



Powell Planning & Associates

Evolution through planning & development

PLANNING JUSTIFICATION REPORT

ZONING BY-LAW AMENDMENT APPLICATION



793273 County Road 124
TOWNSHIP OF CLEARVIEW

PREPARED JUNE 2026

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1. Introduction

Powell Planning & Associates has been retained by the landowners Dhandev and Dalvir Sandhu (the Owner) of 793273 County Road 124 (the subject lands), legally described as Part of Lot 6, Concession 5 Southern Division, Township of Clearview, County of Simcoe, to evaluate the planning merits of an application for a Zoning By-law Amendment to the Township of Clearview's Zoning By-law 06-54, as amended, to permit a Flour Mill Facility as an agriculture-related use on the subject lands, in accordance with the *Planning Act*, R.S.O. 1990, c. P. 13.

The Owner submitted a Pre-Consultation Application to consult with the Township's Planning staff on the planning applications and subsequent technical studies required to facilitate the proposed use on the subject lands. Powell Planning & Associates was not retained at the time of the Pre-Consultation Application, but is in receipt of the Pre-Consultation Response provided by the Township to the Owner. Schedule 'C' (Submission Breakdown & Next Steps) of the Pre-Consultation Response provided by the Township's Planning staff requires a Zoning By-law Amendment as "Formal Application Phase I". If the subject Zoning By-law Amendment application is approved, the subject development will be facilitated through a Site Plan Approval application that will be submitted in the future as "Formal Application Phase II". In accordance with Schedule 'C' (Submission Breakdown & Next Steps) of the Pre-Consultation Response, the following materials were deemed requirements for "Formal Application Phase I" for the subject Zoning By-law Amendment application:

1. Zoning By-law Amendment Application (and applicable application fees)
2. Detailed Concept Site Plan (refer to **Appendix 1** of this Report)
3. Planning Justification Report (including Climate Change Mitigation & Adaptation Statement)
4. Draft Zoning By-law (refer to **Appendix 2** of this Report)
5. Traffic Impact Brief
6. Elevation Plans & Architectural Drawings
7. Landscape Plan
8. Hydrogeological Report (as required to confirm well capacity to service proposed use)

The subject lands are designated "Agricultural" and "Greenlands" by the County of Simcoe Official Plan (2023) and "Agricultural" by the Township of Clearview Official Plan (2024). The subject lands are zoned "Agricultural (AG)" Zone and "Environmental Protection (EP)" Zone by the Township of Clearview Zoning By-law 06-54, as amended. The subject lands are partially within the Nottawasaga Valley Conservation Authority (NVCA) regulated area. The proposed agriculture-related use of the Flour Mill Facility is proposed on the portion of the subject lands that is zoned "Agricultural (AG)" Zone and outside of the NVCA regulated area. In accordance

with the Pre-Consultation Comments provided by the Township, the proposed Flour Mill Facility is not an as-of-right permitted use within the “Agricultural (AG)” Zone; Therefore, an application for a Zoning By-law Amendment is required to rezone a portion of the subject lands to “Agriculturally Related Industrial Exception (AGI-X)” Zone to permit the proposed development as a site-specific permitted use on the subject lands.

In order to present a professional planning opinion on the proposed development, a review of the following documents was undertaken:

- The *Planning Act*, R.S.O. 1990, c. P. 13;
- The Provincial Planning Statement (2024);
- The Simcoe County Official Plan (2023);
- The Township of Clearview Official Plan (2024); and
- The Township of Clearview Zoning By-law 06-54, as amended.

2. Location and Description

The subject lands are located south of Sideroad 6 & 7 Nottawasaga, west of S Nottawasaga Concession 10 and north of County Road 9, on the east side of County Road 124, in the Township of Clearview. The subject lands currently have an existing dwelling and existing farm building on them and are used for agriculture uses.

The following table summarizes the existing site statistics for the subject lands:

Table 1. Existing Site Statistics

Parcel Description	Frontage	Lot Area	Lot Depth
793273 County Road 124	± 601.4 m (1973.1 ft) onto County Road 124	± 39.775 ha (98.29 ac)	± 601.4 m (1973.1 ft)

The surrounding uses to the subject lands are described below:

- **North:** Agricultural Uses
- **East:** Agricultural Uses
- **South:** Agricultural Uses

- **West:** Agricultural Uses/Wooded Area

3. Proposed Development

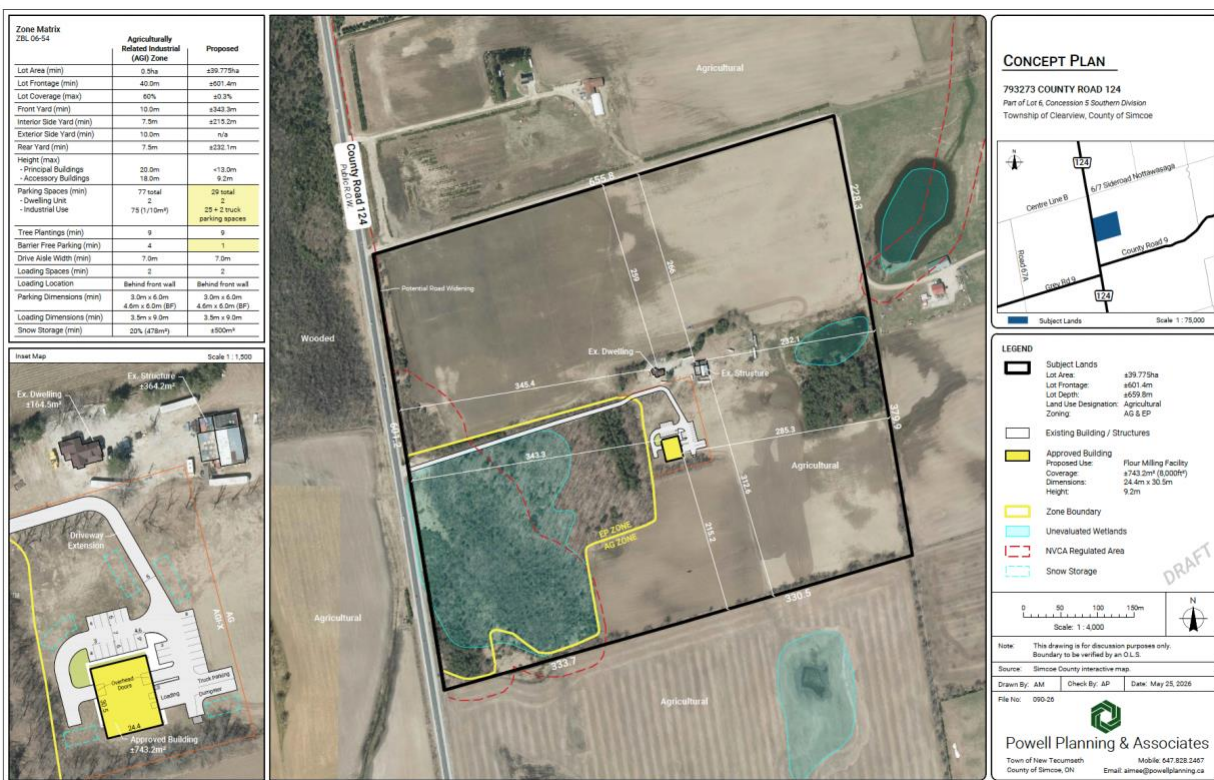
The subject lands are currently used for agriculture uses and have an existing dwelling and farm building on them. The subject lands are designated “Agricultural” by the Township of Clearview Official Plan (2024). The subject lands are zoned “Agricultural (AG)” Zone and “Environmental Protection (EP)” Zone by the Township of Clearview Zoning By-law 06-54, as amended. The subject lands are partially within the NVCA regulated area.

It is the intent of the Township of Clearview’s Official Plan (2024) (the 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. The proposed use of the Flour Mill Facility is an agriculture-related use, which is permitted under the Official Plan subject to the policies contained in Section 3.3.2, and meets the intent of supporting the diversification of agriculture-related economic activity while protecting the Township’s prime agricultural areas.

