been addressed to the satisfaction of Council or the Committee of Adjustment, as the case may be.
7. For the purposes of No. 11.9.3.6(a) above, the only method of providing services that shall be considered acceptable in an Urban Settlement Area is municipal water services and municipal sewage services.
8. Notwithstanding No. 11.9.3.6(c) above, a consent may be given to create a new lot for a permitted use in the “Transition Corridor” designation where the lot to be created does not contain an existing building or structure, provided that:
  - (a) the proposed use of the lot to be created is not a residential use; and
  - (b) development on the lot created will not require or involve the demolition of any buildings or structures situated on the lot retained.

### 11.9.4 Lot Creation in the “Institutional” Designation

**Because the “Institutional” designation is meant** to accommodate larger institutional uses and major public service facilities, as articulated in Section 4.4.1 of this Plan, lot creation by consent in this designation will be permitted only under very limited circumstances.

1. No consent shall be given to create a new lot in the “Institutional” designation unless the situation is one in which Policy No. 11.9.1.6 applies.
2. A consent may be given to create a new lot for an institutional use or a public service facility:
  - (a) in the “Residential” designation, subject to the applicable policies in Section 4.4.2 and Section 11.9.2; or
  - (b) in the “Commercial” designation, subject to the applicable policies in Section 4.4.2 and Section 11.9.3.

### 11.9.5 Lot Creation in Industrial & Extractive Designations

**In addition to the general policies** in Section 11.9.1, the creation of a new lot in one of the Industrial or Employment designations identified in Section 4.5 or in one of the Mineral Aggregate Resource-related designations identified in Section 4.6 shall be subject to the following policies.

1. A consent to create a new lot for a permitted use in the "Industrial" designation may be given, provided that both the lot created and the lot retained will be capable of supporting industrial or employment uses in accordance with the policies in Section 4.5.1 of this Plan, or if the situation is one in which Policy No. 11.9.1.6 applies.
2. The creation of a new lot in the "Waste Management Industrial" designation shall not be permitted, unless the situation is one in which Policy No. 11.9.1.6 applies.
3. The creation of a new lot in the "D-4 Assessment Area" overlay designation may be permitted for development that has been permitted in accordance with Section 7.4.2 of this Plan, provided that the creation of the new lot complies with the policies that apply to the underlying land use designation.
4. The creation of a new lot in the "Airport-Related Employment" designation shall only be permitted through the approval of a plan of subdivision or description of condominium, unless the situation is one in which Policy No. 11.9.1.6 applies.
5. The creation of a new lot in the "Mineral Aggregate Resource" designation shall require an amendment to this Official Plan, and no consent shall be given for the creation of a new lot in that designation, unless the situation is one in which Policy No. 11.9.1.6 applies.
6. The creation of a new lot in the "Extractive Industrial" overlay designation shall require an amendment to this Official Plan, and no consent shall be given for the creation of a new lot in that designation, unless the situation is one in which Policy No. 11.9.1.6 applies.

### 11.9.6 Lot Creation in the "Open Space" Designation

**The creation of a new lot** in the "Open Space" designation will generally be discouraged, and will only be permitted in very limited circumstances.

1. No consent shall be given to create a new lot in the "Open Space" designation unless the consent is being given:
  - (a) for the purpose of correcting a conveyance or for other legal and technical reasons, provided that the consent does not result in the creation of a new lot or the re-creation of a merged lot;

- (b) as part of, or following, the acquisition of lands by a public body, including by a trail conservancy; or
  - (c) as part of, or following, the acquisition of lands by a conservation organization for the purpose of establishing a conservation use or a nature preserve.
2. Except as provided for by No. 11.9.6.1, the creation of a new lot in the "Open Space" designation shall require an amendment to this Official Plan.

### 11.9.7 Lot Creation in the "Rural" Designation

**The creation of a new lot** in the "Rural" designation is generally discouraged and shall only be permitted in accordance with the policies in this section of the Official Plan.

1. Within the "Rural" designation, a consent may be given to sever a lawfully existing use, including a non-farm rural residential use, from another lawfully existing non-residential use, provided that:
  - (a) Council or the Committee of Adjustment, as the case may be, is satisfied that both the lot created and the lot retained can be adequately provided with water and sewage services;
  - (b) both the lot created and the lot retained will have access to, and frontage on, a public road; and
  - (c) the applicant has demonstrated that all necessary entrance permits can be obtained from the appropriate road authority.
2. No consent shall be given for the creation of more than one new lot from a parcel of land in the "Rural" designation.
3. A consent to create one new residential lot in the "Rural" designation may be given, provided that the lot created is no greater than one hectare in area and subject to Nos. 11.9.7.4 and No. 11.9.7.5 below.
4. The creation of a new residential lot in the "Rural" designation with frontage on the County's grid road system, including Provincial Highways, County Roads, and Township Arterial Roads, shall not be permitted.
5. The creation of a new lot for a detached additional dwelling unit, a garden suite, a building used as accommodation for full-time farm labour, or any other form of accessory dwelling in the "Rural" designation is expressly prohibited and shall not be permitted.
6. A consent create a new lot for a lawfully existing non-farm rural residential use may be given, subject to Policy No. 11.9.7.5 above and provided that:
  - (a) the lot that is the subject of the application was not itself created by an earlier consent;

- (b) the non-farm rural residential use in question is no less than five years old;
  - (c) the creation of the new lot will have no negative impact on agricultural operations in the area; and
  - (d) the lot created for the residential use will be rectangular or as close to rectangular in shape as possible, and will not be configured such that access from the road to the dwelling is provided by a tract of land that is much narrower than the portion of the lot that contains the dwelling.
7. Residential development requiring the creation of more than one new residential lot or of multiple units should be directed to the Township's Settlement Areas and shall not be permitted in the "Rural" designation.
8. Any lot created for an agriculture-related use or for a non-agricultural use in the "Rural" designation:
- (a) should be the minimum size necessary to accommodate the use and appropriate on-site services; and
  - (b) should generally be no greater than one hectare in area, except where a larger lot size may be suitable because of physical or environmental constraints or because of design considerations.
9. The creation of new lots with frontage on the County's grid road system shall be restricted, and no consent to create a new lot with such frontage shall be given where the creation of the new lot would:
- (a) interfere with the intended function of a road in the County's grid road system;
  - (b) disrupt the rural character of the County's grid road system; or
  - (c) result in strip development (as defined in No. 11.9.7.10 below).
10. For the purposes of No. 11.9.7.9:
- (a) "the County's grid road system" refers to the system of roads, outside of Settlement Areas, consisting of all originally surveyed concession roads and side roads, as well as all Provincial Highways, County Roads, and Arterial Roads ; and
  - (b) "strip development" refers to a situation in which any given 200-metre segment of continuous road frontage along the County's grid road system abuts more than three non-farm lots.

### 11.9.8 Lot Creation in the “Agricultural” Designation

**Lot creation in the “Agricultural”** designation is generally discouraged and shall only be permitted in accordance with the policies in this section of the Official Plan.

1. A new lot may be created for an agricultural use in the “Agricultural” designation, provided that:
  - (a) the lot created and the lot retained are each of a size appropriate for the types of agricultural use common in the area; and
  - (b) the lot created and the lot retained are each sufficiently large to remain flexible in responding to future changes in the type or size of agricultural operations in the area.
2. As a general rule, any new lot created for an agricultural use in the “Agricultural” designation should be:
  - (a) no less than 16 hectares (approximately 39.5 acres) in a specialty crop area; or
  - (b) no less than 40 hectares (approximately 98.8 acres) or than the original surveyed lot size, whichever is less, in all other Agricultural areas.
3. Notwithstanding Policy No. 11.9.8.2, the goal of supporting all sizes, types, and intensities of farm operations will take precedence over any specific numerical standard, provided that the lot size is appropriate for the agricultural use and provides sufficient flexibility for responding to future changes.
4. The Township may require a report from a qualified agrologist as evidence that the size of a proposed lot meets the criteria established in Policies No. 11.9.8.1 and No. 11.9.8.3 above.
5. A new lot may be created for an agriculture-related use in the “Agricultural” designation, provided that:
  - (a) the agriculture-related use is permitted in accordance with the policies in Section 3.3.2;
  - (b) the agriculture-related use requires proximity to farm operations and cannot be reasonably accommodated on an existing lot of record or in the “Rural” designation or a Settlement Area;
  - (c) the lot created is limited to the minimum size needed to accommodate the agriculture-related use and appropriate on-site services;
  - (d) the lot created is separated from primary farm operations or is located in such a way as to cause minimal disruption to nearby farm operations; and
  - (e) the lot created consists of lower-quality soils, wherever possible.
6. The creation of a new lot for an on-farm diversified use is expressly prohibited and shall not be permitted.



7. The creation of a new lot for a detached additional dwelling unit, a garden suite, a building used as accommodation for full-time farm labour, or any other form of accessory dwelling in the "Agricultural" designation is expressly prohibited and shall not be permitted.
8. A new lot may be created for infrastructure in the "Agricultural" designation, but only in circumstances where the facilities or corridor cannot be accommodated through easements or rights-of-way.

### **Farm Consolidations & Surplus Dwellings**

9. The creation of a new residential lot in an Agricultural area shall only be permitted in circumstances where an existing residence has been rendered surplus to a farm operation as the result of a farm consolidation.
10. A new lot may be created for a surplus dwelling, provided that:
  - (a) the same farmer or farming corporation has owned the subject lands for a minimum of five years;
  - (b) the surplus dwelling is no less than five years old;
  - (c) the lot created will be limited to the minimum size needed to accommodate the surplus dwelling and associated on-site services, and not greater than one hectare;
  - (d) the lot retained will be large enough to function as a farm unit, with a minimum area of 35 hectares; and
  - (e) the other farmlands to be consolidated with the lot retained:
    - (i) are owned by the same farmer or farming corporation;
    - (ii) are located within a reasonable distance of the subject lands; and
    - (iii) are located in the Township of Clearview or within a reasonable distance of the Township's municipal boundary.
11. For the purposes of No. 11.9.8.10(e) above, "reasonable distance" shall mean a distance that corresponds to one concession block, being the linear distance along a concession road as measured between the concession road's intersection with a sideroad and the intersection of that same concession road with the next sideroad, and generally not exceeding a distance of two kilometres.
12. The lot created for a surplus dwelling:
  - (a) shall be rectangular or as close to rectangular in shape as possible; and
  - (b) shall not be configured such that access from the road to the portion of the severed lot that contains the dwelling is provided by an extension of the severed lot whose width is much less than the width of the portion of the lot containing the dwelling.

13. Any consent given for the purpose of creating a new lot for a surplus dwelling shall be a provisional consent subject to the condition that a site-specific amendment to the Zoning By-law be approved for the purpose of:
  - (a) prohibiting the establishment of any new residential use on the lot created; and
  - (b) prohibiting all residential uses on the lot retained.
14. To clarify, for the purposes of Policy No. 11.9.8.13, "residential use" includes a farm dwelling, an accessory dwelling, and accommodation for full-time farm labour or for temporary on-farm workers.
15. A site-specific amendment to the Zoning By-law as described in Policy No. 11.9.8.13 may be made through the passing of a minor by-law.
16. No certificate under Subsection 53 (42) of the *Planning Act* shall be issued for a consent to create a new lot for a surplus dwelling until and unless the site-specific amendment to the Zoning By-law described in Policy No. 11.9.8.13 has been approved.
17. The applicant for a consent to create a new lot for a surplus dwelling shall be required to provide such information and material as the Township deems necessary to facilitate the review of any existing buildings and structures on the subject lands associated with, or accessory to, an agricultural use, and:
  - (a) where such buildings are capable of being used for agricultural purposes without generating significant conflict with the surplus dwelling, a consent should only be given on the condition that the buildings be included on the lot retained;
  - (b) if it can be demonstrated that such buildings are no longer viable for agricultural uses, a consent may be given on the condition that the buildings be safely converted to an appropriate use or be demolished; or
  - (c) where such buildings represent a significant agricultural resource and cannot be utilized without generating conflict with the proposed residential lot, the consent application may be denied.
18. The Township may require that the applicant for a consent to create a new lot for a surplus dwelling provide an agrologist's report, prepared by one or more qualified professionals, to ensure that the lot retained will be suitable for agricultural use and that the proposed lot creation will not have an adverse impact on agricultural operations in the surrounding area.
19. A consent to create a lot for a surplus dwelling will generally not be given if Council or the Committee of Adjustment, as the case may be, is of the opinion that:
  - (a) the location of the surplus dwelling on the existing lot is such that the creation of a new lot would result in the fragmentation of the agricultural land base;

- (b) the creation of the new lot for the surplus dwelling would hinder or interfere with agricultural operations on the lot retained or on another property in the area, including the possible future establishment of or expansion of livestock facilities or other facilities that are required to comply with minimum distance separation formulae; or
- (c) the surplus dwelling is located on an existing small agricultural lot, as that term is defined in Policy No. 10.2.3.4 above, and the giving of the consent would therefore interfere with this Official Plan’s goal of supporting and protecting the full range and variety of farm sizes.

### 11.9.9 Lot Creation in the “Greenlands” Designations

**The following policies apply to** any application proposing the creation of a new lot in one of the three “Greenlands” designations (“Greenlands – Natural Heritage Area”, “Greenlands – Hazard Lands Area”, and “Greenlands – Wetland Area”).

1. The creation of a new lot in one of the “Greenlands” designations shall not be permitted, and no consent to create a new lot in one of the “Greenlands” designations shall be given, except as specifically provided for in this section of the Official Plan.
2. A consent to create a new lot in one of the “Greenlands” designations may be given to facilitate one of the following uses:
  - (a) conservation uses and nature preserves;
  - (b) wildlife management, fisheries management, and forestry management; or
  - (c) flood and erosion control projects that have been demonstrated to be necessary and in the public interest.
3. Provided that no new building lot is created in one of the “Greenlands” designations, a consent may be given, or a new lot may otherwise be created, to facilitate:
  - (a) the dedication and conveyance to the Township of land within the natural heritage system, as described in Policy No. 5.2.1.15; or
  - (b) the acquisition of land by a conservation organization, a recognized trail conservancy, or another public body, as described in Policy No. 5.2.1.16.
4. A consent may be given with respect to lands in one of the “Greenlands” designations for the purpose of correcting a conveyance or for other legal and technical reasons, provided that the consent does not result in the creation of a new lot or the re-creation of a merged lot.

### 11.9.10 Lot Creation in the NEP Area

**The Niagara Escarpment Plan (“NEP”)** contains policies for lot creation in each of that Plan’s land use designations, as well as general policies for lot creation, which are set out in Part 2.4 of the NEP.

1. Where a Settlement Area is located within the NEP Area, the creation of a new lot within the Settlement Area boundary may be permitted in accordance with the policies in Sections 11.9.1 through 11.9.9 above that apply to the designation or designations of the subject land, as shown on Schedule B to this Official Plan.
2. Outside of Settlement Areas, and subject to the Development Criteria in Part 2 of the NEP:
  - (a) the creation of a new lot in the “Escarpment Natural Area” designation shall comply with the policies in Part 1.3.4 of the NEP;
  - (b) the creation of a new lot in the “Escarpment Protection Area” designation shall comply with the policies in Part 1.4.4 of the NEP;
  - (c) the creation of a new lot in the “Escarpment Rural Area” designation shall comply with the policies in Part 1.5.4 of the NEP;
  - (d) the creation of a new lot in the “Escarpment Recreation Area” designation shall comply with the policies in Part 1.8.4 of the NEP; and
  - (e) the creation of a new lot in the “Mineral Resource Extraction Area” designation shall comply with the policies in Part 1.9.4 of the NEP.
3. The creation of a new residential lot outside of Settlement Areas in the NEP Area shall not be permitted unless the lot created complies with Policy No. 11.9.8.12 above.