The Owner has confirmed additional details regarding the scale of the proposed Flour Mill Facility as requested by staff in the Pre-Consultation Response comments. The proposed Flour Mill Facility will primarily operate between the hours of 9 a.m. to 5 p.m., on an 8-hour schedule. There will be a minimum of 2 employees and maximum of 4 employees on-site at any given time. The use is primarily processing flour only. Limited visitor traffic is expected, with most site activity related to employee access and scheduled truck deliveries/pickups. Only 1 truck will be required on a regular weekly basis for the proposed use. There is no on-site purchasing anticipated for the proposed use that would require the establishment of limits on the number of customers.

The Owner previously applied for a building permit to construct a farm shed on the subject lands for the storage of farm equipment, which was approved by the Township. The Owner’s desires now are to use the proposed farm shed for the operation of the proposed Flour Mill Facility as an agriculture-related use on the subject lands. The Owner submitted a Pre-Consultation application and completed a Pre-Consultation with the Township’s Planning staff regarding the proposed Flour Mill Facility within the farm shed that they have received building permit approval for. As confirmed through the Pre-Consultation Response provided by the Township’s Planning staff, the proposed Flour Mill Facility is not an as-of-right permitted use on lands zoned “Agricultural (AG)” Zone and a Zoning By-law Amendment application is required to permit the proposed Flour Mill Facility. A Concept Plan of the proposed Flour Mill Facility on the subject lands is included as **Figure 1** below and **Appendix 1** of this Report.

Figure 1. Concept Plan



The “Agricultural (AG)” Zone permits a range of primary and accessory agricultural uses. To permit the proposed Flour Mill Facility on the subject lands as an agriculture-related use, the subject Zoning By-law Amendment application is required to amend the zoning on the portion of the subject lands where the Flour Mill Facility is proposed from “Agricultural (AG)” Zone to “Agriculturally Related Industrial Exception (AGI-X)” Zone to permit the proposed Flour Mill Facility as a site-specific exception on the subject lands. The proposed use meets all other provisions of the Town’s Zoning By-law. The draft Zoning By-law Amendment is included as **Appendix 2** of this Report. An analysis of the subject Zoning By-law Amendment application against the Township’s Zoning By-law is provided in Section 5.5 of this Report.

4. Public Consultation Strategy

In accordance with subsection 34(12) of the *Planning Act*, at least one (1) public meeting shall be held for applications for Zoning By-law Amendments for the purpose of giving the public an opportunity to make representations in respect of the proposed by-law.

The public consultation strategy proposed for the subject application is to meet the legislative requirements under the *Planning Act*. Upon the subject application being deemed complete by the Township, the Township shall provide a Notice of Complete Application in accordance with requirements under subsection 34(10.4) of the *Planning Act*. Following the Notice of Complete Application being issued by the Township, a statutory Public Meeting will be held on a date

deemed appropriate by the Township, and a Notice of the Public Meeting shall be provided by the Township at least 20 days prior to the date of the Public Meeting in accordance with subsections 34(13) and (14.1) of the *Planning Act*.

The Public Meeting will provide an opportunity for members of the public to provide verbal or written comments regarding the subject application and for Council to ask any questions and provide feedback.

5. Planning Analysis

5.1 *Planning Act*, R.S.O. 1990, c. P. 13

The *Planning Act* is a provincial statute that sets out the ground rules for land use planning in Ontario. The *Planning Act* must be considered when reviewing development applications. In consideration of the proposed Zoning By-law Amendment application, Section 2 (Provincial Interest), Section 3 (Policy Statements) and Section 34 (Zoning By-laws) of the *Planning Act* apply.

Section 2 of the *Planning Act* requires that regard be given to matters of provincial interest, including the following:

- a) The protection of ecological systems, including natural areas, features and functions;
- b) The protection of the agricultural resources of the Province;
- e) The supply, efficient use and conservation of energy and water;
- f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- h) The orderly development of safe and healthy communities;
- l) The protection of the financial and economic well-being of the Province and its municipalities;
- o) The protection of public health and safety;
- p) The appropriate location of growth and development; and
- s) The mitigation of greenhouse gas emissions and adaptation to a changing climate.

In accordance with Schedule C – Natural Heritage System of the Township’s Official Plan, part of the subject lands are identified as “Natural Heritage (Clearview Township)” where unevaluated wetlands are present. A portion of the subject lands are also within the NVCA regulated area. As shown on the Concept Plan (**Appendix 1**), all site alteration and development for the proposed Flour Mill Facility are proposed outside of the NVCA regulated area, unevaluated wetlands and the portion of the subject lands that is zoned “Environmental Protection (EP)”

Zone. The proposed development does not encroach into any natural areas or features and protects ecological systems, including natural areas, features and functions (a).

The protection of the agricultural resources of the Province is a provincial interest. The proposed development is a Flour Mill Facility, an agriculture-related use, which is encouraged by provincial policy to ensure the protection of prime agricultural areas while providing for more economic opportunities to the agricultural sector through compatible agriculture-related uses. The proposed use is a permitted use in prime agricultural areas under the Provincial Planning Statement (2024) (PPS 2024), the “Agricultural” and “Greenlands” designation of the Simcoe County Official Plan (2023) and the “Agricultural” designation of the Township’s Official Plan on the subject lands. The proposed development protects the agricultural resources of the Province (b).

A review of Section 5.6 Climate Change of the Township’s Official Plan was undertaken in support of the subject application and is analyzed in Section 5.4 of this Report. In summary, the proposed development constitutes a small form of development and the modest size of the proposed facility, limited truck/traffic generation and access to the facility to support local agricultural production should not result in significant greenhouse gas emissions that may potentially occur from major forms of development for other types of industrial uses. A Hydrogeological Report was identified as a requirement in the Pre-Consultation Response from Township staff and has been submitted under separate cover. The Hydrogeological Report prepared by Simcoe Water Solutions confirms that the existing well capacity is more than sufficient to support the proposed use without any adverse impact on the local groundwater resource or on neighbouring wells. The proposed development supports the supply, efficient use and conservation of energy and water (e).

The adequate provision and efficient use of water services is demonstrated through the Hydrogeological Report that is required and submitted under separate cover, which confirms that the existing well has more than sufficient capacity to service the proposed use without any adverse impact on the local groundwater resource or on neighbouring wells. In accordance with Schedule ‘C’ of the Pre-Consultation Response, the required servicing reports/studies that were identified by Township staff for “Formal Application Phase II” will be submitted at the detailed Site Plan Approval stage if the subject Zoning By-law Amendment is approved to permit the proposed use. The proposed use will require the use of 1 truck, which will limit truck/traffic generation to the site and makes efficient use of the existing transportation system. Simcoe County’s Transportation & Engineering staff identified a required road widening along the entire frontage of the subject lands adjacent to County Road 124, which is to be identified through a future Site Plan Approval application. The potential road widening has been

identified on the Concept Plan (**Appendix 1**). The subject application supports the adequate provision of communication, transportation, sewage and water services and waste management systems (f).

The proposed use of the Flour Mill Facility is compatible with the surrounding agriculture uses to the subject lands and is proposed outside of floodplain hazard land areas. The proposed development supports the orderly development of safe and healthy communities and the protection of public health and safety (h) (o).

The proposed development of the Flour Mill Facility, an agriculture-related use, provides for diversified economic opportunities for the Township's agricultural sector and protects the financial and economic well-being of the Province and its municipalities (l).

The proposed agriculture-related use (Flour Mill Facility) is a permitted use on the subject lands in accordance with the PPS 2024 policies for prime agricultural areas, the "Agricultural" and "Greenlands" designation in the Simcoe County Official Plan (2023) and the "Agricultural" designation in the Township's Official Plan. The subject lands are the appropriate location for the proposed use (p).

The mitigation of greenhouse gas emissions and adaptation to a changing climate is a provincial interest. A Climate Change Mitigation & Adaptation Statement has been provided in Section 5.4 of this Report, which demonstrates that the proposed development will not be negatively impacted by climate change-related hazards and effectively mitigates greenhouse gas emissions (s).

In accordance with Section 2 of the *Planning Act*, the analysis provided above concludes that the proposed development has regard for matters of provincial interest.

Subsection 3(5)(a) of the *Planning Act* requires that decisions affecting planning matters be consistent with policy statements and conform to the provincial plans that are issued under the *Planning Act*. The proposed use is consistent with the PPS 2024 and has been addressed in Section 5.2 of this Report.

In accordance with Subsection 34(10) of the *Planning Act*, the subject application is required to amend the Township's Zoning By-law to permit the proposed Flour Mill Facility on the subject lands as an agriculture-related use by amending the existing zoning of a portion of the subject lands from "Agricultural (AG)" Zone to "Agriculturally Related Industrial Exception (AGI-X)" Zone to permit the proposed use. The proposed development meets all other provisions of the

Zoning By-law. The subject Zoning By-law Amendment application has been analyzed against the Township's Zoning By-law in Section 5.5 and the draft Zoning By-law Amendment is included as **Appendix 2** of this Report.

The subject Zoning By-law Amendment application respects provincial interests, is consistent with provincial policy, and is suitable to proceed by way of application for an amendment to the Township's Zoning By-law in accordance with Section 34 of the *Planning Act*. In my professional planning opinion, the subject Zoning By-law Amendment application represents good planning in accordance with the *Planning Act*.

5.2 Provincial Planning Statement (2024)

The PPS 2024 is a streamlined province-wide land use planning policy framework that provides policy direction on matters of provincial interest related to land use planning and development and provides the foundation for planning decisions in Ontario. The PPS 2024 provides direction for appropriate development, with an emphasis on building more homes, and supports development to increase housing supply across the province that aligns with the development of infrastructure, while protecting agricultural lands, the environment and public health and safety. The PPS 2024 recognizes that local context is important and provides flexibility in the implementation of its policies provided that provincial interests are upheld.

Chapter 2 (Building Homes, Sustaining Strong and Competitive Communities), Chapter 3 (Infrastructure and Facilities), Chapter 4 (Wise Use and Management of Resources) and Chapter 5 (Protecting Public Health and Safety) of the PPS 2024 are particularly relevant to the proposed development and are addressed below:

Section 2.5 Rural Areas in Municipalities

Policy 2.5.1: *“Healthy, integrated and viable rural areas should be supported by:*

- a) Building upon rural character and leveraging rural amenities and assets;*
- b) Promoting regeneration, including the redevelopment of brownfield sites;*
- c) Accommodating an appropriate range and mix of housing in rural settlement areas;*
- d) Using rural infrastructure and public service facilities efficiently;*
- e) Promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*
- f) Providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural and natural assets;*

- g) Conserving biodiversity and considering the ecological benefits provided by nature; and*
- h) Providing opportunities for economic activities in prime agricultural areas, in accordance with policy 4.3.”*

The subject lands are within a “rural area” as defined by the PPS 2024 and Section 2.5 of the PPS 2024 is relevant to the subject application. The proposed development of the Flour Mill Facility is an agriculture-related use that will provide high quality flour to meet local and regional demand while supporting the agricultural sector and creating economic opportunity for the community. The Owner identified that their mission is to supply the local market with superior organic flour at a reasonable price, ensuring consumers have access to a quality product. Accordingly, the proposed development builds on the rural character in the Township and leverages rural amenities and assets, while diversifying the economic land base and employment opportunities and providing opportunities for economic activity. The proposed development will use rural infrastructure and public services efficiently, which will be confirmed through the required servicing studies through a future application for Site Plan Approval, and is proposed on the portion of the subject lands that is outside of any natural heritage features and will not have any negative impacts on the ecological systems and functions in the Township’s Natural Heritage System. The proposed development is consistent with Policy 2.5.1 of the PPS 2024.

Section 2.9 Energy Conservation, Air Quality and Climate Change

Policy 2.9.1: *“Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that:*

- a) Support the achievement of compact, transit-supportive, and complete communities;*
- b) Incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities;*
- c) Support energy conservation and efficiency;*
- d) Promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality; and*
- e) Take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate.”*

The Township’s Official Plan includes policies for climate change and the requirement for a Climate Change Mitigation & Adaptation Statement to be provided as part of any proposed

development application, which should be scoped accordingly to the proposed development. A Climate Change Mitigation & Adaptation Statement has been provided in Section 5.4 of this Report, which demonstrates consistency with Policy 2.9.1 of the PPS 2024 and the Township's goals and objectives for mitigating and adapting to a changing climate.

Section 3.6 Sewage, Water and Stormwater

Section 3.6 of the PPS 2024 provides policies for ensuring that the appropriate sewage, water and stormwater services are in place for any proposed development. A Hydrogeological Report is submitted under separate cover for the subject Zoning By-law Amendment application which confirms the existing well capacity is more than sufficient for servicing the proposed use and will not have any adverse impacts on local groundwater resource or neighbouring wells in accordance with the policies under Section 3.6 of the PPS 2024. Most of the servicing studies, such as a Functional Servicing Brief, Stormwater Management Brief, Site Servicing Plan etc., were identified as requirements as part of the Site Plan Approval application (Formal Application Phase II) for the proposed development, which will be submitted to facilitate the proposed development if the subject Zoning By-law Amendment application (Formal Application Phase I) is approved to permit the proposed use.

Section 4.1 Natural Heritage

Policy 4.1.1: *"Natural features and areas shall be protected for the long term."*

The subject lands include portions of the Township's Natural Heritage System, as identified on Schedule C of the Township's Official Plan. Schedule C1 identifies that there are unevaluated wetlands on the subject lands. As identified on the Concept Plan (**Appendix 1**), the proposed development is outside of the unevaluated wetlands, the NVCA regulated area on the subject lands, and the portion of the subject lands that is zoned "Environmental Protection (EP)" Zone. The proposed development is outside of any floodplain hazard land areas. The proposed development protects natural features and areas, consistent with Policy 4.1.1 of the PPS 2024.

Policy 4.1.2: *"The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features."*

As confirmed above, the diversity and connectivity of the natural features in the area, and the long-term ecological function and biodiversity of natural heritage systems will be maintained in accordance with Policy 4.1.2 of the PPS 2024. Schedule D – Water Resources of the Township's

Official Plan identifies that the subject lands are within a Significant Groundwater Recharge Area. The NVCA was circulated during the Pre-Consultation process and NVCA staff's comments related to Source Water Protection confirm that they have reviewed the proposed development against the policies for Source Water Protection and there are no Source Water Protection policies that apply and they have no concerns. The proposed development is consistent with Policy 4.1.2, as well as the policies under Section 4.2 of the PPS 2024.

Section 4.3 Agriculture

Policy 4.3.1.1: *"Planning authorities are required to use an agricultural system approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the agri-food network."*

The subject lands are designated "Agricultural" by the Township's Official Plan and are part of the agricultural land base. The proposed development is a Flour Mill Facility, which is an agriculture-related use that is compatible with the subject lands and surrounding agricultural uses. The subject application does not propose to take lands out of the agricultural land base, but proposes a use that will support and foster the long-term economic prosperity and productive capacity of the agri-food network, consistent with Policy 4.3.1.1 of the PPS 2024.

Policy 4.3.1.2: *"As part of the agricultural land base, prime agricultural areas, including speciality crop areas, shall be designated and protected for long-term use for agriculture."*

The subject lands are part of the agricultural land base and are designated "Agricultural", which are protected for long-term use for agriculture. The subject application does not propose to redesignate the subject lands and the proposed use is a permitted use on the subject lands in the "Agricultural" designation. The subject application ensures the subject lands will continue to be designated and protected for long-term use for agriculture, consistent with Policy 4.3.1.2 of the PPS 2024.

Policy 4.3.2.1: *"In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses based on provincial guidance."*

Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations.

Criteria for these uses may be based on provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.”

The proposed use of the Flour Mill Facility, an agriculture-related use, is a permitted use on the subject lands in accordance with Policy 4.3.1.2. The proposed agriculture-related use of the Flour Mill Facility is compatible with and supports rather than hinders, surrounding agricultural operations by providing high quality flour to meet local and regional demand while supporting the agricultural sector and creating economic opportunity for the community. The proposed development is consistent with Policy 4.3.2.1 of the PPS 2024.

Chapter 5: Protecting Public Health and Safety

The PPS 2024 directs development away from areas of natural or human-made hazards. The areas on the subject property that are identified as a floodplain hazard land area are shown on the Draft Zoning By-law Amendment Schedule, attached as **Appendix 2** to this Report. As shown on the Draft Zoning By-law Amendment Schedule, the portion of the subject lands that is proposed to be rezoned for the proposed use is outside of the floodplain hazard land area, and no natural or human-made hazards have been identified where the use is proposed on the subject lands that will impact the proposed use or create public health and safety concerns.