## 11.10 Site Plan Control

Generally speaking, site plan control takes over where zoning leaves off. Site plan control oversees matters such as the location of buildings and ancillary facilities on a lot, their layout and relationship to adjacent buildings, streets, and exterior areas, and matters relating to sustainable design and accessibility. Site plan control is important for maintaining the community's overall character, and helps the Township ensure consistency and harmony in the built environment.

### 11.10.1 Purposes & Principles

**The Township will be guided** by the following principles in using site plan control and in exercising its authority to grant site plan approval.

1. Protect existing neighbouring uses where the nature of development or redevelopment creates the potential for detrimental physical or visual impacts, including situations in which new sensitive uses are proposed in the vicinity of existing employment uses.
2. Ensure that new development is compatible with the character of the surrounding area.
3. Ensure adherence to proper development standards, and to ensure proper grading, storm drainage, and maintenance related to surface water and erosion.

4. Ensure the conveyance to the Township of any easements required for the maintenance of, or improvements to, drainage works, watercourses, public utilities, roadways, or similar undertakings.
5. Control the appropriate placement, massing, and conceptual design of buildings, utilities, and related facilities.
6. Ensure that the form of development facilitates accessibility for all persons.
7. Ensure the safe and efficient movement of vehicles and pedestrians with respect to the development itself and to surrounding areas.
8. Ensure the provision of functional and attractive on-site facilities.
9. Promote the incorporation of exterior features that support environmental sustainability.

## 11.10.2 Site Plan Control Areas

**Section 41 of the *Planning Act*** applies to all development (as defined in that section of the Act) in an area that has been designated as a site plan control area. At the time of the preparation of this Plan, the existing Site Plan Control By-law for the Township was By-law No. 07-17, as amended.

1. The entire municipal territory of the Township of Clearview is hereby described as a proposed site plan control area, and Council may pass by-laws to designate the whole of the Township, or any part or parts thereof, as a site plan control area.
2. The proposed site plan control area described in Policy No. 11.10.2.1 above is specifically designated for the purposes of Subsection 41 (5) of the *Planning Act*, and the Township may require that anyone proposing the development of a building to be used for residential purposes containing fewer than 25 dwelling units submit any of the drawings mentioned in Paragraph 2 of Subsection 41 (4) of the *Planning Act*, provided that the proposed building meets the definition of “development” in Section 41 of the *Planning Act*.
3. A by-law passed under Policy No. 11.10.2.1 above may include provisions that exempt certain types of proposed development, such as minor alterations or renovations to existing buildings or structures, from site plan approval.
4. Notwithstanding Policy No. 11.10.2.1, no development for which a development permit has been issued under the *Niagara Escarpment Planning and Development Act* shall be subject to site plan control.
5. Notwithstanding Policy No. 11.10.2.1, it shall be a policy of Council that the proposed development of an agricultural use on a lot on which such a use is permitted by the implementing Zoning By-law will generally not be subject to site plan control.

### 11.10.3 Site Plan Approval

**As of July 1, 2022**, Subsection 41 (4.0.1) of the *Planning Act* requires Council to appoint an “officer, employee, or agent of the municipality as an authorized person” for the purposes of approving site plan applications.

1. Council shall review its existing Site Plan Control By-law and, if necessary, amend that by-law to bring it into conformity with this Official Plan.
2. Council may pass a by-law requiring all applicants for site plan approval to consult with the Township before submitting plans and drawings for approval.
3. Council may pass a by-law under Section 97.1 of the *Municipal Act, 2001* requiring the construction of buildings in accordance with environmental standards or other provisions prescribed under the *Building Code Act, 1992*, which by-law may include provisions requiring the construction of green roofs or alternative roof surfaces that achieve similar levels of performance.
4. The Township may, at its discretion, exempt specific individual development applications from fulfilling one or more of the requirements of site plan approval, where the fulfillment of such requirements is considered unnecessary due to the nature or scale of the proposed development.
5. As part of the site plan approval process, the Township may require the submission of plans or drawings regarding any matters to which site plan control may apply under Section 41 of the *Planning Act*, which may include all facilities and works required as part of a condition of approval.

#### Road Widenings

6. As part of the site plan process, the owner of land located within a site plan control area may be required to dedicate land for the purposes of road widening or improvements.
7. Land dedicated for road widenings may be taken from either side, or from both sides, of the road.
8. The required dedication of land described in No. 11.10.3.6 above shall only apply in cases where:
  - (a) a Provincial Highway has a right-of-way width less than that required by MTO;
  - (b) a County Road, either Primary Arterial or Secondary Arterial, as identified on Schedule G to this Official Plan, has a right-of-way width less than the necessary width specified in Table 7.1 in this Official Plan;

- (c) an Arterial Road, as identified on Schedule G to this Official Plan, has a right-of-way width of less than 40 metres;
- (d) a Collector Road, as identified on Schedule G to this Official Plan, has a right-of-way width of less than 26 metres; or
- (e) a Local Road, as identified on Schedule G to this Official Plan, has a right-of-way width of less than 20 metres.

### Conditions & Agreements

- 9. As a condition of site plan approval, the Township may require that the owner of the land provide and maintain any of the items identified in Subsection 41 (7) of the *Planning Act*.
- 10. As a condition of site plan approval, the Township may require that the owner of the land enter into one or more agreements with the Township for the purpose of:
  - (a) ensuring the satisfactory provision and maintenance of anything referred to in Policy No. 11.10.3.9 above; or
  - (b) ensuring that development proceeds according to the approved plans and drawings.
- 11. The items referred to in Policy No. 11.10.3.9 above include the conveyance to the Township, to the satisfaction of and at no expense to the Township, of land for any public transit right-of-way shown on the Schedules to this Official Plan or described in any policy of this Plan.

## 11.11 Property Standards

Both the *Building Code Act, 1992* and the *Municipal Act, 2001* contain provisions that relate to matters such as property maintenance and the removal of debris and refuse.<sup>21</sup> In addition to the enforcement of minimal standards, having an effective Property Standards By-law enables a municipality to make use of certain policy instruments provided for in the *Planning Act*.

### 11.11.1 Property Standards & Maintenance

**At the time this Official Plan** was being prepared, the effective by-law regarding standards and maintenance for the Township was Property Standards By-law No. 17-98.

- 1. Council may pass a by-law, or amend an existing by-law, in order to:
  - (a) prescribe standards for the maintenance and occupancy of property within the Township;

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<sup>21</sup> The most relevant of these provisions are found in Section 15.1 of the *Building Code Act, 1992* and Section 127 of the *Municipal Act, 2001*.



- (b) prohibit the occupancy or use of any property that does not conform with prescribed standards; and
  - (c) require the repair or maintenance of any property that does not conform with the prescribed standards, or require that the site be cleared of all buildings, structures, debris, and refuse, and be left in graded or level condition.
- 2. A Property Standards By-law, as described in No. 11.11.1.1 above, may prescribe standards or contain requirements regarding:
  - (a) the safety, structural maintenance, and cleanliness of buildings and structures;
  - (b) services to buildings and structures, such as plumbing, electricity, and heating;
  - (c) standards for occupancy;
  - (d) the maintenance of yards, parking and storage areas, fences, swimming pools, signs, and accessory buildings;
  - (e) the disposal of garbage, waste materials, debris, and abandoned equipment or vehicles;
  - (f) pest control and prevention; and
  - (g) any other matters that Council considers necessary or appropriate.
- 3. When a Property Standards By-law is in effect, Council may pass a by-law, pursuant to Section 32 of the *Planning Act*, that provides for the making of grants or loans for the purpose of paying the whole or part of any costs required for the repair, maintenance, or clearing of a property that does not conform with prescribed standards.
- 4. As a complement to the enforcement of property standards, the Township shall commit to keeping all municipally owned properties and structures in a well-maintained condition.

## 11.11.2 Demolition Control

**When a Property Standards By-law** is in effect, the *Planning Act* allows Council to establish a demolition control area, within which the demolition of residential property cannot proceed without a permit. The purposes of establishing such an area can include controlling reductions to the housing stock, preserving buildings of cultural heritage value, or preventing demolitions that would disrupt the continuity of the built environment.

- 1. Council may pass by-laws to designate any area to which a Property Standards By-law, as described in Policy No. 11.11.1.1 above, applies as an area of demolition control.
- 2. A demolition permit issued under a by-law described in No. 11.11.2.1 above may specify a date by which the applicant for the permit must construct and substantially complete the new

building to be erected on the site for which the permit is being issued, provided that such a date is not less than two years from the day on which demolition commences.

3. Before passing a demolition control by-law, Council shall be satisfied that the establishment of a demolition control area will serve the interests of the community and will not pose a hazard to public safety.

## 11.12 Acquisition of Lands

**Section 25 of the *Planning Act*** authorizes a municipality to acquire lands in order to implement the policies of its Official Plan. These provisions also allow the municipality to accept contributions from another municipality towards the cost of acquiring lands for such purposes.

### 11.12.1 Policies

1. Council may acquire and hold land within the Township for the purposes of developing any feature or implementing any policy of this Official Plan.
2. Council may sell, lease, or otherwise dispose of any land acquired and held for the purpose of developing a feature or implementing a policy of this Plan when the land in question is no longer required.
3. Council shall consider all options regarding the acquisition of property, as appropriate, including:
  - (a) purchase agreements;
  - (b) land exchanges;
  - (c) long-term leases;
  - (d) donations and dedications;
  - (e) easement agreements;
  - (f) partnerships; and
  - (g) assistance from other levels of government and other agencies.

## 11.13 Parkland Dedication

**To ensure that adequate open space** is available for public enjoyment, the Township may, as a condition of development or redevelopment, require the conveyance of land to be used for park and recreational purposes. Where appropriate, the Township may require a payment of money of equivalent value (or “cash in lieu of parkland”), which is to be paid into a special account and used for park and recreational purposes. At the time this Official Plan was being prepared, the Parkland Dedication By-law in effect was By-law No. 18-84.

### 11.13.1 Policies

1. Council may amend existing by-laws or pass new by-laws to require the conveyance of land for park or public recreational purposes as a condition of development or redevelopment.
2. When necessary, Council shall amend any by-laws described in No. 11.13.1.1 to ensure conformity with the *Planning Act* and all other provincial statutes.
3. A by-law passed under Policy No. 11.13.1.1 may require a conveyance of land according to the following:
  - (a) Where land is proposed for development or redevelopment for residential purposes, the amount of land required to be conveyed may be whichever is the greater of:
    - (i) five percent of the area of the land proposed for residential development or redevelopment; or
    - (ii) land at the rate of one hectare for each 600 net residential units proposed.
  - (b) Where land is proposed for development or redevelopment for commercial or industrial purposes, the by-law may require a conveyance of two percent of the area of the land proposed for development or redevelopment.
  - (c) Where land is proposed for development or redevelopment for a purpose that is not referred to in Clause 11.13.1.3(a) or 11.13.1.3(b), the by-law may require a conveyance of five percent of the area of the land proposed for development or redevelopment.
4. The amount of land to be conveyed, as determined according to No. 11.13.1.3, shall be adjusted as needed to maintain conformity with the *Planning Act*, as for example may be required for development that includes affordable or attainable residential units.
5. No conveyance of land required by a by-law passed under No. 11.13.1.1 above shall be accepted unless Council is satisfied that the land to be conveyed is in satisfactory physical condition and located in a way that provides for its convenient use by the general public, and that any parcel to be conveyed is of sufficient size to be used as a park or for public recreational purposes.
6. The Township will generally require that land conveyed for park or other public recreation purposes be level tablelands with good drainage and appropriate frontage on a public road and suitable for development in accordance with standards established by the Township.
7. The Township will generally require that any land conveyed for park or other public recreation purposes be conveyed in a natural, undisturbed state, and may require that any land that has been disturbed be restored to an appropriate condition before the conveyance of such land will be accepted.

8. Where the land proposed for development or redevelopment abuts a body of water, the Township will seek to ensure that the land conveyed is located adjacent to that body of water.
9. None of the following shall be accepted as part of a conveyance required by a by-law passed under Policy No. 11.13.1.1:
  - (a) land that has been identified as part of the Township's natural heritage system;
  - (b) land that is susceptible to flooding, erosion, or other environmental hazards;
  - (c) land that has poor drainage, extreme slopes, or other physical or environmental characteristics that would interfere with its use as a public park;
  - (d) land required to accommodate stormwater management facilities;
  - (e) land used, or proposed to be used, for trails or for active transportation purposes;
  - (f) land that is used, or that are proposed to be used, for utility corridors or for other infrastructure that would be incompatible with their use as a public park;
  - (g) land that is encumbered by easements or other instruments that would restrict or prohibit its use as a public park.
10. The Township may separately acquire lands that are subject to any of the conditions listed in Policy No. 11.13.1.9 if Council considers such an acquisition to be in the public interest.
11. The Township may require that a Record of Site Condition under the *Environmental Protection Act* or a Risk Assessment under the *Clean Water Act, 2006*, as the Township deems necessary or appropriate, be filed with respect to land proposed as part of a required conveyance.
12. Before accepting a conveyance of land, the Township may require the owner to enter into one or more agreements regarding such matters as the Township considers necessary or appropriate, including the installation of water supply and sanitary sewage disposal, the installation of recreational facilities, and responsibilities for grading, fencing, seeding, sodding, and landscaping.
13. All costs associated with the conveyance of land for park or other public recreational purposes shall be borne by the person seeking development approval.
14. The required conveyance of land shall not be considered fulfilled until the Township has accepted the conveyance.
15. Land to be used for park or other public recreational purposes shall generally be developed for such purposes during the first phase of new development, in order to prioritize the development of parklands and trails as part of the early infrastructure development process.

### Cash in Lieu of Parkland Dedication

16. In lieu of the conveyance of land for park or other public recreational purposes, Council may require the payment of money to the value of the land whose conveyance would otherwise be required by a by-law passed under Policy No. 11.13.1.1, subject to No. 11.13.1.17 below.
17. Where a required conveyance has been determined according to the rate described in No. 11.13.1.3(a)(ii) above, Council may require a payment in lieu to the value of an amount of land calculated at a rate of one hectare per 1,000 net residential units or any lesser rate as may be specified in a by-law passed under Policy No. 11.13.1.1.
18. The amount of money to be paid in lieu of a conveyance of land, as determined according to No. 11.13.1.3 or No. 11.13.1.17, as the case may be, shall be adjusted as needed to maintain conformity with the *Planning Act*, as for example may be required for development that includes affordable or attainable residential units.
19. The Township may require a payment in lieu of a required conveyance in circumstances where:
  - (a) the conveyance would render the remaining portion of the site proposed for development unsuitable or impractical for development;
  - (b) the amount of land conveyed would be insufficient to accommodate the development of an appropriate or desirable range of park and public recreation facilities;
  - (c) the area in which the site proposed for development is located is already adequately provided with parklands or with lands used for public recreation purposes; or
  - (d) one or more parcels of land that are more suitable for development as parks or for other public recreation purposes are available elsewhere in the Township.
20. Nothing in No. 11.13.1.19 shall limit Council's ability to require a payment in lieu of a required conveyance in circumstances not described therein, so long as Council is of the opinion that such a payment is appropriate or desirable.

## 11.14 Committee of Adjustment

**The role of the Committee of Adjustment** is to consider applications for minor variances from the requirements and standards established in the Zoning By-law or in an interim control by-law, for extensions to, or enlargements of, buildings associated with legal non-conforming uses, and for consents to sever property (if Council has delegated this authority to the Committee).