In my professional planning opinion, the subject application is consistent with the policies of the PPS 2024 and represents good planning.

5.3 Simcoe County Official Plan (2023)

The Simcoe County Official Plan (2023) (the SCOP) provides a policy framework for land use planning that takes the economic, social and environmental impacts of land use planning and development into consideration. The SCOP applies to 16 local municipalities in the County of Simcoe, including the Township of Clearview. The policies contained in the SCOP are aimed at achieving the interdependent goals of the County’s Strategic Plan, Provincial plans and policies including the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan, and the Niagara Escarpment Plan, the Lake Simcoe Protection Plan, the Simcoe Area Growth Plan and the County’s Transportation Master Plan.

The subject lands are designated “Agricultural” and “Greenlands” on Schedule 5.1 of the SCOP. In accordance with Schedule 5.1, the subject lands are located outside of the Oak Ridges Moraine Conservation Plan Area, Greenbelt Plan Area, Niagara Escarpment Plan Area and Lake Simcoe Protection Plan. The proposed development was reviewed in accordance with

applicable policies of the SCOP identified in Part 3 Growth Management Strategy and Part 4 Policy Statements.

Part 3 Growth Management Strategy

The growth management strategy of the SCOP is based on four themes, which guide the policy analysis provided below:

- Direction of a significant portion of growth and development to settlements where it can be effectively serviced, with a particular emphasis on primary settlement areas.
- Enabling and managing resource-based development including agriculture, forestry, aggregates, and tourism and recreation.
- Protection and enhancement of the County's natural heritage system and cultural features and heritage resources, including water resources.
- Development of communities with diversified economic functions and opportunities, and a diverse range of housing options.

Natural Heritage

Policy 3.3.15: *“Despite anything else in this Plan, except Section 4.4 as it applies to mineral aggregate operations only, development and site alteration shall not be permitted:*

- i. In significant wetlands and significant coastal wetlands.*
- ii. In the following unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions: Significant woodlands, significant valleylands, significant wildlife habitat, significant areas of natural and scientific interest (ANSIs), and coastal wetlands (not covered by 3.3.15 i) above).*
- iii. In the following regional and local features, where a local official plan has identified such features, unless it has been demonstrated that there will be no negative impacts on the natural heritage features or their ecological functions: wetlands 2.0 hectares or larger in area determined to be locally significant by an approved EIS, including but not limited to evaluated wetlands, and Regional areas of natural and scientific interest (ANSIs).*
- iv. In fish habitat except in accordance with provincial and federal requirements.*
- v. In habitat of endangered and threatened species, except in accordance with provincial and federal requirements.*
- vi. On adjacent lands to the natural heritage features and areas listed above, unless the ecological function of the adjacent lands has been evaluated*

and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. Adjacent lands shall generally be considered to be:

- a. Within 120 metres of habitat of endangered species and threatened species, significant wetlands, significant coastal wetlands, wetlands 2.0 hectares or larger determined to be locally significant by an approved EIS, significant woodlands, significant wildlife habitat, significant areas of natural and scientific interest – life science, significant valleylands, and fish habitat;*
- b. Within 50 metres of significant areas of natural and scientific interest – earth science;*
- c. A reduced adjacent lands from the above may be considered based on the nature of intervening land uses. The extent of the reduced area will be determined by the approval authority in consultation with the applicant prior to the submission of a development application, and supported by an EIS, demonstrating there will be no negative impacts beyond the proposed reduced adjacent lands area.*

Nothing in the above policies is intended to limit the ability of agricultural uses to continue.

Despite anything else in Sections 3.3 and 3.8, in those portions of the Greenlands designation including Section 3.8.10 that are also designated in Provincial plans as listed in Section 3.8.10(a) to (h), if the provisions of the Provincial plan are more restrictive than those of Section 3.8, then the Provincial plan prevails.”

Policy 3.3.15 of the SCOP is relevant to the subject application as a portion of the subject lands are designated “Greenlands” in the SCOP and are identified as “Natural Heritage (Clearview Township)” on Schedule C of the Township’s Official Plan. Through further review of the proposed development against the SCOP and Township’s Official Plan policies and mapping, the proposed development is located outside of any natural heritage features listed under Policy 3.3.15 and will not pose any negative impacts on the natural heritage features and their functions that are identified through the mapping. The subject application conforms to Policy 3.3.15 of the SCOP.

Policy 3.3.16: *“It is a goal of this Plan to, where possible, restore and maintain the connectivity and linkages between natural heritage features and areas. As such, the County’s Greenlands mapping includes potential linkage areas which the County has*

identified as an area in which it would be desirable to restore lost or severed natural corridors through natural succession and/or supplementary planting. Linkage area policies shall be contained in the local municipal official plans...”

A portion of the subject lands is designated “Greenlands” in the SCOP. The proposed Flour Mill Facility and area of the subject lands that is proposed to be rezoned for the proposed development is outside of the portion of the lands that is designated “Greenlands” and will maintain and not negatively impact the connectivity and linkages between potential natural heritage features and areas. The subject application conforms to Policy 3.3.16 of the SCOP.

Section 3.6 Agricultural

Policy 3.6.1: *“To protect the resources of prime agricultural lands and prime agricultural areas, while recognizing the inter-relationship with natural heritage features and areas and ecological functions, by directing development that does not satisfy the Agricultural policies of this Plan to Settlements and the Strategic Settlement Employment Areas and Economic Employment Districts and directing limited uses that are more suitable to the Rural designation accordingly.”*

The proposed use is a Flour Mill Facility, which is an agriculture-related use that is permitted in prime agricultural areas and will continue to protect the resources of prime agricultural lands. The subject application recognizes the inter-relationship with prime agricultural areas and natural heritage features and areas and ecological functions, and appropriately proposes to locate the proposed development outside of areas where natural features are present, but within the “Agricultural” designation where the proposed use is compatible with and supports surrounding agricultural uses. The subject application conforms to Policy 3.6.1 of the SCOP.

Policy 3.6.2: *“To enable the agricultural industry to function effectively in prime agricultural areas by minimizing conflicting and competing uses while accommodating uses and facilities which support the agricultural economy in accordance with the Planning Act and the Farm Practices Protection Act and its successors.”*

The proposed use does not pose a conflicting or competing use in a prime agricultural area and supports the agricultural economy by proposing an agriculture-related use (Flour Mill Facility) that will support surrounding agricultural operations by providing high quality flour to meet local and regional demand while supporting the agricultural sector and creating economic opportunity for the community. The subject application conforms to Policy 3.6.2 of the SCOP.

Policy 3.6.3: *“To ensure the availability and sustainability of prime agricultural areas for long-term use for agriculture and support a diversified agricultural economy.”*

The existing use of the subject lands is an agricultural use. The proposed Flour Mill Facility as an agriculture-related use will make efficient use of the subject lands by proposing another use that is compatible and supportive of surrounding agricultural uses and supports the development of a diversified agricultural economy. The subject application maintains and protects the “Agricultural” designation of the subject lands for long-term use for agriculture, in conformity with Policy 3.6.3 of the SCOP.

Policy 3.6.4: *“To promote a sustainable local food system that enhances opportunities for food, agriculture and agriculture-related businesses and/or producers to deliver products locally.”*

The proposed use of the Flour Mill Facility as an agriculture-related use on the subject lands supports the SCOP’s objectives identified through Policy 3.6.4, to promote a sustainable local food system that enhances opportunities for food, agriculture and agriculture-related businesses and/or producers to deliver products locally. As identified previously in this Report, the proposed Flour Mill Facility will support surrounding agricultural operations by providing high quality flour to meet local and regional demand while supporting the agricultural sector and creating economic opportunity for the community. The Owner identified that their mission is to supply the local market with superior organic flour at a reasonable price, ensuring consumers have access to a quality product. The proposed development conforms to Policy 3.6.4 of the SCOP.

Policy 3.6.5: *“Prime agricultural areas are identified by the Agricultural designation on Schedule 5.1 and shall be protected for long-term use for agriculture. All types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.”*

Schedule 5.1 designates the subject lands “Agricultural” and “Greenlands”. The proposed location for the proposed Flour Mill Facility is on the portion of the subject lands that is designated “Agricultural” by Schedule 5.1. The subject application continues to protect for long-term use for agriculture on the subject lands and proposes an agriculture-related use that is permitted in accordance with Provincial, County and local-municipal policies. The proposed development conforms to Policy 3.6.5 of the SCOP.