### 11.14.1 Policies

1. In exercising its authority, the Committee of Adjustment shall act according to the applicable policies in Subsection 11.2.2 (Lawfully Existing & Legal Non-Conforming Uses) and Section 11.9 (Lot Creation) of this Plan, as appropriate.
2. Council may pass by-laws authorizing the Committee of Adjustment to grant minor variances from the provisions of any by-law of the Township that implements this Official Plan.
3. Council may pass by-laws establishing additional criteria for minor variances.
4. Before approving a minor variance, the Committee shall be satisfied that the proposed variance:
  - (a) is minor with regard to the standards set out in the by-law, both in scale and in terms of its impact on the surrounding area;
  - (b) is desirable for the appropriate development or use of the land, building, or structure in question;
  - (c) maintains the intent and purpose of this Official Plan; and
  - (d) maintains the overall intent of the by-law from whose provisions the variance is sought.
5. A decision by the Committee of Adjustment not to authorize the extension or enlargement of a building or structure associated with a legal non-conforming use shall not affect Council's authority to amend the Zoning By-law in respect of the same extension or enlargement.
6. Where a building or structure has been used for a legal non-conforming use that has continued to the date of the application to the Committee, the Committee may permit the use of that building or structure:
  - (a) for a purpose that is similar to the legal non-conforming use, or
  - (b) for a purpose that is more compatible with the uses permitted by the Zoning By-law.
7. An application for a consent to sever shall only be considered in cases where it is clearly established that a plan of subdivision is not necessary to ensure the proper and orderly development of the land.
8. No consent shall be given under any circumstance listed in Policy No. 11.9.1.1 above.

### 11.15 Planning Advisory Committee

**As the name suggests**, a Planning Advisory Committee's role is to provide advice and comments to Council and Township Staff regarding planning-related decisions. The Committee can also help identify the community's planning priorities and assess the effectiveness of this Plan's policies.

### 11.15.1 Policies

1. Council may appoint a Planning Advisory Committee in accordance with Section 8 of the *Planning Act*.
2. The members of a Planning Advisory Committee shall include at least one resident who is neither a member of Council nor an employee of the Township.
3. The membership of a Planning Advisory Committee should generally reflect the Township's overall population and should include residents from different parts of the Township.
4. In appointing a Planning Advisory Committee, Council may establish specific roles for the Committee as it considers appropriate.

## 11.16 Development Applications

The ***Planning Act*** authorizes Council to pass by-laws requiring proponents of development to consult with Township Staff before submitting certain applications – a practice generally referred to as “pre-submission consultation.” The primary purpose of this process is to identify the different studies, reports, and assessments that will be required to support an application.

### 11.16.1 Policies

1. Anyone who wishes to submit an application requesting any of the following shall be required to consult with the Township before the application will be accepted:
  - (a) an amendment to the Official Plan;
  - (b) an amendment to the Zoning By-law;
  - (c) site plan approval; or
  - (d) approval of a plan of subdivision or description of condominium.
2. Council may, in a by-law delegating its authority to pass minor by-laws pursuant to Section 39.2 of the *Planning Act*, include provisions that require anyone who wishes to request the passing of a minor by-law to consult with the Township prior to submitting an application for that request, and such provisions may refer to one or more classes of application or to all applications requesting the passing of a minor by-law.
3. No application described in No. 11.16.1.1 shall be considered a complete application until and unless the applicant has provided all required information and material.
4. The Township may, at its discretion, withdraw any requirement that an applicant provide information and material, in which case the provision of such information and material shall no longer be required to satisfy the requirement set out in Policy No. 11.16.1.3 above.



5. The information and material required as part of a complete application may include any of the following:
- (a) studies and reports regarding environmental impacts and matters relating to the natural heritage system, including:
    - (i) Environmental Impact Studies (EISs) and Environmental Impact Statements;
    - (ii) Environmental Site Assessments and Records of Site Condition;
    - (iii) Geotechnical/Soil Stability Reports;
    - (iv) Hydrogeological Studies and Hydrological Studies;
    - (v) Natural Heritage Evaluations;
    - (vi) Stormwater Management Reports;
    - (vii) Tree Preservation Plans; and
    - (viii) Wellhead Protection Area Risk Assessment Reports;
  - (b) studies and reports regarding services, infrastructure, and similar matters, including:
    - (i) Functional Servicing Reports;
    - (ii) Infrastructure Design Reports;
    - (iii) Master Environmental Servicing Plans;
    - (iv) Operations and Maintenance Reports;
    - (v) Servicing Capability Studies;
    - (vi) Servicing Feasibility Studies and Site Servicing Options Reports; ~~and~~
    - (vii) Stormwater Management Reports; and
    - (viii) Transportation Demand Management Plans;
  - (c) studies and reports regarding architectural, cultural heritage, and urban design matters, including:
    - (i) Adaptive Re-use Studies;
    - (ii) Archaeological Assessments;
    - (iii) Architectural Reports;
    - (iv) Cultural Heritage Reports;
    - (v) Heritage Impact Assessments; and
    - (vi) Urban Design Reports and Streetscape Studies dealing with safety, accessibility, and pedestrian and transit orientation;

- (d) studies and reports regarding potential impacts on neighbouring sites and the surrounding area, including:
  - (i) Agricultural Assessments and Agrologist's Reports;
  - (ii) Compatibility Studies, including D-6 Studies;
  - (iii) Golf Course Errant Ball Spray Analyses;
  - (iv) Illumination Studies;
  - (v) Minimum Distance Separation Reports;
  - (vi) Noise/Vibration Impact Analyses;
  - (vii) Odour/Dust/Nuisance Impact Analyses;
  - (viii) Shadow Analyses;
  - (ix) Traffic Impact Studies and Transportation Studies; and
  - (x) Wind Studies;
- (e) studies and reports regarding matters related to public health and safety, including:
  - (i) D-4 Studies;
  - (ii) Flooding, Erosion, and Slope Stability Reports, including Coastal Engineering Studies; and
  - (iii) Natural Hazard Assessments and similar reports;
- (f) studies and reports regarding matters related to resource management, including:
  - (i) Aggregate Potential Assessments and Aggregate License Compatibility Assessments;
  - (ii) Aggregate Studies related to, and in compliance with, the requirements of the OMNR license, for new mineral aggregate operations and for expansions to existing mineral aggregate operations;
  - (iii) Fisheries Impact Studies and Marina Impact Studies;<sup>22</sup>
  - (iv) Needs Reports and Justification Reports, except for those applications proposing to establish a new mineral aggregate operation;

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<sup>22</sup> Notwithstanding this particular item, which has been included to ensure full conformity with the SCOP, Council will discourage, in the strongest terms possible, the establishment of a new marina within the Township of Clearview.

- (v) Scoped Water Budgets; and
  - (vi) Water Conservation Plans;
  - (g) studies, plans, and reports regarding various planning matters, including:
    - (i) Affordable Housing Reports;
    - (ii) Commercial Needs Assessments and Retail Impact Analyses;
    - (iii) Digital Plans (prepared according to County specifications);
    - (iv) Planning Justification Reports; and
  - (h) any other information or material that is warranted by the circumstances of the proposed development project or that is considered necessary to address matters related to the application to the satisfaction of the Township.
6. Any study, report, plan, assessment, or other information or material required as part of a complete application shall be prepared by one or more qualified professional individuals.
7. The costs associated with all required studies, reports, assessments, and all other information and material shall be borne solely by the applicant, including costs incurred by the Township in engaging peer review consultants during evaluation of the application.
-



# Interpretation

BOUNDARIES · REFERENCES · DEFINITIONS

Photo: Fountain Park, at the corner of Main and Oak Streets, Stayner.

**Our last little look** brings us back to the beginning, in a way. The plaque in Fountain Park tells of the founding of Stayner as a stop along the railway line. You can't see the remnants of the rail tracks from where you're standing, but you can see Oak Street, behind and to your right, running parallel to the old tracks before taking a quick jog to line up with Main Street, a later addition. The past lives in this slanted grid; even the little triangle of Fountain Park is a quiet reminder of the patterns of history – literal patterns, the strange and quirky shapes that can arise when past and present and future meet. Every now and then, it's worth taking a moment to give a thought to what these little details mean.

## 12.1 Boundaries

**All of the Schedules** form part of this Official Plan and should be read in conjunction with the text of the Plan. Map schedules are not legal plans of survey, and the property boundaries shown on the Schedules to this Plan should be interpreted as approximations only. The boundaries of land use designations shown on the map schedules should likewise be interpreted as approximations, and

should only be considered absolute where they coincide with roads, railways, major watercourses, and other well-defined natural and physical features.

Overall, the map schedules to this Official Plan should be interpreted as indicating the relationship between features and not the exact geographic location of those features. So, for example, where a Schedule shows the boundary of a Settlement Area running along the boundary between two parcels of land, it should be interpreted as meaning, "This Settlement Area boundary coincides with the legal boundary between these two properties, as determined by a valid survey."

Because they are intended as approximations, small adjustments to land use boundaries and the alignment of roads may be made without requiring an amendment to this Official Plan, provided that such adjustments maintain the overall intent of this Plan.<sup>23</sup> This includes adjustments to the boundaries of the natural heritage system or to one of the "Greenlands" designations to reflect more detailed mapping or more precise information resulting from an EIS or received from the OMNR, the County of Simcoe, or another agency or public body. The Township shall have sole discretion in determining what constitutes a "small adjustment."

## 12.2 Numerical Standards

**Where numerical standards are used** in this Official Plan, such standards should be interpreted as approximations and not as absolute, except where they are used to describe a required setback from a feature that forms part of the natural heritage system. Small variations from approximate numerical standards and approximate numerical criteria shall not require an amendment to this Official Plan, provided that it has been demonstrated that the overall intent of this Plan is maintained. The Township shall have sole discretion in determining what constitutes a "small variation."

## 12.3 References

**References made throughout this Plan** to federal and provincial legislation and to other plans should be interpreted as referring to those instruments as they are amended from time to time. Changes to the text of this Official Plan for the purpose of updating a reference shall not require an amendment to the Official Plan, provided that such an amendment maintains the same general intent of the Official Plan.

<sup>23</sup> For example, a small adjustment to the boundary of a "Greenlands - Wetland Area" designation to reflect more precise mapping obtained through a wetland evaluation is an adjustment that maintains the intent of this Official Plan. An adjustment to the boundary that would exclude the wetland from the "Greenlands - Wetland Area" designation, and thereby remove the protections afforded by that designation, does not maintain the overall intent of this Plan.

### 12.3.1 Provincial Statutes & Regulations

**Any reference to an Act** of the Province of Ontario made in this Official Plan shall be understood according to the meaning established in this section of the Plan.

1. Where the text of this Official Plan makes reference to an Act of the Province of Ontario, such reference shall be understood as referring to the version of that Act that is currently in force and effect, as amended from time to time.
2. Where reference is made in the text of this Official Plan to a regulation under any Act of the Province of Ontario, it shall be understood as referring to said regulation as amended from time to time.
3. Where the text of this Official Plan makes general reference to “the regulations” under an Act of the Province of Ontario, such general reference shall be interpreted as meaning all regulations under that Act that are currently in force and effect.

### 12.3.2 Provincial Ministries

**Where the text of this Official Plan** makes reference to a ministry of the Province of Ontario, such reference shall be understood according to the meanings established in this section of the Plan, irrespective of the specific name currently in use to refer to the ministry in question.

1. “Ministry of Agriculture, Food and Rural Affairs” shall mean the Ministry, as that term is used in the *Ministry of Agriculture, Food and Rural Affairs Act* (being Chapter M.16 of the Revised Statutes of Ontario 1990), presided over by the Minister pursuant to Subsection 2 (2) of that Act.
2. “Ministry of Energy” shall mean the Ministry, as that term is used in the *Ministry of Energy Act* (being Schedule 25 to Chapter 9 of the Statutes of Ontario 2011), presided over by the Minister pursuant to Section 3 of that Act.
3. “Ministry of the Environment” shall mean the Ministry, as that term is used in the *Ministry of the Environment Act* (being Chapter M.24 of the Revised Statutes of Ontario 1990), presided over by the Minister pursuant to Subsection 2 (2) of that Act.
4. “Ministry of Municipal Affairs and Housing” shall mean the Ministry, as that term is used in the *Ministry of Municipal Affairs and Housing Act* (being Chapter M.30 of the Revised Statutes of Ontario 1990), presided over by the Minister pursuant to Section 3 of that Act.
5. “Ministry of Natural Resources” shall mean the Ministry, as that term is used in the *Ministry of Natural Resources Act* (being Chapter M.31 of the Revised Statutes of Ontario 1990), presided over by the Minister pursuant to Section 4 of that Act.



6. “Ministry of Northern Development, Mines and Forestry” shall mean the Ministry, as that term is used in the *Ministry of Northern Development, Mines and Forestry Act* (being Chapter M.32 of the Revised Statutes of Ontario 1990), presided over by the Minister pursuant to Section 3 of that Act.
7. “Ministry of Transportation” or “Ministry of Transportation of Ontario” shall mean the Ministry, as that term is used in the *Ministry of Transportation Act* (being Chapter M.36 of the Revised Statutes of Ontario 1990), presided over by the Minister pursuant to Subsection 2 (2) of that Act.

### 12.3.3 Provincial Plans

1. Where the text of this Official Plan makes reference to the “Growth Plan for the Greater Golden Horseshoe” or to the “Growth Plan”, such reference shall be understood as referring to the provincial plan, as amended from time to time, prepared under the *Places to Grow Act, 2005* (being chapter 13 of the Statutes of Ontario 2005) for the area designated as the Greater Golden Horseshoe growth plan area in Section 2 of Ontario Regulation 416/05 (Growth Plan Areas) under that Act, that is currently in force and effect.
2. Where the text of this Official Plan makes reference to the “Niagara Escarpment Plan” or to the “NEP”, such reference shall be understood as having the same meaning as the term “Niagara Escarpment Plan” as it is defined in Section 1 of the *Niagara Escarpment Planning and Development Act* and as referring to that Plan as amended from time to time.
3. Where an amendment to a Provincial Plan requires the Township to amend this Official Plan in order to maintain conformity with the Provincial Plan, such amendment shall be made in accordance with Section 26 of the *Planning Act*.

## 12.4 Abbreviations

**As a general rule**, abbreviated terms are written out in full the first time they appear in the text of this Official Plan next to the abbreviation itself in quotation marks. The list below provides glosses for most abbreviations used in the text, but is not intended as an exhaustive inventory.

**ANSI** means “Area of Natural or Scientific Interest” and may be pluralized as “ANSIs”.

**AODA** refers to the *Accessibility for Ontarians with Disabilities Act, 2005* (being chapter 11 of the Statutes of Ontario 2005), references to which shall be interpreted in accordance with Section 12.3.1 above.

**ASA** means “Archaeologically Sensitive Area” and may be pluralized as “ASAs”.

**CPTED** stands for “Crime Prevention Through Environmental Design”.



- CSWB** stands for “Community Safety and Well-Being,” as in “South Georgian Bay and Springwater Community Safety and Well-Being Plan, 2021-2025.”
- DNAPLs** means “dense non-aqueous phase liquids.”
- EIS** means “Environmental Impact Study” and may be pluralized as “EISs”.
- FSR** means “Functional Servicing Report” and may be pluralized as “FSRs”.
- GGH** refers to the Greater Golden Horseshoe area, as described in No. 12.3.3.1 above.
- HVA** means “Highly Vulnerable Aquifer” and may be pluralized as “HVAs”.
- ICA** means “Issue Contributing Area” and may be pluralized as “ICAs”.
- ISED** refers to Innovation, Science and Economic Development Canada.
- MDS** stands for “minimum distance separation,” as in “MDS formulae” or “MDS Document.”
- MESP** means “Master Environmental Servicing Plan” and may be pluralized as “MESPs”.
- MTO** refers to the Ministry of Transportation of Ontario, references to which shall be interpreted in accordance with No. 12.3.2.7 above.
- NEC** refers to the Niagara Escarpment Commission.
- NEF/NEP** stands for “Noise Exposure Forecast/Noise Exposure Projection” and refers to systems used by Transport Canada to measure and forecast aircraft noise.
- NEP** refers to the Niagara Escarpment Plan, references to which shall be interpreted in accordance with No. 12.3.3.2 above.
- NVCA** refers to the Nottawasaga Valley Conservation Authority.
- OMAFRA** refers to the Ontario Ministry of Agriculture, Food and Rural Affairs, references to which shall be interpreted in accordance with No. 12.3.2.1 above.
- OMNR** refers to the Ontario Ministry of Natural Resources, references to which shall be interpreted in accordance with No. 12.3.2.5 above.
- PPS** means “Provincial Policy Statement” and, when used on its own, refers to any policy statement issued under Section 3 of the *Planning Act*.
- PPS (2020)** refers specifically to the Provincial Policy Statement, 2020, issued under Section 3 of the *Planning Act* and approved by the Lieutenant Governor in Council through Order in Council No. 229/2020, which came into effect on May 1, 2020.
- PRCMP** refers to the Township of Clearview’s 2019 Parks, Recreation and Culture Master Plan.
- SCOP** stands for “Simcoe County Official Plan” and refers to the Official Plan of the County of Simcoe, as may be amended from time to time.

**SGRA** means “Significant Groundwater Recharge Area” and may be pluralized as “SGRAs”.

**SGBLS** stands for “South Georgian Bay Lake Simcoe,” as in “South Georgian Bay Lake Simcoe Source Protection Plan.”

**SPP** means “Source Protection Plan” and may be pluralized as “SPPs”.

**SWM** stands for “Stormwater Management”, as in “Stormwater Management Report.”

**WHPA** means “Wellhead Protection Area” and may be pluralized as “WHPAs”.

## 12.5 Usage of Certain Words & Terms

**The purpose of this section** of the Official Plan is to clarify the meaning of some general terms and words used throughout the text of this Plan and to provide guidance for their interpretation. The terms listed in this section are not underlined when used in the text of this Plan. Specific definitions for terms that are underlined in the text are found in Section 12.6 below.

**adjacent** – should be understood as describing two properties or parcels of land that directly abut one another, or land uses that take place on properties or parcels of land that directly abut one another

**any** – precedes a list of options and means “one or more” (where “more” is not precluded by context, as with a list of mutually exclusive options) | When the options listed are not mutually exclusive, “any” should be understood as referring to any set whose elements are taken from the options listed, including the set of all options, but not the “null” set consisting of none of the options listed.

**discouraged** – means something is not expressly prohibited, but as a general rule will not be permitted unless such permission is warranted by exceptional circumstances

**encouraged** – means something will generally be permitted or approved, and only under exceptional circumstances will it not be permitted or approved; when referring to one particular element of a larger development application, it means that such an element is something that will favourably dispose Council towards approving that application

**includes** or **including** – introduces a list of examples, usually one provided for the purposes of clarification or illustration; this term implies the existence of some larger set of which the items listed represent some subset, and should therefore be understood as meaning “includes, but is not limited to” or “including, but not limited to,” as required by context

**neighbouring** – used in the same sense as “surrounding” (see below)

**or** – should be understood in an inclusive sense, unless such inclusivity is clearly precluded by context (such as when the items connected by “or” are mutually exclusive) | In formal logic, “A or B” means “A by itself, or B by itself, or both A and B” – this is what is referred to

as “inclusive ‘or’” (sometimes denoted as “and/or”), and is the sense in which this Official Plan generally uses the word “or,” unless context demands otherwise. “Exclusive ‘or’” (i.e., “A by itself, or B by itself, but not both together”) is generally indicated by the use of “either” to introduce the first option.

**should** – means something like “shall endeavour to” or “shall take all reasonable steps to”

**such as** – used in the same sense as “including” (see above)

**surrounding** – used to describe a property or parcel of land (or a land use taking place on such a property or parcel) that is located near, but does not necessarily abut, another property or parcel of land | The term “surrounding” should be understood as referring to all properties or parcels within a reasonable distance from a given property, which includes, but is not limited to, all adjacent properties.

**they / them / their** – may be used in the plural sense, as a gender-neutral singular pronoun, or as a singular pronoun with indefinite gender | The use of singular “they” reflects well-established common usage in English, and in fact can be traced back hundreds of years.

## 12.6 Definitions

**This section establishes specific definitions** for all terms that appear with double underlining, like so, in this Official Plan. Any instance of a term underlined in such a manner within this Official Plan shall be interpreted according to the definitions provided in this section of the Plan.

The sources for definitions taken from other sources, such as the Provincial Policy Statement, 2020, or a provincial plan, are identified in Appendix A to this Plan.

**additional residential unit** – a dwelling unit, provided with separate kitchen and washroom facilities, that has been created on an existing residential property as a self-contained accessory unit to the principal dwelling unit, and which may be either:

- (a) an **attached additional residential unit**, meaning the additional residential unit is located within the same building as the principal dwelling; or
- (b) a **detached additional residential unit**, meaning the additional residential unit is located in a building or structure that is ancillary to the principal dwelling

**attached additional residential unit** – see **additional residential unit**

**built boundary** – the limits of the developed urban area in an Urban Settlement Areas, as shown on Schedules B-4 and B-12 to this Official Plan, which have been defined through consultation with the Ministry of Municipal Affairs and Housing and which are used for the purposes of measuring the achievement of the intensification targets set out in the Growth Plan; also referred to as “delineated built boundary”

**complete application** – a development application that provides all the information and material needed for Council or its delegate to make a decision, as established during pre-submission consultation, and regarding the completeness of which Council is able to give an affirmative response under the appropriate provisions of the *Planning Act*

**conservation organization** – a conservation authority established by or under the *Conservation Authorities Act* or a predecessor thereto, or a non-government conservation body such as a land trust, conservancy, or similar not-for-profit agency governed by a charter, articles of incorporation, or letters patent, that is considered to have “approved” status under the Niagara Escarpment Plan

**D-4 approval authority** – one of the following:

- (a) the County of Simcoe, with respect to all County-owned or operated waste management sites that have fill areas; or
- (b) Clearview Township, with respect to all privately owned or operated waste management sites located on properties within the Township and all waste management sites owned or operated by the Township.

**D-4 Assessment Area** – any area identified as such on one of the Schedules to this Official Plan or identified on a map prepared and made available for information purposes by the County of Simcoe, being generally defined as the lands within 500 metres of a fill area but which may vary according to the actual location of the waste cell, the depth of the waste, the type of waste, or existing conditions

**designated greenfield area** – lands located within a settlement area but outside of the delineated built boundary that have been designated for development and are required to accommodate growth forecasts to the horizon of this Official Plan

**detached additional residential unit** – see **additional residential unit**

**development** – the creation of a new lot, a change in land use, or any construction of buildings and structures that requires approval under the *Planning Act*, or the physical results of any of those processes, as reflected in the built environment

**development application** – any application made under the *Planning Act*

**development approval** – the approval of a development application

**farm consolidation** – the amalgamation of an agricultural operation with another nearby operation owned by the same farmer or farming corporation

**fill area** – any portion of a waste management site that is or has been used for landfilling, including such an area on a property that is suspected to have been used for landfilling

**garden suite** – a single-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and designed to be portable

**hazardous lands** – property or lands that could be unsafe for development due to naturally occurring processes, which along river, stream, and small inland lake systems means the land, including land covered by water, to the furthest landward limit of the flooding hazard or within the erosion hazard limits (both of which limits being those determined according to procedures and methods approved by the Province)

**hazardous sites** – property or lands that could be unsafe for development and site alteration due to naturally occurring hazards, which may include unstable soils or unstable bedrock

**“in-between” use** – a land use that involves some form of commercial activity (such as sales or service) but that has characteristics more typical of an industrial use in terms of scale, processes, outputs, operations, or similar factors

**individual on-site sewage services** – a sewage system, as defined in Ontario Regulation 332/12 under the *Building Code Act, 1992*, that is owned, operated, and managed by the owner of the property upon which the system is located

**individual on-site water services** – an individual, autonomous water supply system that is owned, operated, and managed by the owner of the property upon which the system is located

**institutional use** – the use of land, a building, or a structure as a public service facility

**institutional-residential use** – a public service facility that includes some residential component, in that it serves as a temporary or permanent dwelling for one or more people, such as a nursing home, retirement home, assisted-living facility, long-term care facility, group home, crisis centre, or other form of public housing

**landfilling** – the disposal of waste by deposit, under controlled conditions, on land or on land covered by water, including compaction of the waste into a cell and covering the waste with cover materials at regular intervals

**lawfully exist** – to have been established (as a land use), created (as a lot), or constructed (as a building or structure) in accordance with the intent and policies of the official plan, with the zoning by-law, and with all other applicable laws, plans, and policies that were in effect at the time of that establishment, creation, or construction, and from such time to have been continuously used for the same purpose or purposes

**legal non-conforming** – term used to describe:

- (a) a use that lawfully existed on the day on which an official plan was adopted, and that has continued from that day, but that does not conform with the land use designations set out in that official plan and its schedules;
- (b) a use that lawfully existed on the day on which a new zoning by-law was passed, or on the day on which a by-law amending an in-force zoning by-law was passed, and that has continued from that day, but that is not identified as a permitted use in the new by-law or the amended by-law, as the case may be; or

- (c) a lot, building, or structure that lawfully existed on the day on which a new zoning by-law was passed, or on the day on which a by-law amending an in-force zoning by-law was passed, and that has continued from that day to be used for the same purpose, and that is identified as a permitted use in the new by-law or the amended by-law, as the case may be, but that does not comply with other standards established in that by-law

**like so** – phrase used to provide a visual example of the underlining style that indicates a term must be interpreted according to the definitions established in this section of the Plan

**minor by-law** – a by-law under Section 34 of the *Planning Act* passed by the minor by-law authority for one of the purposes identified in Policy No. 11.2.4.3 of this Official Plan

**minor by-law authority** – the committee or individual to whom Council has delegated the authority to pass minor by-laws pursuant to Section 39.2 of the *Planning Act*

**municipal sewage services** – a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality, including both centralized and decentralized systems

**municipal water services** – a municipal drinking water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002*, including both centralized and decentralized systems

**nature preserve** – property held by an approved conservation organization for the purpose of enhancing, protecting, maintaining, or providing access to the natural environment in the area covered by the Niagara Escarpment Plan

**non-landfilling** – any permitted use or activity taking place on a waste management site that does not involve landfilling, including activities and operations associated with recycling facilities, transfer stations, and processing sites

**partial services** – servicing that combines:

- (a) municipal water services or private communal water services with individual on-site sewage services; or
- (b) municipal sewage services or private communal sewage services with individual on-site water services

**prime agricultural area** – an area, which may be identified by OMAFRA using guidelines developed by the Province of Ontario or through an alternative agricultural land evaluation system approved by the Province, where:

- (a) lands in one of the following categories predominate:
  - (i) Canada Land Inventory Class 1, 2, or 3 lands;
  - (ii) lands in an area designated as a specialty crop area using guidelines developed by the Province; or

- (iii) Canada Land Inventory Class 4-7 lands associated with lands described in subclauses (i) or (ii) above; or
- (b) there is a local concentration of farms that exhibit characteristics of ongoing agriculture.

**private communal sewage services** – a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that is not owned by a municipality and that serves six or more lots or private residences

**private communal water services** – a non-municipal drinking water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences

**provincially significant wetland** – a wetland that has been identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province (which may be amended from time to time)

**public service facility** – any land, building, or structure used for the provision of programs or services that are either provided by or subsidized by a government or by another body, including social assistance, emergency services, educational programs, health care-related services, long-term care services, cultural services, and recreational programs or services, but not including infrastructure

**recognized trail conservancy** – the Bruce Trail Conservancy or one of the member associations of the Ganaraska Hiking Trail Association

**surplus dwelling** – a lawfully existing residence, located on the same lot as an active agricultural operation, that has been rendered surplus to that operation as the result of a farm consolidation

**value-retaining facility** – a facility located on a farm that serves to maintain the quality of raw commodities produced on that farm to ensure they remain saleable (such as refrigeration, controlled-atmosphere storage, cleaning, grading, and drying), including simple bulk packaging that helps maintain the quality of farm commodities and minimal processing operations that make a farm commodity saleable (such as grading eggs, evaporating maple syrup, or extracting honey)

**waste** – anything designated as waste in Regulation 347 (R.R.O. 1990) under the *Environmental Protection Act* (R.S.O. 1990, c. E.19) or in another regulation under that Act, and including ashes, garbage, refuse, domestic waste, industrial waste, and municipal refuse, but for the purposes of this Official Plan not including liquid waste as defined in Regulation 347



**waste management site** – a site, and any facilities associated with the site, for the accommodation of waste from one or more municipalities, irrespective of whether the site is used for landfilling or for non-landfilling, and including:

- (a) any land upon, into, or through which, or a building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated, or processed;
- (b) any land, building, or structure used for the capture and treatment of leachate;
- (c) any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment, processing, or capture referred to in clauses (a) or (b) above; and
- (d) the fill area and associated buffer area of any property that has been, or that is suspected to have been, used for landfilling

**waste management system** – a collection or network of waste management sites

**wedding venue** – a facility used solely for the purpose of hosting and catering to wedding receptions, for which food and beverages may also be prepared and served



## PART VI

# Special Policies & Secondary Plans

*The OFFICIAL PLAN of the TOWNSHIP of CLEARVIEW*





Photo: Public notice sign, Stayner.

**This section of the Official Plan** has been divided into six subsections so that special policy areas and exceptions can be presented according to a geographic organization. This has been done to aid the reader to quickly find the specific area or property they are interested in. Special policy areas are shown on Schedules SP-1 through SP-6 to this Official Plan, each of which shows the area subject to the policies in the correspondingly numbered subsection below. (The aforementioned Schedules can effectively serve as indexes for Sections 13.1 through 13.6 below.)

All development that lawfully existed on the day this Official Plan came into effect, including all agreements entered into in respect of such development, shall be deemed to conform with this Official Plan, and all development that was permitted through an amendment to the previous Official Plan of the Township of Clearview before the day on which this Official Plan came into effect, including all agreements entered into in respect of such development, shall be deemed to conform with this Official Plan, irrespective of whether such development was fully completed on the day this Official Plan came into effect, provided that, where such development was not fully completed, all remaining development proceeds as permitted or as agreed to.

## 13.1 Area 1: Stayner

**"Area 1," as shown on Schedule SP-1** to this Official Plan, comprises those lands bounded to the north by 27/28 Sideroad (Nottawasaga), to the south by 21/22 Sideroad (Nottawasaga), to the west by Fairgrounds Road North/South, and to the east by Simcoe County Road 7 north of Highway 26 and by Centre Line Road south of Highway 26. This area includes the entirety of the Urban Settlement Area of Stayner.