Policy 3.6.6: *“Permitted uses within the Agricultural designation are agricultural uses, agriculture-related uses (PPS 2014), processing of agricultural products, on-farm diversified uses, natural heritage conservation and forestry, mineral aggregate operations subject to Section 4.4, and agricultural product sales outlets generally marketing production from the local area.”*

The proposed development is a Flour Mill Facility, which is an agriculture-related use that is permitted on the subject lands in conformity with Policy 3.6.6 of the SCOP.

Policy 3.6.10: *“Development in prime agricultural areas should wherever possible be designed and sited on a property so as to minimize adverse impacts on agriculture and the natural heritage system and cultural features.”*

The proposed development is designed and sited on the subject lands to minimize any potential adverse impacts to the natural heritage system by ensure the proposed location for the use is on the portion of the lands designated and zoned “Agricultural”, and not within the NVCA regulated area, area subject to unevaluated wetlands and floodplain hazard land area, and outside of the “Greenlands” designation. The proposed use is compatible with surrounding agricultural uses to the subject lands. As shown on the SCOP mapping and identified through Simcoe County Planning staff’s comments in the Pre-Consultation Response, the subject lands may contain archaeological potential. Simcoe County Planning staff’s comments noted that “County staff would defer to the Township on any archaeological studies that may be required to support a future application.” Schedule C of the Pre-Consultation Response confirms that an archaeological study has not been identified as a requirement for the subject Zoning By-law Amendment application (Formal Application Phase I) or the future Site Plan Approval application (Formal Application Phase II), and there are no known archaeological or cultural features on the subject lands. The subject application conforms to Policy 3.6.10 of the SCOP.

Section 3.8 Greenlands

Section 3.8 of the SCOP provides policies for the “Greenlands” designation. As previously noted in this Report, the proposed development is located outside of the portion of the subject lands that is designated “Greenlands”. The “Greenlands” designation policies under Section 3.8 have been reviewed against the proposed development and it is my professional planning opinion that the proposed development respects and conforms to the policies of the “Greenlands” designation. The proposed development is not within any natural heritage features or areas that are identified under the “Greenlands” designation in Policy 3.8.10. Local municipal official plans are required to contain mapping and schedules that implement the County’s “Greenlands” designation and natural heritage policies, specifically as it relates to development and site alteration applications, in accordance with Policy 3.8.12 and 3.8.13. A policy analysis of the proposed development against the local municipal Official Plan that implements these

policies is contained in Section 5.4 of this Report. Specifically, Policy 3.8.15 of the SCOP permits agriculture-related uses outside of settlement areas, within the “Greenlands” designation or on adjacent lands. Despite the proposed agriculture-related use being located outside of the “Greenlands” designation by being proposed on the portion of the subject lands designated “Agricultural”, it remains a permitted use and conforms to Policy 3.8.15 of the SCOP. It is my professional planning opinion that the proposed development conforms to and respects the policies for the “Greenlands” designation on the subject lands.

In my professional planning opinion, the subject application conforms to the policies of the Simcoe County Official Plan (2023) and represents good planning.

5.4 Township of Clearview Official Plan (2024)

The Township of Clearview Official Plan (2024) (the Official Plan) provides a policy framework for appropriately directing growth and development in the Township and a range of policies and tools to achieve the Township’s vision and goals. The subject lands are designated “Agricultural” on Schedule B Land Use Plan of the Official Plan.

The following policies contained in the Official Plan apply to the subject lands:

Section 3. Rural and Agricultural Lands

Policy 3.2.1.3: *“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.*

Policy 3.2.1.4: *“Where the application of MDS formulae to the proposed development of an agriculture-related use, an on-farm diversified use, or a non-agricultural use poses a potential conflict with an existing agricultural use, the ability of the agricultural use to continue operating normally shall be given priority.”*

Policy 3.2.1.5: *“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.”*

In accordance with Policy 3.2.1.3, 3.2.1.4 and 3.2.1.5 identified above, the proposed agriculture-related use will not conflict with surrounding agricultural uses. As confirmed

through the Pre-Consultation Response provided by Township staff, provisions for Minimum Distance Separation that implement the above-noted policies are contained in Section 2.23 of the Zoning By-law. Specifically, 2.23.c., provides that MDS I and II setbacks are not required between first or altered livestock facilities or anaerobic digesters and commercial and industrial uses permitted within the AGI and AGC zones. Therefore, the subject application that proposes to rezone a portion of the subject lands to “Agriculturally Related Industrial Exception (AGI-X)” Zone to permit the proposed Flour Mill Facility as a site-specific exception on the subject lands, does not require Minimum Distance Separation to be applied. The subject application conforms to Policy 3.2.1.3, 3.2.1.4 and 3.2.1.5 with respect to Minimum Distance Separation policies in the Township’s Official Plan.

Section 3.3 “Agricultural” Designation

Section 3.3 of the Official Plan states, *“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.”*

The subject lands are designated “Agricultural” in the Township’s Official Plan, where the diversification of agriculture-related economic activity is supported, while protecting the Township’s prime agricultural areas. The proposed agriculture-related use of the Flour Mill Facility supports this objective of Section 3.3 for the “Agricultural” designation.

Section 3.3.2 Agriculture-Related Uses

Section 3.3.2 of the Official Plan identifies agriculture-related uses as defined by the PPS 2024, as follows:

“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.”*

The proposed use of the Flour Mill Facility conforms to the definition for “agriculture-related uses” in the PPS 2024. As identified previously in this Report, the proposed Flour Mill Facility will support surrounding agricultural operations by providing high quality flour to meet local and regional demand while supporting the agricultural sector and creating economic opportunity for the community. The Owner identified that their mission is to supply the local market with superior organic flour at a reasonable price, ensuring consumers have access to a

quality product. The proposed use supports agriculture and is directly related to farm operations in the area, provides direct products to farm operations as a primary activity and benefits from being located close to farm operations.

Policy 3.3.2.2: *“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.”*

The subject lands are designated “Agricultural”. While respecting that the preferred location for agriculture-related uses is in the “Rural” designation wherever possible, Policy 3.3.2.2 permits agriculture-related uses in the “Agricultural” designation, subject to policies in Section 3.3.2, which are analyzed below. It is my professional planning opinion that the subject lands are the appropriate location for the proposed Flour Mill Facility, an agriculture-related use, in accordance with Policy 3.3.2.2 and furthermore, the policies contained in Section 3.3.2 as described in this section of this Report.

Policy 3.3.2.7: *“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) Auction sites for products grown in the area;
b) Facilities for processing agricultural products grown in the area;
c) Grain-drying operations;
d) Flour mills; and
e) Farm equipment repair shops.”

The proposed Flour Mill Facility is a permitted use per Policy 3.3.2.7 on the subject lands, subject to obtaining the necessary approval through the subject Zoning By-law Amendment application. The subject application is the appropriate planning process for facilitating the proposed development in conformity with Policy 3.3.2.7.

Policy 3.3.2.8: *“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.”

The proposed use of the Flour Mill Facility will support surrounding agricultural operations by providing high quality flour to meet local and regional demand while supporting the agricultural sector and creating economic opportunity for the community. The Owner identified that their mission is to supply the local market with superior organic flour at a reasonable price, ensuring consumers have access to a quality product. The proposed use will directly provide products to farm operations in the area as its primary activity, is directly related to farm operations in the area and is compatible with, and will not hinder, surrounding agricultural operations, in conformity with Policy 3.3.2.8.

Policy 3.3.2.13: *“Agriculture-related uses should:*

- a) 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.”*

The subject lands have an existing dwelling and farm building on them for the agriculture uses currently present on the subject lands. The Owner previously applied for a building permit to construct a farm shed on the subject lands for the storage of farm equipment, which was approved by the Township. The Owner’s desires now are to use the proposed farm shed for the operation of the proposed Flour Mill Facility. While the previously approved farm shed has not been constructed yet, the proposed Flour Mill Facility will make more efficient use of the previously approved structure by providing a use that directly supports surrounding agricultural operations and economic opportunities on the subject lands. The proposed development is sited and designed in a way that maintains the predominately agricultural character of the area by proposing a structure and use that is compatible with the surrounding agricultural uses and character of the subject lands and locating the proposed development outside of any natural features or areas. The proposed development conforms to Policy 3.3.2.13.