### 13.1.1 Lamont Creek Hazard Lands

**The lands designated as "Special Policy Area 13.1.1"** on Schedule SP-1 to this Official Plan, being those lands within the flooding hazard limit of Lamont Creek located within the Urban Settlement Area of Stayner and to the west of the former Barrie–Collingwood Railway (now the Clearview Train Trail), referred to in this section as the "subject lands", shall be subject to the following special provisions, in addition to all other applicable policies of this Official Plan:

1. Notwithstanding anything to the contrary in this Official Plan, the floodplain associated with Lamont Creek on the subject lands shall consist of two zones:
  - (a) the floodway, generally defined as those lands located below the defined one-in-100-year storm event flood-line; and
  - (b) the flood fringe, generally defined as those lands located between the defined one-in-100-year storm event flood-line and the regional storm event flood-line.
2. Development within the floodway, as defined in No. 13.1.1.1(a), shall be limited to those uses identified as permitted or permissible in the "Greenlands – Hazard Lands Area" designation in Section 4.9.3 of this Official Plan and shall only be permitted in accordance with the policies in that section of this Plan.
3. No land uses, except for the following, shall be permitted within the flood fringe, as defined in No. 13.1.1.1(b):
  - (a) lawfully existing uses on existing lots of record.
4. Policy No. 13.1.1.3 above may be amended to identify specific land uses on specific properties, subject to the policies in this section of the Official Plan.
5. Development may be permitted on an existing lot of record in Special Policy Area 13.1.1, provided that:
  - (a) the proposed use is identified as permitted or permissible on the property in accordance with the land use designations shown on Schedule B;
  - (b) the proposed development takes place in accordance with the policies that apply within the designations shown on Schedule B;

- (c) the development is limited to that portion of the lot that is located within the flood fringe, as defined in No. 13.1.1.1(b);
  - (d) Council has approved an amendment to this Official Plan for the purpose of adding a clause to No. 13.1.1.3 above that identifies the specific land use and the specific property; and
  - (e) Council has approved an amendment to the Zoning By-law that permits the proposed use on the subject property.
- 6. Notwithstanding No. 13.1.1.5(d), the improvement or expansion of a lawfully existing use on the subject lands shall not require an amendment to this Plan but shall be subject to all other requirements set out in this section of the Official Plan.
- 7. Notwithstanding No. 13.1.1.5 or anything else in this Plan, no by-law shall be passed that has the effect of permitting any of the uses identified or described in Policy No. 4.9.3.11(f) on the subject lands.
- 8. No development or site alteration, including any development described in No. 13.1.1.5, shall be permitted in Special Policy Area 13.1.1 unless the proponent has demonstrated, to the satisfaction of the Township and the NVCA, that there will be no adverse impacts on lands upstream or downstream of the proposed development.
- 9. Further to No. 13.1.1.8, any application proposing development on the subject lands shall be required to provide the following, to the satisfaction of the Township and the NVCA, in order to be considered a complete application:
  - (a) a Floodplain Analysis that assesses the impacts of the proposed development on the function of the Lamont Creek floodplain;
  - (b) a Stream Corridor Management Plan; and
  - (c) a detailed Stormwater Management Report that includes grading and drainage plans.
- 10. To clarify, nothing in Policy No. 13.1.1.9 shall in any way limit the Township's ability to require any other reports, plans, or other information or material as part of a complete application.
- 11. No development or site alteration, including the improvement or expansion of a lawfully existing use, shall occur on the subject lands until and unless a permit has been obtained from the NVCA.
- 12. Any amendment to the Zoning By-law that permits development in Special Policy Area 13.1.1 shall append an "(F)" suffix to the zoning symbol to indicate that the subject property is located within the flood fringe.

### 13.1.2 Leimgardt Seniors Residence (212 Scott St)

The lands designated as “Special Policy Area 13.1.2” on Schedule SP-1 to this Official Plan, being those lands described legally as Part of Block M of Registered Plan No. 214 and known municipally as 212 Scott Street in the Urban Settlement Area of Stayner, referred to in this section as the “subject lands”, shall be subject to the following special provisions, in addition to all other applicable policies of this Official Plan:

1. Notwithstanding the location of the subject lands in the “Greenlands – Hazard Lands Area” designation, the implementing Zoning By-law shall place the subject lands in a separate zone within which the existing guest home for seniors and any buildings or structures accessory thereto, as they existed on May 1, 1996, shall be identified as a permitted use.
2. Any addition to or expansion of a building or structure on the subject lands shall:
  - (a) require a separate amendment to the Zoning By-law;
  - (b) require a permit from the NVCA; and
  - (c) take place in accordance with accepted engineering techniques and resource management practices, as determined by the NVCA, and with any other requirements of the NVCA.
3. The parking of motor vehicles on the subject lands shall only be permitted on those portions of the southerly interior side yard, front yard, and rear yard where filling occurred prior to May 1, 1996.
4. Any works required to improve or expand a parking area on the subject lands shall require the approval of the NVCA.

### 13.1.3 Regina Subdivision

The lands designated as “Special Policy Area 13.1.3” on Schedule SP-1 to this Official Plan, being those lands located in the Urban Settlement Area of Stayner to the west of Valleyfield Crescent and to the north of Lamont Creek on part of Lots 23-26 of Registered Plan 194, referred to in this section as the “subject lands”, shall be subject to the following special provisions, in addition to all other applicable policies of this Official Plan:

1. It is the intent of the Township of Clearview that any development of the subject lands, or of any part thereof, shall proceed only in circumstances where the adequacy of municipal water services and municipal sewage services has been clearly established.
2. Any development application relating to the subject lands, or to any part thereof, shall be accompanied by the following, to the satisfaction of both the Township and the NVCA:
  - (a) a Stream Corridor Management Plan;



- (b) preliminary and detailed Stormwater Management Reports, including grading and drainage plans; and
  - (c) one or more engineering servicing studies addressing the manner in which development is proposed to be phased and demonstrating the adequacy of local municipal services, particularly municipal sewage services, in relation to each of the proposed phases.
3. The preliminary Stormwater Management Report referred to in No. 13.1.3.2(b) above shall be made a condition of draft plan approval.
  4. No amendment to the Zoning By-law that would permit one or more phases of development on the subject lands, or on any part thereof, shall be approved unless Council is satisfied that a commitment of municipal servicing capacity will not unduly compromise other planned development in the community.
  5. No development or site alteration shall proceed on the subject lands, and no building permit shall be issued therefor, until and unless the proponent has obtained a permit from the NVCA pursuant to the *Conservation Authorities Act*.

#### 13.1.4 Stayner Missionary Church Camp

The lands designated as “**Special Policy Area 13.1.4**” on Schedule SP-1 to this Official Plan, being those lands known municipally as 240 Scott Street in the Urban Settlement Area of Stayner, referred to in this section as the “subject lands” and shown in further detail on Schedule SP-1.1, shall be subject to the following special provisions, in addition to all other applicable policies of this Official Plan:

1. Development of the subject lands shall occur in accordance with the development concept shown on Schedule SP-1.1 to this Official Plan.
2. Except for the permanent residences referred to in No. 13.1.4.6 below, all uses of the subject lands shall be seasonal in nature, where “seasonal” refers to a use that may occur at any time during the year but not continuously for 365 days each year.
3. The area designated “General Camping” on Schedule SP-1.1 may be used to accommodate tents and trailers, where properly serviced.
4. The area designated “Parking Area” on Schedule SP-1.1 shall be used primarily for the parking of vehicles, although this area may also be used to accommodate overflow from the “General Camping” area for short periods of time.
5. The area designated “Existing Residences & Camp Facilities” on Schedule SP-1.1 may be developed to accommodate seasonal cottages, where “seasonal” has the same meaning as in No. 13.1.4.2 above, provided that such development meets with such requirements as have been established by the Township.



6. A maximum of two permanent residences may be permitted on the subject lands to serve as a caretaker's residence or as a residence for the campground coordinator, but such residences may only be located:
  - (a) within the "Parking Area" shown on Schedule SP-1.1 (notwithstanding No. 13.1.4.4) and fronting onto Scott Street; or
  - (b) within the "Open Area" shown on Schedule SP-1.1 and fronting onto Saunders Street.
7. All buildings and structures on the subject lands shall be provided with municipal water services and municipal sewage services.
8. Council may enter into an agreement with the campground's board of directors regarding matters such as the specific manner in which the subject lands will develop in accordance with Schedule SP-1.1, the locations of all buildings, the provision of necessary services and infrastructure, and the preservation of trees on-site.
9. The implementing Zoning By-law shall require a buffer along the northerly boundary of the subject lands with a minimum width of 20 metres, as identified on Schedule SP-1.1 and shall establish regulations regarding other matters such as setbacks from Scott Street and Saunders Street and setbacks between uses.
10. Development of the subject lands shall be subject to Site Plan Control.

### 13.1.5 Grand Estates of Clearview (Part of Lot 25, Concession No. 1 Sunnidale)

The lands designated as "Special Policy Area 13.1.5" on Schedule SP-1 to this Official Plan, being those lands located on the west part of Lot 25, Concession No. 1 (formerly in the Township of Sunnidale and now in the Township of Clearview), referred to in this section as the "subject lands" and shown in further detail on Schedule SP-1.2, shall be subject to the following special provisions, in addition to all other applicable policies of this Official Plan:

1. All development applications made in respect of the subject lands shall be subject to the policies of this Official Plan that are in effect at the time a decision regarding such an application is made.
2. Prior to the final approval of any development proposed on the subject lands, the proponent shall be required to provide the following, to the satisfaction of the Township:
  - (a) an integrated environmental protection and sustainability plan addressing such matters as:
    - (i) a water use and servicing efficiency assessment;
    - (ii) an integrated stormwater management and rainwater capture and re-use study;

- (iii) a development energy efficiency assessment; and
    - (iv) a construction spills plan; and
  - (b) an integrated urban design plan addressing such matters as:
    - (i) architectural control;
    - (ii) the design of public spaces;
    - (iii) pedestrian access, linkages, and trails; and
    - (iv) landscaping.
- 3. In addition to the items identified in No. 13.1.5.2, prior to the final approval of any development on the portion of the subject lands designated “Residential” on Schedule B and on Schedule SP-1.2, the proponent shall be required to provide:
  - (a) as part of the integrated environmental protection and sustainability plan referred to in No. 13.1.5.2(a):
    - (i) a tree and environmental features protection plan; and
    - (ii) a landscaping and site enhancement plan; and
  - (b) a comprehensive phasing plan, to the satisfaction of the Township, that, in addition to outlining the proposed phases of development, addresses such matters as:
    - (i) any temporary municipal services as may be required;
    - (ii) temporary signage;
    - (iii) fencing and landscaping;
    - (iv) construction management and the storage of topsoil and construction materials;
    - (v) temporary easements and conveyances necessitated by temporary works;
    - (vi) the phased provision of securities and servicing allocations; and
    - (vii) inhibiting orders and other measures required to ensure orderly development.
- 4. In the case of the portion of the subject lands designated “Residential”:
  - (a) development shall be subject to phasing in accordance with the comprehensive phasing plan described in No. 13.1.5.3(b); and
  - (b) the studies and plans referred to in No. 13.1.5.2 and No. 13.1.5.3 shall take place in a comprehensive framework for the entire site, although detailed components may be prepared in accordance with approved phasing and as submissions coordinated with subsequent development applications in respect of the subject lands.

5. For those portions of the subject lands identified on Schedule SP-1.2 as “Area 1”, “Area 2”, and “Area 3”, each of the three areas so identified shall:
  - (a) be merged into a single block in a draft plan to be approved by Council; and
  - (b) be developed subsequent to such approval to accommodate multi-residential uses in accordance with an integrated comprehensive site plan application and plan of condominium.
6. Development on the portion of the subject lands identified on Schedule SP-1.2 as “Area 3” shall incorporate a public space entrance feature, to be located on that portion identified as “Sub-area 3A”, to the satisfaction of the Township.
7. The portion of the subject lands identified on Schedule SP-1.2 as “Area 4” shall:
  - (a) be developed as a mixed-use commercial and residential development providing a range of employment and living opportunities, including office space and live-work units;
  - (b) be designed to have a street orientation; and
  - (c) incorporate a public space entrance features at the southeasterly corner of “Area 4”.
8. All buildings erected on the portion of the subject lands identified as “Area 4” shall have a minimum of two storeys.
9. In addition to the items identified in No. 13.1.5.2, prior to final approval of any development on the portion of the site shown as “Area 4” on Schedule SP-1.2, the proponent shall be required:
  - (a) to include information that addresses parking facilities as part of the integrated urban design plan referred to in No. 13.1.5.2(b); and
  - (b) to provide, to the satisfaction of the Township, an updated commercial needs assessment, which shall review and justify any required space to be retained, as well as other commercial and employment space opportunities.
10. No development shall take place on the portion of the subject lands identified as “Area 4” until:
  - (a) a comprehensive site plan application for the entirety of “Area 4” has been completed; and
  - (b) the owner has entered into a site plan agreement with the Township and to the Township’s satisfaction.

### 13.1.6 Clearview Park (1192 County Road 7)

The lands designated as “Special Policy Area 13.1.6” on Schedule SP-1 to this Official Plan, being those lands located on the south part of Lot 26, Concession No. 1 (formerly in the Township of Sunnidale and now in the Township of Clearview), known municipally as 1192 County Road 7 and referred to in this section as the “subject lands”, shall be subject to the following special provisions, in addition to all other applicable policies of this Official Plan:

1. All development applications made in respect of the subject lands shall be subject to the policies of this Official Plan and to all municipal by-laws that are in force and effect at the time a decision regarding such an application is made.
2. The configuration of any draft plan of subdivision proposed for the subject lands shall consider and prioritize a high standard of design, including:
  - (a) connectivity and integration with existing and planned infrastructure and development on all adjacent lands, including the establishment of a connection with Mowat Street North and the small existing residential subdivision directly to the west of the subject lands;
  - (b) the maximizing of opportunities to navigate the site and reach destinations within and beyond the subject lands on foot, by bicycle, or by any other form of active transportation;
  - (c) access to, and connectivity with, adjacent trails, open spaces, community uses, and residential neighbourhoods; and
  - (d) the development of a stormwater management strategy that:
    - (i) innovatively addresses quality and quantity controls on-site;
    - (ii) identifies an appropriate drainage outlet that will not adversely impact adjacent properties; and
    - (iii) abides by the principles of the water balance model, ensuring that post-development conditions mimic pre-development conditions.
3. Prior to the final approval of any development proposed on the subject lands, an investigation of multi-unit housing and of affordable housing opportunities shall be executed and integrated as appropriate.
4. Prior to the final approval of any development proposed on the subject lands, the proponent shall be required to provide the following, to the satisfaction of the Township:
  - (a) a sustainability plan addressing such matters as:
    - (i) a landscaping and site enhancement plan;
    - (ii) a water use and servicing efficiency assessment;

- (iii) an integrated stormwater management and rainwater capture and re-use study;
    - (iv) a development energy efficiency assessment; and
    - (v) a construction spills plan;
  - (b) an integrated urban design plan addressing such matters as:
    - (i) architectural control;
    - (ii) the design of public spaces;
    - (iii) pedestrian access, linkages, and trails; and
    - (iv) landscaping; and
  - (c) a comprehensive phasing plan, to the satisfaction of the Township, that, in addition to outlining the proposed phases of development, addresses such matters as:
    - (i) any temporary municipal services as may be required;
    - (ii) temporary signage;
    - (iii) fencing and landscaping;
    - (iv) construction management and the storage of topsoil and construction materials;
    - (v) temporary easements and conveyances necessitated by temporary works;
    - (vi) the phased provision of securities and servicing allocations; and
    - (vii) inhibiting orders and other measures required to ensure orderly development.
5. The studies and plans referred to in Clauses 13.1.6.4(a) and 13.1.6.4(b) shall take place in a comprehensive framework for the entire site, but detailed components may be prepared in accordance with approved phasing and as submissions coordinated with subsequent development applications in respect of the subject lands.
  6. Development of the subject lands shall be subject to phasing in accordance with the approved phasing plan described in No. 13.1.6.4(c).

### 13.1.7 Bridle Park (7535 & 7603 Highway 26)

The lands designated as “**Special Policy Area 13.1.7**” on Schedule SP-1 to this Official Plan, being those lands located on part of Lot 26, Concession No. 3 (formerly in the Township of Sunnidale and now in the Township of Clearview), known municipally as Nos. 7535 & 7603 Highway 26 and referred to in this section as the “subject lands”, shall be subject to the following special provisions, in addition to all other applicable policies of this Official Plan:

1. All development applications made in respect of the subject lands shall be subject to the policies of this Official Plan and to all Township policies and municipal by-laws that are in force and effect at the time a decision regarding such an application is made.
2. Detailed site plans, submitted studies, and further investigation may reveal a need to conserve additional lands for the protection of natural heritage features, which will not necessarily be limited to those lands identified using one of the “Greenlands” designations on the Schedules to this Plan.
3. The configuration of any draft plan of subdivision proposed for the subject lands shall consider and prioritize a high standard of design, including:
  - (a) connectivity and integration with existing and planned infrastructure and development on all adjacent lands, including the establishment of a connection with Locke Avenue across the Highway 26 corridor through the subject lands, if possible;
  - (b) the maximizing of opportunities to navigate the site and to reach destinations within and beyond the subject lands on foot, by bicycle, or by any other form of active transportation;
  - (c) access to, and connectivity with, adjacent trails, open spaces, and public service facilities, particularly the high school, Rail Trail, and the existing Community Centre and Arena to the south of the subject lands; and
  - (d) the preservation and enhancement of the natural heritage features on the site, including the woodland habitat to the west and the Lamont Creek tributary swale to the east of the subject lands.
4. Prior to the final approval of any development proposed on the subject lands, an investigation of multi-unit housing and of affordable housing opportunities shall be executed and integrated as appropriate.
5. Prior to the final approval of any development proposed on the subject lands, the proponent shall be required to provide the following, to the satisfaction of the Township:
  - (a) an integrated environmental protection and sustainability plan addressing such matters as:
    - (i) a tree and environmental features protection plan;
    - (ii) a landscaping and site enhancement plan;
    - (iii) a water use and servicing efficiency assessment;
    - (iv) an integrated stormwater management and rainwater capture and re-use study;
    - (v) a development energy efficiency assessment; and
    - (vi) a construction spills plan;

- (b) an integrated urban design plan addressing such matters as:
    - (i) architectural control;
    - (ii) the design of public spaces;
    - (iii) pedestrian access, linkages, and trails; and
    - (iv) landscaping; and
  - (c) a comprehensive phasing plan, to the satisfaction of the Township, that, in addition to outlining the proposed phases of development, addresses such matters as:
    - (i) any temporary municipal services as may be required;
    - (ii) temporary signage;
    - (iii) fencing and landscaping;
    - (iv) construction management and the storage of topsoil and construction materials;
    - (v) temporary easements and conveyances necessitated by temporary works;
    - (vi) the phased provision of securities and servicing allocations; and
    - (vii) inhibiting orders and other measures required to ensure orderly development.
6. The studies and plans referred to in Clauses 13.1.7.5(a) and 13.1.7.5(b) shall take place in a comprehensive framework for the entire site, but detailed components may be prepared in accordance with approved phasing and as submissions coordinated with subsequent development applications in respect of the subject lands.
7. Development of the subject lands shall be subject to phasing in accordance with the approved phasing plan described in No. 13.1.7.5(c).

### 13.1.8 214 North Street

**The lands designated as “Special Policy Area 13.1.8”** on Schedule SP-1 to this Official Plan, being those lands located on part of Lot 20 (south side of North Street) on Plan 194 (Nottawasaga), designated as Part 3 on Reference Plan 51R-15318, and known municipally as 214 North Street in the Urban Settlement Area of Stayner, referred to in this section as the “subject property”, shall be subject to the following special provisions, in addition to all other applicable policies of this Official Plan:

1. In addition to those uses permitted by the applicable land use designation shown on Schedule B to this Official Plan, the use of the subject property for a parking area and access driveway serving the use on the abutting property known municipally as 7449 Highway 26 (hereafter referred to as “the abutting property”) shall be permitted.



2. All parking spaces on the subject property shall be dedicated solely and exclusively to the use on the abutting property, and no parking space on the subject property shall be used to serve any other use or purpose.
3. Any application for redevelopment that proposes the establishment of a new use or the erection of a new building on the subject property shall warrant an evaluation of the parking requirements for the proposed new use or building in accordance with the requirements of the Zoning By-law that is in force and effect at the time such an application is made.
4. Where an application proposing the establishment of a new use or the erection of a new building on the abutting property gives rise to a situation in which the use of the subject property as a parking area is no longer needed, then:
  - (a) the use of the subject lands for a parking area and access driveway serving the abutting property should cease; and
  - (b) the subject lands should be redeveloped for residential purposes.
5. For the purposes of No. 13.1.8.4, the need for parking shall not be determined by the requirements of the Zoning By-law but rather by the observed need of the use or building on the abutting property, as measured by occupancy and utilization rates.

## 13.2 Area 2: Creemore

**"Area 2," as shown on Schedule SP-2** to this Official Plan, comprises those lands bounded to the north by 12/13 Sideroad (Nottawasaga), to the south by 6/7 Sideroad (Nottawasaga), to the west by Concession No. 5 South (former Township of Nottawasaga), and to the east by Simcoe County Road 42 (Airport Road). This area includes the entirety of the Urban Settlement Area of Creemore.

### 13.2.1 Mad River Hazard Lands

**The lands designated as "Special Policy Area 13.2.1"** on Schedule SP-2 to this Official Plan, being those lands within the flooding hazard limit of the Mad River in the Urban Settlement Area of Creemore, referred to in this section as the "subject lands", shall be subject to the following special provisions, in addition to all other applicable policies of this Official Plan:

1. Notwithstanding anything to the contrary in this Official Plan, the floodplain associated with the Mad River on the subject lands shall consist of two zones:
  - (a) the floodway, generally defined as those lands located below the defined one-in-100-year storm event flood-line; and
  - (b) the flood fringe, generally defined as those lands located between the defined one-in-100-year storm event flood-line and the regional storm event flood-line.

2. Development within the floodway, as defined in No. 13.2.1.1(a), shall be limited to those uses identified as permitted or permissible in the “Greenlands – Hazard Lands Area” designation in Section 4.9.3 of this Official Plan and shall only be permitted in accordance with the policies in that section of this Plan.
3. No land uses, except for the following, may be permitted within the flood fringe, as defined in No. 13.2.1.1(b):
  - (a) lawfully existing uses on existing lots of record.
4. Policy No. 13.2.1.3 above may be amended to identify specific land uses on specific properties, subject to the policies in this section of the Official Plan.
5. Development may be permitted on an existing lot of record in Special Policy Area 13.2.1, provided that:
  - (a) the proposed use is identified as permitted or permissible on the property in accordance with the land use designations shown on Schedule B;
  - (b) the proposed development takes place in accordance with the policies that apply within the designations shown on Schedule B;
  - (c) the development is limited to that portion of the lot that is located within the flood fringe, as defined in No. 13.2.1.1(b);
  - (d) Council has approved an amendment to this Official Plan for the purpose of adding a clause to No. 13.2.1.3 that identifies the specific land use and the specific property; and
  - (e) Council has approved an amendment to the Zoning By-law that permits the proposed use on the subject property.
6. Notwithstanding No. 13.2.1.5(d), the improvement or expansion of a lawfully existing use on the subject lands shall not require an amendment to this Plan but shall be subject to all other requirements set out in this section of the Official Plan.
7. Notwithstanding No. 13.2.1.5 or anything else in this Plan, no by-law shall be passed that has the effect of permitting any of the uses identified or described in Policy No. 4.9.3.11(f) on the subject lands.
8. No development or site alteration, including the improvement or expansion of a lawfully existing use, shall occur on the subject lands until and unless a permit has been obtained from the NVCA.
9. Any amendment to the Zoning By-law that permits development in Special Policy Area 13.1.1 shall append an “(F)” suffix to the zoning symbol to indicate that the subject property is located within the flood fringe.

10. In an effort to further protect and ensure the safety of the residents of Creemore, the Township will cooperate with the NVCA in the preparation and regular updating of an Emergency Action Plan which is intended to address, among other matters, the means for evacuating people and moveable property out of flood-susceptible areas during a significant flood event.

### 13.2.2 Creemore Springs Brewery (137 Mill St)

**The lands designated as “Special Policy Area 13.2.2”** on Schedule SP-2 to this Official Plan, being those lands described legally as Lots 13-17 of Plan 315 and Lots 13-14 of Plan 88 (formerly in the Village of Creemore and now in the Township of Clearview) and known municipally as 137 Mill Street in the Urban Settlement Area of Creemore, referred to in this section as the “subject lands”, shall be subject to the following special provisions, in addition to all other applicable policies of this Official Plan:

1. Subject to Nos. 13.2.2.2 and 13.2.2.3 below, in addition to those uses permitted in the “Commercial” land use designation, the uses permitted on the subject lands shall include:
  - (a) an industrial brewery operation; and
  - (b) uses accessory and incidental to an industrial brewery operation.
2. Notwithstanding No. 13.2.2.1, on the portion of the subject lands that is described legally as Lot 17 of Plan 315 (formerly in the Village of Creemore and now in the Township of Clearview):
  - (a) an industrial brewery operation shall not be permitted; and
  - (b) uses accessory and incidental to an industrial brewery operation shall be permitted, provided that such uses are limited to:
    - (i) landscaping;
    - (ii) staff and public amenity areas;
    - (iii) winter snow storage; and
    - (iv) staff and public parking areas.
3. The industrial brewery operation referred to in No. 13.2.2.1 shall be limited to a production capacity of 150,000 hL per year.
4. Any expansion of the existing industrial brewery operation, including any increase to production capacity and any expansion of or modification to any building or structure, shall:
  - (a) require a consolidated agreement, to be registered on title, that includes:
    - (i) a phased site plan, approved by the Township, to serve as the basis for the proposed expansion; and

- (ii) provisions relating to hours of operation, truck traffic, and truck rates;
  - (b) occur on the basis of the approved phased site plan referred to in No. 13.2.2.4(a)(i) above; and
  - (c) be subject to architectural control, in order to achieve the Township's design objectives for Downtown Creemore.
5. The agreement referred to in No. 13.2.2.4(a) shall require that the implementation of any phase of the phased site plan be contingent upon:
- (a) the availability of water services and sewer services, including suitable arrangements for the provision thereof;
  - (b) the issuance of the necessary Certificates of Approval by the Ministry of the Environment;
  - (c) the demonstration of the industrial brewery operation's satisfactory performance with respect to, and on-going compliance with, Certificates of Approval, municipal approval requirements, municipal by-laws, and all applicable terms of the consolidated site plan agreement;
  - (d) the placing of limitations on hours of operation for production and shipping; and
  - (e) the imposing of restrictions on trucking and truck routes.
6. The phased site plan shall require that:
- (a) any modification, improvement, or expansion to a building or structure maintain or enhance the aesthetic attributes of the Mill Street commercial streetscape;
  - (b) safe access for trucks and employee vehicles be provided to and from Elizabeth Street or Edward Street, with no truck access being permitted from Mill Street;
  - (c) the expanded operation or increased production capacity meet noise standards established by the Ministry of the Environment and maintain an odour standard of 1 OU, to be exceeded less than 0.5% of the time;
  - (d) all noise and odour mediation and abatement measures be reviewed at each phase, with any recommendations or requirements being incorporated into any redevelopment that will result in increased production capacity prior to such increased production occurring; and
  - (e) adequate financial arrangements be made with the Township to pay for or to secure site servicing, landscaping, mediation or abatement measures, architectural control, and any other matters of municipal interest.
7. For the purposes of this section, "industrial brewery operation" shall mean any building or structure, or any collection thereof, that is devoted to the manufacturing, bottling, storage, and sale of beer.

### 13.2.3 Alliance Homes (East Creemore Residential Lands)

The lands designated as “Special Policy Area 13.2.3” on Schedule SP-2 to this Official Plan, being generally described as those lands in the Urban Settlement Area of Creemore bounded to the north by County Road 9, to the east by the boundary between Concession No. 3 and Concession No. 4 (former Township of Nottawasaga), to the south by the unopened Elizabeth Street road allowance, and to the west by Mary Street (but not including certain parcels with frontage along the easterly side of Mary Street, as shown on Schedule SP-2), referred to in this section as the “subject lands” and shown in further detail on Schedules SP-2.1a and SP-2.1b, shall be subject to the following special provisions, in addition to all other applicable policies of this Official Plan:

1. The maximum number of dwelling units permitted on the subject lands shall be 498 units, and, notwithstanding Section 12.2 of this Plan regarding the interpretation of numerical standards, no more than 498 dwelling units shall be permitted on the subject lands.
2. The development of residential uses on the subject lands will provide a mix of unit types, in accordance with the Development Concept shown on Schedule SP-2.1a to this Official Plan, and will occur in phases, in accordance with the Phasing Plan shown on Schedule SP-2.1b.
3. Modifications to Schedule SP-2.1a that do not increase the density of development within any lot or block on the Development Concept may be permitted without an amendment to this Official Plan, provided that such modifications are consistent with the intent of Schedule SP-2.1a and with the applicable policies of this Official Plan.
4. Minor modifications to the boundaries of the phases shown on Schedule SP-2.1b may be permitted without an amendment to this Official Plan, provided that such modifications are consistent with the intent of Schedule SP-2.1b and with the applicable policies of this Official Plan.
5. The phasing of the development of the subject lands shall occur on the basis that any preceding phase must be 70% complete, based on the number of units available for occupancy, before development of the subsequent phase may be initiated, with the details of such phasing to be established as a condition of draft plan approval.
6. Notwithstanding anything to the contrary in Section 4.2.1 or elsewhere in this Plan, Neighbourhood Commercial uses shall be permitted without an amendment to this Official Plan or to the Zoning By-law, but any Neighbourhood Commercial use permitted on the subject lands shall:
  - (a) be located on the multiple residential block located northwest of the intersection of the unopened Elizabeth Street road allowance and the new north-south Collector Road, identified as “Area 1” on Schedule SP-2.1b to this Plan;

- (b) be located on the first floor of a multiple residential building; and
  - (c) be limited to local convenience retail stores, cafés, personal service shops, and health-related retail or service facilities.
- 7. No independent, free-standing commercial building shall be permitted on the subject lands.
- 8. All development on the subject lands shall be provided with municipal water services and municipal sewage services.
- 9. Notwithstanding anything to the contrary in Section 7.5.3 or elsewhere in this Official Plan:
  - (a) access to any property containing a 4-plex or 6-plex, as shown on Schedule SP-2.1a, from an abutting Local Road is permitted; and
  - (b) access to the medium-density block on the north side of the Nelson Street extension, identified as “Area 2” on Schedule SP-2.1b, from Nelson Street is permitted.
- 10. Prior to the final approval of any application for development on the subject lands, the following shall be prepared, to the satisfaction of the Township, and approved by the Township:
  - (a) a phasing plan, in general accordance with the Phasing Plan shown on Schedule SP-2.1b, that outlines:
    - (i) the staging of development for the subject lands, to ensure that all municipal services are available prior to development at the relevant phase proceeds;
    - (ii) the proper sequencing of stormwater management, road connections, and parkland development; and
    - (iii) the provision of any other services necessary to support the development of the lands; and
  - (b) Architectural Control Guidelines, to ensure compatibility with the established built form context of Creemore, including the following specific matters related to built form:
    - (i) Development on the east side of Mary Street shall be limited to single detached dwellings, 4-plexes, and 6-plexes, which will be designed to appear as single detached dwellings.
    - (ii) Development facing County Road No. 9 shall be designed to be buffered with a landscaped open space and trail area which shall be fully developed prior to the initiation of any development beyond the lots and blocks fronting onto Mary Street.