Section 4.8.2 “Agricultural” Designation

Policy 4.8.2.5: *“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: (viii) flour mills”*

The proposed agriculture-related use, a Flour Mill Facility, may be permitted on the subject lands subject to the passing of the subject Zoning By-law Amendment, in conformity with Policy 4.8.2.5. The applicable policies in Section 3.3, specifically Section 3.3.2, are analyzed in this section of this Report.

Policy 4.8.2.8: *“Any decision made by the Township or 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.”*

The proposed development conforms to Policy 4.8.2.8. The subject application does not propose to take any lands out of the agricultural land base and proposes an agriculture-related use that will continue to preserve and protect prime agricultural areas, agricultural lands, and agricultural uses. The proposed development does not negatively impact any existing agricultural uses or structures on or surrounding the subject lands, and will continue to preserve agriculturally viable farm units and the historical agricultural community of Clearview Township.

Policy 4.8.2.9: *“Development in the “Agricultural” designation, including the creation of a new lot, shall only be permitted in accordance with the policies in Section 3.3 of this Official Plan.”*

The proposed development conforms to the policies in Section 3.3 of the Official Plan as analyzed and demonstrated through this Report. The proposed development subsequently conforms to Policy 4.8.2.9.

Policy 4.8.2.10: *“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."*

The subject Zoning By-law Amendment application prioritizes the policy criteria set out in Policy 4.8.2.10 as follows:

- a) The proposed development is an agriculture-related use that is permitted in the "Agricultural" designation, does not propose to eliminate or deter from the agricultural uses on or surrounding the subject lands, and ensures that agricultural uses remain the predominant land use in prime agricultural areas;
- b) The proposed development is an agriculture-related use that supports surrounding agriculture uses, does not limit the ability for existing and long-term agricultural uses to continue or develop, and continues to promote and protect agricultural uses of all types, sizes and intensities;
- c) The proposed development is a compatible use that protects and supports the Township's prime agricultural areas;
- d) The proposed development is in an appropriate location that is proposed outside of any potential natural heritage features and adequately protects them;
- e) The proposed development is compatible with and maintains the predominately agricultural character of the Township's rural landscape;
- f) The proposed development is modest in size as the proposed Flour Mill Facility structure is only approximately 743.2 square metres of the total approximately 39.8 hectare lot area of the subject lands and the proposed parking for the Flour Mill Facility only proposes the area that is needed to adequately support the proposed use, ensuring that land removed from potential agricultural production is minimized;
- g) The proposed Flour Mill Facility is compatible with surrounding agricultural operations and will provide high quality flour to meet local and regional demand while supporting the agricultural sector and creating economic opportunity for the community; and
- h) The proposed agriculture-related use is not considered an on-farm diversified use, therefore, (h) does not apply.

The proposed development and subject Zoning By-law Amendment largely conforms to Policy 4.8.2.10 and represents good planning in conformity with the objectives and policies for lands designated "Agricultural".

Section 5.6.2 Climate Change Mitigation & Adaptation Statements

Section 5.6.2 of the Official Plan sets out policies to establish expectations for all future development applications in the Township to assess potential climate-related impacts and identify ways in which new development and redevelopment can contribute towards mitigation

and adaptation. The Official Plan specifies that major forms of development will generally be expected to incorporate both mitigation and adaptation measures and smaller forms of development will be strongly encouraged to incorporate such measures.

A Climate Change Mitigation & Adaptation Statement (CCMAS) was deemed a requirement as part of this Planning Justification Report by Township Planning staff in accordance with the policies under Section 5.6.2. Powell Planning & Associates consulted with Township Planning staff to clarify the scope of the CCMAS required for the proposed use/development as the nature and scale of the proposed use constitutes a smaller form of development. Township Planning staff advised that given the nature and scope of the proposed use being a smaller form of development as an agriculture-related use to the existing, primary agricultural use on the subject lands, that the CCMAS could be scoped to recognize and acknowledge the policies in the Official Plan as they relate to the nature and small scale of the proposed agriculture-related use on the subject lands.

Policy 5.6.2.8 of the Official Plan sets out the information that should be included in a CCMAS which includes a project overview and information regarding mitigation and adaptation and resilience. An analysis of the proposed development is provided below in accordance with Policy 5.6.2.8:

The subject lands currently have an existing dwelling and farm building on them and are used for agricultural uses. The Flour Mill Facility is proposed for the purpose of providing high quality flour to meet local and regional demand while supporting the agricultural sector and creating economic opportunity for the community. The Owner identified that their mission is to supply the local market with superior organic flour at a reasonable price, ensuring consumers have access to a quality product.

The Owner previously applied for a building permit to construct a farm shed on the subject lands for the storage of farm equipment, which was approved by the Township. The Owner's desires now are to use the proposed farm shed for the operation of the proposed Flour Mill Facility. The previously approved structure is modest in size (743.2 square metres) and limits the size of the proposed Flour Mill Facility to only what is required for its operation on the subject lands. The proposed use is not a large scale industrial facility, and minimizes the need for extensive outbound distribution. There will be 1 truck utilized for inbound deliveries and outbound distribution. The subject lands are surrounded by other agricultural lands and uses and the proposed Flour Mill Facility will support local agriculture by processing crops on site. The proposed development constitutes a small form of development and the modest size of the proposed facility, limited truck/traffic generation and access to the facility to support local

agricultural production should not result in significant greenhouse gas emissions that may potentially occur from major forms of development for other types of industrial uses.

Climate change can have impacts that threaten source water. As part of the Pre-Consultation process, NVCA staff were circulated and confirmed that they reviewed the applications against the policies for Source Water Protection and there are no policies that apply to the proposed development, and confirmed they therefore, have no concerns. As identified on the Concept Plan (**Appendix 1**), the proposed development is located outside of the “Environmental Protection (EP)” Zone and the NVCA regulated area. As such, there are no hazards present that may be impacted by climate change where the proposed use will be located.

Therefore, there are no significant climate-related hazards that will impact the proposed use on the subject lands and the proposed use appropriately mitigates impacts from climate change by proposing a use that locationally supports local agriculture, is modest in size and scale and does not generate significant levels of emissions that require further mitigation measures. It is my professional planning opinion that the proposed development conforms to the climate change policies in Section 5.6 of the Official Plan and represents good planning.

Section 10.2.3 Agricultural Economy

Policy 10.2.3.1: *“The Township will support continued viability and long-term sustainability of the agricultural sector by:*

- c) Encouraging the establishment of agriculture-related uses, preferably in the “Rural” designation;...”*

The subject lands are designated “Agricultural”. While respecting that the preferred location for agriculture-related uses is the “Rural” designation wherever possible, Policy 3.3.2.2 permits agriculture-related uses in the “Agricultural” designation, subject to policies in Section 3.3.2, which are analyzed in this Report. It is my professional planning opinion that the subject lands are the appropriate location for the proposed Flour Mill Facility, an agriculture-related use that is encouraged by Policy 10.2.3.1 and the proposed development is supportive of the policies contained in Section 3.3.2 as analyzed in this Report.

Section 11.16 Development Applications

Policy 11.16.1.5: *“The Township will generally require the submission of a CCMAS with any application requesting an amendment to this Official Plan, an amendment to the Zoning By-law, or the approval of a plan of subdivision or description of condominium, although the Township may, at its discretion, waive this requirement, such as in cases where the nature of a proposed amendment does*

not necessitate a CCMAS or under circumstances such as those described in Policy No. 5.6.2.10.”

A CCMAS was deemed a required component of the Planning Justification Report for the subject application. Powell Planning & Associates sought further clarification from Township Planning staff regarding the scope of the CCMAS to be provided as part of this Planning Justification Report given the scope of the proposed use and that it is a minor form of development. The scoped CCMAS has been included as part of this Report in Section 5.4, making specific reference to Section 5.6.2 of the Township’s Official Plan policies, in conformity with Policy 11.16.1.5.

In my professional planning opinion, based on the analysis contained in this Report, the proposed development conforms with the policies of the Township’s Official Plan and represents good planning.

5.5 Township of Clearview Zoning By-law 06-54, as amended

The Township of Clearview Zoning By-law 06-54, as amended (the Zoning By-law), is a land use planning tool that regulates the use of land and development in the Township.

The subject lands are zoned “Agricultural (AG)” Zone and “Environmental Protection (EP)” Zone by the Zoning By-law. The proposed Flour Mill Facility will be entirely on the portion of the subject lands that is currently zoned “Agricultural (AG)” Zone. An existing driveway is on the portion of the lands zoned “Environmental Protection (EP)” Zone, however, the proposed expansion of the driveway to provide access to the Flour Mill Facility is proposed outside of the “Environmental Protection (EP)” Zone to ensure compliance with the Zoning By-law, as shown on the Concept Plan (**Appendix 1**). In accordance with Section 3.1.1 of the Zoning By-law, a Flour Mill Facility is not an as-of-right permitted use under the “Agricultural (AG)” Zone, therefore, a Zoning By-law Amendment is required to rezone a portion of the subject lands as shown in **Appendix 2** of this Report, from “Agricultural (AG)” Zone to “Agriculturally Related Industrial Exception (AGI-X)” Zone to permit the proposed use of the Flour Mill Facility on the subject lands as a site-specific exception. The proposed Zoning By-law Amendment text and schedule are provided as **Appendix 2** of this Report.

Section 3.2 of the Zoning By-law provides the Zone Provisions for the “Agriculturally Related Industrial (AGI)” Zone. Section 3.2.1 specifies the permitted uses for the “Agriculturally Related Industrial (AGI)” Zone. As a Flour Mill Facility is not a specified permitted use under Section 3.2.1, the subject Zoning By-law Amendment application proposes to add a Flour Mill Facility as

a permitted use on the portion of the subject lands that is proposed to be rezoned to “Agriculturally Related Industrial Exception (AGI-X)” Zone. While the use still requires a site-specific exception, it is my professional planning opinion that rezoning the portion of the subject lands for the proposed Flour Mill Facility to “Agriculturally Related Industrial Exception (AGI-X)” Zone aligns best with the intended use as an agriculture-related use and the types of permitted uses listed under Section 3.2.1. **Table 2** below compares the applicable Zone Provisions set out in Section 3.2.2 of the Zoning By-law with the proposed development.

Table 2: “Agriculturally Related Industrial (AGI)” Zone Provisions and Proposed Development Statistics

Zone Provision	“Agriculturally Related Industrial (AGI)” Zone Requirement	Proposed
a) Minimum Lot Area	0.5 ha	± 39.775 ha
b) Minimum Lot Frontage	40 m	± 601.4 m
c) Minimum Front Yard	10 m	± 343.5 m
d) Minimum Rear Yard	7.5 m	± 232.1 m
e) Minimum Interior Side Yard	7.5 m	± 215.2 m
f) Minimum Exterior Side Yard	10 m	N/A
g) Maximum Lot Coverage on the Area Zoned AGI	60%	± 0.3%
h) Maximum Height of Principal Buildings and Structures	20 m	< 13.0 m
i) Maximum Height of Accessory Buildings	18 m	9.2 m
j) Maximum Number of Accessory Buildings	N/A	N/A

k) Maximum Gross Floor Area of All Accessory Buildings	N/A	N/A
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Section 3.2.2.l. requires that the minimum setback of the zone boundary from any Residential Zone or the lot line of any residential use, other than a residential use on the same lot, shall be 30 metres, and increased to 100 metres for an abattoir. The uses surrounding the subject lands are primarily agricultural uses. The proposed zone boundary is setback well over 30 metres from any of the subject property's lot lines and subsequently any Residential Zone or residential use that may exist surrounding the subject lands, as shown on the Concept Plan (**Appendix 1**). The proposed development complies with Section 3.3.2.l.

Section 3.2.2.m. requires that where the zone boundary is within 100 metres of a residential use or zone, other than a residential use on the same lot, the Agriculturally Related Industrial uses shall be buffered from those uses with a landscape buffer. The proposed zone boundary is well over 100 metres from any of the subject property's lot lines and subsequently any residential use or zone that may exist surrounding the subject lands, as shown on the Concept Plan (**Appendix 1**). The proposed development complies with Section 3.3.2.m.

Section 3.2.2.n. states that accessory buildings and structures may be located in all yards, including the front yard, but shall be required to meet all minimum yard and setback requirements. As shown on the Concept Plan (**Appendix 1**) and as identified in **Table 2** above, all existing and proposed buildings and structures on the subject lands meet all minimum yard and setback requirements.

The proposed development meets all zoning provisions for the "Agriculturally Related Industrial (AGI)" Zone and complies with Section 3.2.2 of the Zoning By-law.

In addition to the zone provisions under Section 3.2 of the Zoning By-law, General Provisions under Section 2 of the Zoning By-law apply to the proposed development and are analyzed below:

Section 2.13.1 regarding General Landscaping Requirements specifies that where a parking area contains 9 or more parking spaces, 1 tree shall be planted for every 3 parking spaces provided. The subject Zoning By-law Amendment application proposes a parking area for the proposed Flour Mill Facility that has 27 parking spots total, which includes 2 truck parking spaces and 1 barrier-free parking space. In accordance with Section 2.13.1 of the Zoning By-law, 9 tree plantings are required for the proposed parking spaces. A Landscape Plan has been submitted

under separate cover which identifies 9 proposed tree plantings, which conforms to Section 2.13.1 of the Zoning By-law.

Section 2.13.3 regarding Screening of Dumpsters specifies that garbage and recycling dumpsters shall be screened from view by a solid board or masonry fence enclosure and gate. The height of the enclosure shall be a minimum 2.0 m. A proposed dumpster area has been shown conceptually on the Concept Plan (**Appendix 1**). Detailed design will be provided as part of the Detailed Site Plan to be submitted as part of Formal Application Phase II Site Plan Approval to comply with this requirement.

Schedule 'A' of the Pre-Consultation Response identifies the parking provision to be reviewed under Section 2.14.2.2 as "all other uses unless specified", which requires 1 parking space per 10 square metres of gross floor area. The Concept Plan (**Appendix 1**) has been prepared to align with Section 2.14.2.2 as noted by the Town's Planning staff for "all other uses unless specified", which requires 1 parking space per 10 square metres of gross floor area. If the parking ratio for "all other uses unless specified" is applied, a reduction from 75 spaces, of which 4 must be barrier-free to the proposed 27 spaces, of which 2 are spaces to accommodate trucks and 1 is barrier-free, would be required. However, it is my professional planning opinion that the proposed Flour Mill Facility aligns with the definition of "industrial use" under Section 4 Definitions of the Zoning By-law and as such, the industrial use parking ratio under Section 2.14.2.2 should be used to determine the required number of parking spaces, which is 2 spaces plus 1 parking space per 45 square metres of gross floor area for the first 3,001 square metres and then 1 parking space per 100 square metres for the remaining gross floor area.

The proposed Flour Mill Facility is approximately 743.2 square metres in size. With the parking ratio applied for "industrial use", the required number of parking spaces is 19 spaces. The proposed 27 spaces exceeds the provision for the minimum required parking spaces for an industrial use. Additionally, the Owner confirmed that the proposed use is primarily processing flour only. Limited visitor traffic is expected, with most site activity being related to employee access and scheduled truck deliveries/pickups as there will be no on-site purchasing. There will be a maximum of 4 employees on-site at a time and the Owner believes that 20-25 parking spaces is more than sufficient for the scale of the proposed use. 2 of the 27 proposed parking spaces are truck spaces. Only 1 truck will be required for the proposed use on a regular basis, however, a second space is proposed in the instance that there are occasional situations where a second truck is needed due to technical or other unexpected reasons. Proposing a number of parking spaces that is required to sufficiently meet the needs of the proposed use without providing too large of a parking area that would be underutilized also ensures that land removed from potential agricultural production on the subject lands is minimized. It is my

professional planning opinion that the “industrial use” parking rate should be applied, and as such, the proposed parking complies with the provisions of Section 2.14.2.2 of the Zoning By-law. The Draft Zoning By-law Amendment (**Appendix 2**) was prepared to specifically indicate that a minimum of 19 parking spaces is required, of which 1 must be barrier-free for greater certainty.