## 13.3 Area 3: Northwest Clearview

**"Area 3," as shown on Schedule SP-3** to this Official Plan, comprises the northwestern portion of Clearview Township, being those lands bounded to the north and to the west by the municipal boundary of Clearview Township, to the south by 21/22 Sideroad (Nottawasaga), and to the east by Fairgrounds Road North, and also those lands located north of Area 1 (Stayner), bounded to the north by the municipal boundary of Clearview Township, to the south by 27/28 Sideroad (Nottawasaga), to the west by Fairgrounds Road North, and to the east by County Road 7. Area 3 includes the Community Settlement Area of Nottawa and the Rural Settlement Areas of Batteaux and Duntroon.

### 13.3.1 4473 County Road 124

**The lands designated as "Special Policy Area 13.3.1"** on Schedule SP-3 to this Official Plan, being the property located on the northwest part of the West Half of Lot 38, Concession No. 8 (formerly in the Township of Nottawasaga and now in the Township of Clearview), known municipally as 4773 County Road 124 and referred to in this section as the "subject property", shall be subject to the following special provisions, in addition to all other applicable policies of this Official Plan:

1. Notwithstanding anything to the contrary in this Official Plan, the use of the subject property for a lumber, hardware, and builder's supply outlet shall be permitted.
2. Except as provided for in No. 13.3.1.1 above, all other policies that apply in the "Rural" designation and the policies that apply to the "Rural Crossroads" shall apply to the subject property.

### 13.3.2 2700 Concession 6 North Nottawasaga

**The lands designated as "Special Policy Area 13.3.2"** on Schedule SP-3 to this Official Plan, being the property located on the east part of the North Half of Lot 38, Concession No. 7 (formerly in the Township of Nottawasaga and now in the Township of Clearview), known municipally as 2700 Concession 6 North Nottawasaga and referred to in this section as the "subject property", shall be subject to the following special provisions, in addition to all other applicable policies of this Official Plan:

1. Notwithstanding anything to the contrary in this Official Plan, any of the following uses may be permitted on the subject property:
  - (a) a fabricating, processing, or manufacturing establishment that does not require water except for what is necessary to meet the sanitary needs of its employees;
  - (b) an assembly plant;
  - (c) a wholesale outlet or warehouse;



- (d) a contractor's or tradesperson's shop;
  - (e) a motor vehicle body shop;
  - (f) a motor vehicle repair shop;
  - (g) a service repair shop;
  - (h) a farm produce storage area; or
  - (i) a printing or publishing establishment.
2. Any use that is accessory to one of the uses listed in No. 13.3.2.1 shall be permitted on the subject property, including:
- (a) a contractor's or tradesperson's yard;
  - (b) the outdoor storage of goods and materials in a fenced area that is screened from public view;
  - (c) an accessory retail outlet;
  - (d) an accessory wholesale outlet; and
  - (e) a business or administration office.

### 13.3.3 5820 County Road 64

The lands designated as **"Special Policy Area 13.3.3"** on Schedule SP-3 to this Official Plan, being the property located on the East Half of Lot 31, Concession No. 2 (formerly in the Township of Nottawasaga and now in the Township of Clearview), known municipally as 5820 County Road 64 and referred to in this section as the "subject property", shall be subject to the following special provisions, in addition to all other applicable policies of this Official Plan:

1. The use of the subject property shall be restricted to a privately owned and operated facility for the recycling, storage, and transfer of construction demolition materials.
2. The materials handled on the subject property shall be limited to solid, non-hazardous materials, including concrete, brick, wood, scrap metal, drywall, cardboard, gravel, and other non-hazardous miscellaneous materials.
3. The outdoor storage of clean concrete, wood, aggregate, and scrap metal on the subject property shall be permitted.

## 13.4 Area 4: Southwest Clearview

**"Area 4," as shown on Schedule SP-4** to this Official Plan, comprises the southwestern portion of Clearview Township, being those lands bounded to south and to the west by the municipal boundary of Clearview Township, to the north by 21/22 Sideroad (Nottawasaga), and to the east by

Centre Line Road, but does not include Area 2 (Creemore). Area 4 includes the Rural Settlement Areas of Avening, Dunedin, Glen Huron, and Singhampton.

### 13.4.1 3226 County Road 42

The lands designated as “**Special Policy Area 13.4.1**” on Schedule SP-4 to this Official Plan, being the property located on the north part of the East Half of Lot 6, Concession No. 3 (formerly in the Township of Nottawasaga and now in the Township of Clearview), known municipally as 3226 County Road 42 and referred to in this section as the “subject property”, shall be subject to the following special provisions, in addition to all other applicable policies of this Official Plan:

1. Notwithstanding anything to the contrary in this Official Plan, the use of the subject property as an outlet for the sale of furniture shall be permitted.

## 13.5 Area 5: Northeast Clearview

“**Area 5,**” as shown on **Schedule SP-5** to this Official Plan, comprises the northeastern portion of Clearview Township, being those lands bounded to the north and to the east by the municipal boundary of Clearview Township, to the south by Concession No. 7 (former Township of Sunnidale), and to the west by Simcoe County Road 7 north of Highway 26 and by Centre Line Road south of Highway 26.

### 13.5.1 Former Edenvale Transmitter Facility

The lands designated as “**Special Policy Area 13.5.1**” on Schedule SP-5 to this Official Plan, being those parts of Lots 13 and 14, Concession No. 10 (formerly in the Township of Sunnidale and now in the Township of Clearview), that formerly accommodated the Edenvale Transmitter Facility, owned and operated by the Department of National Defense, referred to in this section as the “subject lands”, shall be subject to the following special provisions, in addition to all other applicable policies of this Official Plan:

1. As the subject lands are known to be contaminated with polycyclic aromatic hydrocarbons (“PAHs”), any application proposing development on the subject lands shall be accompanied by an Environmental Site Assessment or similar study that assesses and explains the extent of the contamination and identifies any methods of remediation that are necessary, to the satisfaction of the Township.
2. The implementing Zoning By-law may apply a holding symbol to the subject lands in order to ensure that the appropriate studies and necessary remediation are undertaken prior to any development occurring on the subject lands.

## 13.6 Area 6: Southeast Clearview

**"Area 6," as shown on Schedule SP-6** to this Official Plan, comprises the southeastern portion of Clearview Township, being those lands bounded to the south and to the east by the municipal boundary of Clearview Township, to the north by Concession No. 7 (former Township of Sunnidale), to the west by Centre Line Road. Area 6 includes the Community Settlement Area of New Lowell and the Rural Settlement Areas of Brentwood and Old Sunnidale.

### 13.6.1 [Reserved]

# APPENDIX A

## References

*The OFFICIAL PLAN of the TOWNSHIP of CLEARVIEW*

## Notes on Sources

This Appendix consists of two parts: the first ("Notes on Sources") identifies points in the text of this Official Plan that use information or statements from other documents. This is followed by a References list that provides bibliographic information for the source documents used.

### 1 Introduction

**History of Clearview Township** – Clearview Township, "Clearview Celebrates 25 Years"; Ontario Ministry of Indigenous Affairs, "Map of Ontario treaties and reserves"; Ian Adams, "History of Clearview, Wasaga began before Confederation," *Simcoe.com*; Jesse E. Middleton, *The Province of Ontario: A History*; Creemore Business Improvement Area, "About Creemore"; Ontario Heritage Trust, "Online Plaque Guide: Founding of Stayner". **Population, demographics, and employment information** – Statistics Canada, "Electronic Area Profiles: Clearview, TP," 1996 *Census of Population*; Statistics Canada, "Community Highlights for Clearview," 2001 *Community Profiles, 2001 Census*; Statistics Canada, "Clearview, TP," *Census Profile, 2016 Census*; Statistics Canada, "Clearview, Township (TP)," *Census Profile, 2021 Census of Population*; Statistics Canada, "Commuting Flow Census Subdivisions," 2001 *Census Topic-based Tabulations*; Statistics Canada, *Table 98-10-0459-01: Commuting flow from geography of residence to geography of work*. **Provincial policy and legislation** – *Planning Act*, R.S.O. 1990, c. P.13; Ontario Ministry of Municipal Affairs and Housing ("OMMAH"), *Provincial Policy Statement, 2020*; OMMAH, *A Place to Grow: Growth Plan for the Greater Golden Horseshoe*; Ontario Ministry of Natural Resources ("OMNR"), *Niagara Escarpment Plan (2017)*; OMMAH, "Provincial Policy Statement Review - Proposed Policies: Original proposal" [ERO no. 019-0279]. **Population and employment allocations** – County of Simcoe, *County of Simcoe Official Plan*, Table 1 (p. 15). **"May" and "shall"** – Ben Russell, "Shall, Must, May: The Logic of Legal Obligation and Permission."

### 2 Community Structure & Growth Management

**Settlement areas and community structure** – *County of Simcoe Official Plan*. **Growth Plan definitions of "rural settlements" and "settlement areas"** – OMMAH, *A Place to Grow*, p. 81 & p. 82. **Population and employment forecasts** – County of Simcoe, "Amendment No. 7 to the Official Plan for County of Simcoe," Table B (Item 18, pp. 14-15) & Table C (Item 18, pp. 15-16); Hemson Consulting, *Growth Forecasts and Land Needs Assessment*. **Census Dissemination Blocks and population estimates** – Statistics Canada, *GeoSuite*, <https://geosuite.statcan.gc.ca/geosuite/en/index>; Statistics Canada, "Differences between Statistics Canada's census counts and population estimates"; Statistics Canada, "Historical estimates of population coverage error," *Coverage Technical Report, Census of Population, 2016*. **Housing forecasts** – Hemson Consulting, *Growth Forecasts and Land Needs Assessment*. **Housing affordability and "housing continuum"** – Statistics Canada, *Table 18-10-0205-01: New housing price index, monthly*; Statistics Canada, *Table 98-10-0255-01: Shelter-cost-to-income ratio*; Township of Clearview et al., *South Georgian Bay and Springwater Community Safety and Well-Being Plan 2021-2025*, p. 40 & p. 45; Canada Mortgage and Housing Corporation, "About Affordable Housing in Canada," *CMHC-SCHL.gc.ca*; County of Simcoe Affordable Housing Advisory Committee, *Agenda for 18 June 2021*, p. 13. **Age-friendly housing** – Township of Clearview & Compass Point Consulting, *Clearview Strategic Plan*, p. 17.

### 3 Rural & Agricultural Lands

**Prime agricultural areas and rural areas** – OMMAH, *PPS, 2020*, p. 49 & p. 51. **Minimum distance separation** – Ontario Ministry of Agriculture, Food and Rural Affairs ("OMAFRA"), *The Minimum Distance Separation (MDS) Document*. **Nutrient management** – *Nutrient Management Act, 2002*, S.O. 2002, c. 4. **Agricultural uses, agriculture-related uses, and on-farm diversified uses** – OMAFRA, *Guidelines on Permitted Uses; Farming and Food Production Protection Act, 1998*, S.O. 1998, c. 1. **Boundary adjustments and re-designations** – *County of Simcoe Official Plan*, Policy No. 3.6.11 (p. 39).

### 4 Land Use Designations

**Institutional uses on hazardous lands** – OMMAH, *PPS, 2020*, Policy No. 3.1.5 (p. 33) & p. 45. **Conversion of employment areas** – OMMAH, *PPS, 2020*, Policy No. 1.3.2.4 (p. 15). **Categorization and impacts of industrial uses** – Ontario Ministry of the Environment ("OME"), "D-6-1 Industrial Categorization Criteria"; OME, "D-6 Compatibility between Industrial

Facilities.” **Waste disposal sites and assessment areas** – OME, “D-4 Land Use On or Near Landfills and Dumps”; *Environmental Protection Act*, R.S.O. 1990, c. E.19. **“Airport-Related Employment” designation** – *County of Simcoe Official Plan*, Policy Nos. 4.8.62-64 (pp. 115-116); Transport Canada, “Managing noise from aircraft.” **Mineral aggregate resources** – *Aggregate Resources Act* (R.S.O. 1990, c. A.8), subs. 1 (1). **Recycling of used concrete and asphalt** – OMMAH, *A Place to Grow*, No. 4.2.8.1.a (p. 47). **Dwelling units on lots approved prior to May 9, 2016 (Policy No. 4.9.2.3)** – *County of Simcoe Official Plan*, Policy No. 3.8.15.viii (p. 47). **NEP land use designations** – OMNR, *Niagara Escarpment Plan* (2017).

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**Public lands** – *Public Lands Act* (R.S.O. 1990, c. P.43), s. 1. **Protection and restoration of linkages** – *County of Simcoe Official Plan*, Policy No. 3.3.16 (pp. 22-23); Ontario Ministry of Natural Resources (“OMNR”), *Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005* (2nd edition), Table 3-3 (p. 25). **Linkage areas** – OMNR, *Natural Heritage Reference Manual* (2nd edition), p. 217. **Forestry management and woodland cover** – *County of Simcoe Official Plan*, Policy Nos. 4.5.36-37 (p. 97). **Wetlands and wetland evaluations** – OMNR, *A Wetland Conservation Strategy for Ontario 2017-2030*; OMNR, *Ontario Wetland Evaluation System: Southern Manual* (3rd ed., 3rd revision); OMMAH, *PPS, 2020*, p. 53. **Key hydrologic features and areas** – OMMAH, *A Place to Grow*, p. 74. **Setbacks from watercourses** – *County of Simcoe Official Plan*, Policy No. 4.5.25 (pp. 95-96). **Sourcewater protection** – *Clean Water Act*, 2006, S.O. 2006, c. 22; Lake Simcoe Region Conservation Authority [LSRCA], Nottawasaga Valley Conservation Authority [NVCA] & Severn Sound Environmental Association [SSEA], *South Georgian Bay Lake Simcoe Source Protection Plan [SGBLSSPP]*; OME, “Drinking water threats and circumstances.” **Risk management official** – NVCA, “Drinking Water Source Protection”. **Pre-submission consultation for EISs** – OMNR, *Natural Heritage Reference Manual* (2nd ed.), p. 123. **Mineral aggregate operations and rehabilitation** – OMMAH, *A Place to Grow*, Nos. 4.2.8.2-5 (pp. 48-50); OMMAH, *PPS, 2020*, Policy No. 2.5.4.1 (p. 30); *County of Simcoe Official Plan*, Policy No. 4.4.1 (p. 88); Skelton Brumwell & Associates and Savanta, *Paper 6: Rehabilitation (State of the Aggregate Resource in Ontario Study)*, p. 6-42. **Wayside pits and quarries** – OMMAH, *PPS, 2020*, Policy No. 2.5.5.1 (pp. 30-31).

## 6 Community Health, Safety & Well-Being

**CSWB Plan** – Clearview et al., *Community Safety and Well-Being [“CSWB”] Plan*. **Climate change and mental health** – Robert T. Muller, “Climate Change Affecting Farmers’ Mental Health,” *Psychology Today*. **Dimensions of access** – Clearview et al., *CSWB Plan*, p. 51 & pp. 54-55. **Public service facilities** – *County of Simcoe Official Plan*, Section 4.2 (p. 86); Clearview et al., *CSWB Plan*, p. 28. **Community design** – Clearview et al., *CSWB Plan*, p. 27; International CPTED Association, “Primer in CPTED - What is CPTED?”, *CPTED.net*.

## 7 Infrastructure & Municipal Services

**Hierarchy of services and PPS definitions** – OMMAH, *PPS, 2020*, Section 1.6.6 (pp. 18-20); “individual on-site sewage services” and “individual on-site water services”: p. 45; “municipal sewage services” and “municipal water services”: p. 47; “partial services”: p. 48; “private communal sewage services” and “private communal water services”: p. 49; “reserve sewage system capacity” and “reserve water system capacity”: p. 50. **Water budget and water conservation** – *County of Simcoe Official Plan*, Policy No. 4.7.13 (p. 103). **Studies and reports** – *County of Simcoe Official Plan*, Policy No. 4.7.10 (p. 102) & No. 4.7.18 (p. 104); “servicing capability study” and “servicing feasibility study”: *County of Simcoe Official Plan*, pp. 150-151; OMECP, “D-5-3 Servicing Options Statement.” **Stormwater management** – *County of Simcoe Official Plan*, Policy No. 3.3.19 (pp. 23-24). **Low-impact development** – Credit Valley Conservation Authority & Toronto and Region Conservation Authority, *Low Impact Development Stormwater Management Planning and Design Guide*; Aquafor Beech Ltd. & Earthfx Inc., *Runoff Volume Control Targets for Ontario*. **Waste disposal assessment areas** – OMECP, “D-4 Land Use On or Near Landfills and Dumps.” **Public transit** – *County of Simcoe Official Plan*, Policy Nos. 4.8.57-61 (pp. 114-115). **Active transportation** – *County of Simcoe Official Plan*, Policy Nos. 4.8.45-52 (pp. 112-113); Township of Clearview, PRC Solutions & J Consulting Group, *Parks, Recreation and Culture Master Plan*. **Energy undertakings and approvals** – *Environmental Assessment Act*, R.S.O. 1990, c. E.18. **Antenna towers** – Innovation, Science and Economic Development [“ISED”] Canada, *Spectrum Management and Telecommunications Client Procedures Circular: Radiocommunication and Broadcasting Antenna Systems* (CPC-2-0-03); “telecommunications carrier”: ISED Canada, CPC-2-0-03, Section 1.2 (p. 2); “broadcasting undertaking”: *Broadcasting Act* (Canada), subs. 2 (1); “third-party tower owner”: ISED Canada, CPC-2-0-03, Section 1.2 (p. 1); height: ISED Canada, CPC-2-0-03, Section 6 (p. 12).

## 8 Community Design & Placemaking

**Park classifications and standards** – Township of Clearview, PRC Solutions & J Consulting Group, *Parks, Recreation and Culture Master Plan* [“PRCMP”], Appendix C (pp. 55-56). **“Non-operating provincial park”** – O. Reg. 347/07 (Provincial Parks: General Provisions) under the *Provincial Parks and Conservation Reserves Act, 2006* (S.O. 2006, c. 12), s. 1.

**Recreational facilities** – Township of Clearview, PRC Solutions & J Consulting Group, *PRCMP; Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11; *Human Rights Code*, R.S.O. 1990, c. H.19.

## 9 Cultural Heritage

**Creemore Log Cabin** – Clearview Township, “Heritage Sites.” **Cultural heritage value** – O. Reg. 9/06 (Criteria for Determining Cultural Heritage Value or Interest) under the *Ontario Heritage Act* (R.S.O. 1990, c. O.18), subs. 1(2).

**Heritage conservation and primary treatments** – Parks Canada, *Standards and Guidelines for the Conservation of Historic Places*. **Archaeological conservation and archaeological resources** – County of Simcoe & ASI, *Archaeological Management Plan, Final Draft Report*; “as early as 13,000 years ago”: County of Simcoe & ASI, *Archaeological Management Plan*, p. 5; *Funeral, Burial and Cremation Services Act*, S.O. 2002, c. 33.

## 10 Economic Development

**Niagara Escarpment and Bruce Trail** – OMNR, *Niagara Escarpment Plan* (2017), Part 2.11, Part 2.13 & Part 2.14.

## 11 Implementation

**Community improvement plans and project areas** – Township of Clearview, *Clearview Community Improvement Plan*, Schedule “A” to By-law 18-46. **Plans of subdivision and descriptions of condominium** – *Condominium Act, 1998* (S.O. 1998, c. 19), s. 8 & subs. 9 (2). **Complete applications** – *County of Simcoe Official Plan*, Policy No. 4.12.18 (pp. 126-127).

## 12 Interpretation

**Definitions** – “additional residential unit”: *Planning Act*, subs. 16 (3); “built boundary”: OMMAH, *A Place to Grow*, p. 69; “conservation organization”: OMNR, *Niagara Escarpment Plan* (2017), p. 129; “designated greenfield area”: OMMAH, *A Place to Grow*, p. 69; “development”: OMMAH, *PPS, 2020*, p. 42; “garden suite”: *Planning Act*, subs. 39.1 (2); “hazardous lands” and “hazardous sites”: OMMAH, *PPS, 2020*, p. 44; “individual on-site sewage services” and “individual on-site water services”: OMMAH, *PPS, 2020*, p. 45; “landfilling”: Regulation 347, R.R.O. 1990, subs. 1 (1); “municipal sewage services” and “municipal water services”: OMMAH, *PPS, 2020*, p. 47; “nature preserve”: OMNR, *Niagara Escarpment Plan* (2017), p. 134; “partial services”: OMMAH, *PPS, 2020*, p. 48; “prime agricultural area”: OMMAH, *PPS, 2020*, p. 49 & p. 52 (definition of “specialty crop areas”); “private communal sewage services” and “private communal water services”: OMMAH, *PPS, 2020*, p. 49; “public service facility”: OMMAH, *PPS, 2020*, p. 49; “value-retaining facility”: OMAFRA, *Guidelines on Permitted Uses*, p. 6; “waste” and “waste management site”: *Environmental Protection Act*, s. 25.

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# APPENDIX B

## Rural Crossroads

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## Rural Crossroads

This Appendix shows the 400-metre “conceptual radii” for the Rural Crossroads area identified in Section 2.2.4 of this Official Plan, as well as the 250-metre buffer along the “Rural Corridor” (also considered a Rural Crossroads area for the purposes of this Plan) between Nottawa and the Town of Collingwood.



[intentionally blank for map showing Sunnisdale Corners]

[intentionally blank for map showing Cashtown Corners]

[intentionally blank for map showing Maple Valley]

[intentionally blank for map showing County Road 7 & Concession 12 (Sunnidale)]

[intentionally blank for map showing County Road 10 & Concession 9 (Sunnidale)]

[intentionally blank for map showing County 124 corridor between Nottawa & Collingwood]

# APPENDIX C

## Content Guidelines for EIS Reports

*The OFFICIAL PLAN of the TOWNSHIP of CLEARVIEW*



## Content Guidelines for EIS Reports

Unless specified otherwise during the pre-submission consultation process, an Environmental Impact Study (EIS) report submitted in support of a development application will be required to adhere to the guidelines regarding content and organization set out in this appendix. The use of the term “study area” refers to the proposed development site and any adjacent lands included within the study area, as established during pre-submission consultation.

1. An EIS report submitted in support of a planning application shall include the following sections:
  - (a) an introduction and background information section;
  - (b) a biophysical description of the study area;
  - (c) a description of the proposed development;
  - (d) an assessment of the potential impacts of the proposed development;
  - (e) a description of potential mitigation measures and possible compensation options;
  - (f) a plan for implementing and monitoring the recommendations of the EIS; and
  - (g) a section providing conclusions and recommendations.
2. The **Introduction & Background** section of the EIS report should:
  - (a) identify the development proponent and the professionals who conducted the EIS, as well as the qualifications and credentials that make those professionals qualified experts for the purposes of the EIS;
  - (b) summarize the results of the pre-consultation process, including an outline of the customized Terms of Reference established during that process;
  - (c) describe the general location of the proposed site, with a brief description of historical and present land uses;
  - (d) provide an overview of existing conditions in the study area; and
  - (e) briefly summarize the relevant policy context for the study area, including with respect to the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the County of Simcoe Official Plan, and this Official Plan.
3. The **Biophysical Description** of the study area should:
  - (a) provide a detailed description of the existing natural environment in the study area, including:
    - (i) the ecological functions of the natural features present, including linkage areas;

- (ii) the habitat needs of species on lands adjacent to the proposed development site; and
  - (iii) the contributions of the study area to the overall natural heritage system in the area (the sub-watershed, for example) and in the region;
- (b) provide a site plan showing the existing conditions in the study area;
- (c) discuss the study area, field survey dates, and the methodology used;
- (d) summarize the findings of relevant background studies and the results of any field investigations conducted;
- (e) consider the following elements with respect to existing conditions in the study area:
  - (i) geology (including landforms and topography, soils, areas prone to erosion);
  - (ii) hydrogeology (including recharge or discharge zones, quality and quantity of groundwater, groundwater elevation and flow, connections between ground and surface water);
  - (iii) hydrology (including quality and quantity of surface water, drainage features and swales, wetlands, floodplains, flood regulation limits);
  - (iv) vegetation (including identification of vegetation communities, description of any wooded areas, tabulation of species observed by ecosite or vegetation type unit, location and distribution of rare or uncommon species, location mapping and evaluation of wetlands);
  - (v) wildlife (including inventory of species, breeding bird survey and other species-specific field surveys, location and distribution of rare species, uncommon species, or species at risk); and
  - (vi) habitat (including significant wildlife habitat, significant habitat of endangered species and threatened species, location and distribution of wildlife habitat and critical habitats).

4. The **Proposed Development** section should:

- (a) provide a description of the proposed development at a level of detail that allows for a full assessment of potential impacts;
- (b) provide detailed mapping, overlaid on the mapping of existing conditions, of the proposed development, including:
  - (i) proposed buildings and structures;
  - (ii) drainage features and stormwater management areas;
  - (iii) driveways and parking lots;
  - (iv) septic system areas;

- (v) utility and maintenance corridors; and
- (vi) other sources of human intrusion;
- (c) identify grading limits and post-grading contours;
- (d) identify the extent of proposed vegetation removal ;
- (e) outline the phasing of development and timing of construction; and
- (f) identify any proposed activities associated with the development that could have impacts on the natural environment.

5. The **Assessment of Potential Impacts** should:

- (a) identify and discuss the changes and impacts, both direct and indirect, that can be reasonably expected to occur as a result of the proposed development and subsequent land use, which might include:
  - (i) impacts on physical features;
  - (ii) impacts on ecosystems, including on habitats and linkages; and
  - (iii) impacts on activities related to natural features (such as recreational activities or agricultural activities) within or adjacent to the study area; and
- (b) forecast the cumulative impacts of development, including those from existing and future developments in the area surrounding the study area.

6. The section discussing **Mitigation Measures & Compensation Options** should:

- (a) recommend extents of land where disturbance must be avoided and where disturbance must be limited, in order to maintain natural features and ecological functions;
- (b) describe potential mitigation measures for preventing, modifying, or alleviating adverse impacts;
- (c) describe possible compensation options, which can include restoring, enhancing, or creating habitat;
- (d) assess the effectiveness of the mitigation measures and compensation options described for eliminating or reducing potential impacts;
- (e) prioritize mitigation and generally consider compensation only for small, low-diversity features when all mitigative measures have been determined to be unfeasible;
- (f) explore opportunities for enhancing the natural environment; and
- (g) review alternative development options and alternative methods of mitigating impacts.

7. The **Implementation & Monitoring** section should:

- (a) describe how the proposed development will implement the mitigation measures and compensation options recommended;
- (b) identify and consider any residual impacts remaining after implementation of mitigation measures;
- (c) provide details for the monitoring program, which will depend on the specific nature of the proposal;
- (d) specify the periods before, during, and after construction during which monitoring will be required (which will generally depend on the scale of development); and
- (e) explain how the proposed monitoring program will detect environmental change attributable to work undertaken or to development-related activity for which some anticipated level of mitigation might be used.

8. The **Conclusion & Recommendations** section should:

- (a) provide an independent professional opinion as to whether the proposed development will have negative impacts on the natural environment of the study area;
  - (b) identify and justify the preferred development alternative;
  - (c) summarize potential impacts and mitigation measures; and
  - (d) indicate whether additional plans or studies are expected after the submission of the EIS report
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# APPENDIX D

## Waste Management Sites

*The OFFICIAL PLAN of the TOWNSHIP of CLEARVIEW*

## Waste Management Sites

The following waste management sites, shown on Schedule F to this Official Plan, were **active** at the time this Official Plan was adopted:

- (1) County of Simcoe Site 10 (Nottawasaga Landfill), 5715 County Road 64, located at the end of County Road 64, north of Stayner and approximately 1.3 km west of Highway 26;
- (2) County of Simcoe Site 12 (Clearview Landfill), located on the east side of 12/13 Sideroad North Sunnidale, north of Highway 26 and south of Sunnidale Concession No. 12;
- (3) the private waste management site located at 10367 County Road 10 (Lot 21 ESR, Concession 4, former Township of Sunnidale (BrenJust Holdings Inc.), ECA No. A740051 issued March 9, 2020; and
- (4) the private waste management site located on Part of Lot 15, Concession 10, former Township of Sunnidale (CCI Edenvale Inc.), ECA No. A252803 issued July 23, 1990, and amended on May 13, 2002.

The following waste management sites, shown on Schedule F to this Official Plan, were **closed** and no longer operational at the time this Official Plan was adopted:

- (1) County of Simcoe Site 34 (Town of Stayner Landfill Site), 260 Industrial Road in Stayner;
- (2) County of Simcoe Site 50 (Township of Nottawasaga Landfill Site), 6873 6/7 Sideroad Nottawasaga, located approximately 1.3 km east of County Road 42;
- (3) County of Simcoe Site 51 (Township of Nottawasaga Landfill Site), 8512 County Road 9, located on the north side of County Road 9 approximately 2 km northeast of Dunedin;
- (4) County of Simcoe Site 52 (Township of Sunnidale Landfill Site), 1493 12/13 Sideroad North Sunnidale, located just south of Sunnidale Concession No. 12;
- (5) the private waste management site located on Lots 25, 26, 27 & 28, Registered Plan 68 (William Street, Stayner), identified as Site No. 505 on Schedule 5.6.2 to the County of Simcoe Official Plan;
- (6) the private waste management site located on Part of Lot 23, Concession 1, former Township of Nottawasaga (344 Warrington Road), identified as Site No. 506 on Schedule 5.6.2 to the County of Simcoe Official Plan;
- (7) the private waste management site located on South Half of Lot 10, Concession 5, former Township of Sunnidale (located north of Sunnidale Concession No. 5 and east of 9/10 Sideroad Sunnidale), identified as Site No. 515 on Schedule 5.6.2 to the County of Simcoe Official Plan;

- (8) the private waste management site located on Part of the Southeast Quarter of Lot 8, Concession 3, former Township of Sunnidale (3301 Hogback Road), identified as Site No. 516 on Schedule 5.6.2 to the County of Simcoe Official Plan;
  - (9) the private waste management site located at 65 Edward Street East, Creemore (formerly the Creemore Transfer Station); and
  - (10) the private waste management site located on Part of Lot 12, Concession 4, former Township of Sunnidale (formerly the Region of Huronia Septic Service Limited Sludge Transfer Station).
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# Schedules

*The* OFFICIAL PLAN *of the* TOWNSHIP *of* CLEARVIEW

## Schedules

Schedule A: Municipal Structure

Schedule B: Land Use Plan

Schedule C: Natural Heritage System

Schedule D: Water Resources

Schedule E: Aggregate Resources

Schedule F: Waste Management Sites

Schedule G: Transportation System