Section 2.14.3 of the Zoning By-law specifies the minimum number of barrier-free parking spaces required for the total number of required parking spaces. As noted in the section above, it is my professional planning opinion that the parking ratio for “industrial use” should be used to calculate the required parking for the proposed development, which is equivalent to 19 spaces. In accordance with Section 2.14.3, 1 barrier-free parking space is required for a total of 19 required parking spaces. As identified on the Concept Plan (**Appendix 1**), 1 barrier-free parking space is proposed. The proposed development complies with Section 2.14.3 of the Zoning By-law. The Draft Zoning By-law Amendment (**Appendix 2**) was prepared to specifically indicate that a minimum of 19 parking spaces is required, of which 1 must be barrier-free for greater certainty.

Section 2.15.7 of the Zoning By-law specifies that an area equal to twenty percent (20%) of a parking area for four (4) or more vehicles shall be identified on site and used for snow storage. The snow storage area must be located in a landscaped open space area or other area not dedicated to another use or feature. The Concept Plan (**Appendix 1**) identifies adequate snow storage areas for the proposed use. The proposed snow storage area is approximately 500 square metres, which exceeds the 20% (478 square metres) required in accordance with Section 2.15.7. The proposed development complies with Section 2.15.7 of the Zoning By-law.

Section 2.15.8 of the Zoning By-law specifies that all parking areas shall be adequately illuminated during the hours of use. Lighting fixtures shall be arranged so that no part of any fixture shall be more than 8 metres above the finished grade. Fixtures shall be dark-sky compliant, and shall be directed away from adjacent residential uses. A Lighting/Illumination Plan was identified as a requirement in Schedule ‘C’ of the Pre-Consultation Response for Formal Application Phase II Site Plan Approval rather than as a requirement for the subject Zoning By-law Amendment application (Formal Application Phase I). Detailed design will be provided as part of the Detailed Site Plan Approval phase and the Lighting/Illumination Plan will be submitted as part of Formal Application Phase II Site Plan Approval to comply with this requirement.

Section 2.23.c. of the Zoning By-law specifies that MDS I and II setbacks are not required between first or altered livestock facilities or anaerobic digesters and commercial and industrial

uses permitted within the AGI and AGC Zones. The proposed use is an agriculture related industrial use, which is a Flour Mill Facility, and the subject Zoning By-law Amendment application proposes to rezone the subject lands to “Agriculturally Related Industrial Exception (AGI-X)” Zone to permit the proposed Flour Mill Facility as a site-specific permitted use. As such, MDS I and II setbacks are not required in accordance with Section 2.23.c.

The subject Zoning By-law Amendment application proposes to rezone a portion of the subject lands to “Agriculturally Related Industrial Exception (AGI-X)” Zone to permit the proposed Flour Mill Facility as a site-specific permitted use on the subject lands. As detailed through the analysis above, the proposed development complies with all other zone and general provisions of the Zoning By-law. It is my professional planning opinion that the subject application conforms with the intent of the Zoning By-law and represents good planning.

6. Technical Studies

6.1 Hydrogeological Report

Simcoe Water Solutions was retained by the landowner to confirm well capacity to service the proposed use on the subject lands. The hydrogeological confirmation submitted under separate cover confirms that the proposed use will not require water for any processing, production or manufacturing activities of the proposed use and there will be no water demand whatsoever associated with the milling operations themselves. As identified in the letter prepared by Simcoe Water Solutions, based on the existing well infrastructure on site and the negligible domestic-only demand outlined in the letter, it is the professional opinion of the consultant that the existing well has more than sufficient capacity to service the proposed use without any adverse impact on the local groundwater resource or on neighbouring wells. No upgrades, modifications, or additional water-taking approvals are required to support the proposed use.

6.2 Landscape Plan

A Landscape Plan has been prepared by adesso design inc. and submitted under separate cover for the subject Zoning By-law Amendment application. The Landscape Plan identifies the proposed landscaping for the proposed development, which includes 9 proposed tree plantings to conform to the requirements under Section 2.13.1 of the Zoning By-law.

6.3 Traffic Impact Brief

A Traffic Impact Brief has been prepared by JD Engineering and submitted under separate cover for the subject Zoning By-law Amendment application. The conclusions of the Traffic Impact Brief confirms that County Road 124 has sufficient capacity to accommodate the additional traffic volumes without operational or safety concerns, site access will operate efficiently and

the driveway will provide the necessary capacity and manoeuvring space to facilitate the proposed use on the subject lands. There are no external transportation infrastructure improvements recommended.

7. Conclusion

The subject lands are municipally known as 793273 County Road 124 and legally described as Part of Lot 6, Concession 5 Southern Division, Township of Clearview, County of Simcoe. The subject lands are designated “Agricultural” and “Greenlands” by the County of Simcoe Official Plan (2023) and “Agricultural” by the Township of Clearview Official Plan (2024). The subject lands are zoned “Agricultural (AG)” Zone and “Environmental Protection (EP)” Zone by the Township of Clearview Zoning By-law 06-54, as amended. The subject lands are partially within the Nottawasaga Valley Conservation Authority (NVCA) regulated area.

The subject Zoning By-law Amendment application seeks to rezone a portion of the subject lands from “Agricultural (AG)” Zone to “Agriculturally Related Industrial Exception (AGI-X)” Zone to permit the proposed agriculture-related use of a Flour Mill Facility as a site-specific permitted use on the subject lands. The proposed use meets all other requirements of the “Agriculturally Related Industrial (AGI)” Zone and all other provisions of the Zoning By-law.

Appropriate agriculture-related uses are encouraged at the provincial, county and municipal level to support agriculture-related economic activity in prime agricultural areas. It is the intent of the Township of Clearview’s Official Plan (2024) 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. The proposed use of the Flour Mill Facility is an agriculture-related use, which is permitted under the Official Plan subject to the policies contained in Section 3.3.2, and meets the intent of supporting the diversification of agriculture-related economic activity while protecting the Township’s prime agricultural areas. The proposed agriculture-related use of the Flour Mill Facility is compatible with and supports rather than hinders, surrounding agricultural operations by providing high quality flour to meet local and regional demand while supporting the agricultural sector and creating economic opportunity for the community. The Owner identified that their mission is to supply the local market with superior organic flour at a reasonable price, ensuring consumers have access to a quality product. The proposed development will not negatively impact surrounding uses, supports and is compatible with the surrounding agricultural uses to the subject lands, and protects the natural heritage system and its features by proposing development outside of the “Environmental Protection (EP)” Zone, NVCA regulated area, and any identified natural heritage features and areas.

Through the policy analysis contained in this report, it has been demonstrated that:

- i. The proposed use of the Flour Mill Facility is an agriculture-related use, which is permitted under the Provincial Planning Statement (2024), Simcoe County Official Plan and Township of Clearview Official Plan, and meets the intent of supporting the diversification of agriculture-related economic activity while protecting the Township's prime agricultural areas;
- ii. The proposed use of the Flour Mill Facility does not propose to eliminate or deter from the agricultural uses on or surrounding the subject lands, and ensures that agricultural uses remain the predominant land use in prime agricultural areas;
- iii. The proposed development is an agriculture-related use that supports surrounding agriculture uses, does not limit the ability for existing and long-term agricultural uses to continue or develop, and continues to promote and protect agricultural uses of all types, sizes and intensities;
- iv. The proposed development is a compatible use that protects and supports the Township's prime agricultural areas;
- v. The proposed development is in an appropriate location that is proposed outside of any potential natural heritage features and adequately protects them;
- vi. The proposed development is compatible with and maintains the predominately agricultural character of the Township's rural landscape; and
- vii. The proposed Flour Mill Facility is compatible with surrounding agricultural operations and will provide high quality flour to meet local and regional demand while supporting the agricultural sector and creating economic opportunity for the community.

Based on the detailed analysis included in this report, it is my professional planning opinion that the proposed development:

- i. Has regard for matters of provincial interest as detailed in the *Planning Act*, R.S.O., 1990, as amended;
- ii. Is consistent with the Provincial Planning Statement (2024);
- iii. Conforms with the Simcoe County Official Plan (2023 Office Consolidation);
- iv. Conforms with the Township of Clearview Official Plan (2024);
- v. Conforms with the Township of Clearview Zoning By-law 06-54, as amended; and
- vi. Represents good planning in accordance with the best interest of the public.

Respectfully submitted by,

Powell Planning & Associates

Prepared By:



Carly Murphy, MPI

Reviewed By:



Aimee Powell, B.URPI, MPA, MCIP, RPP



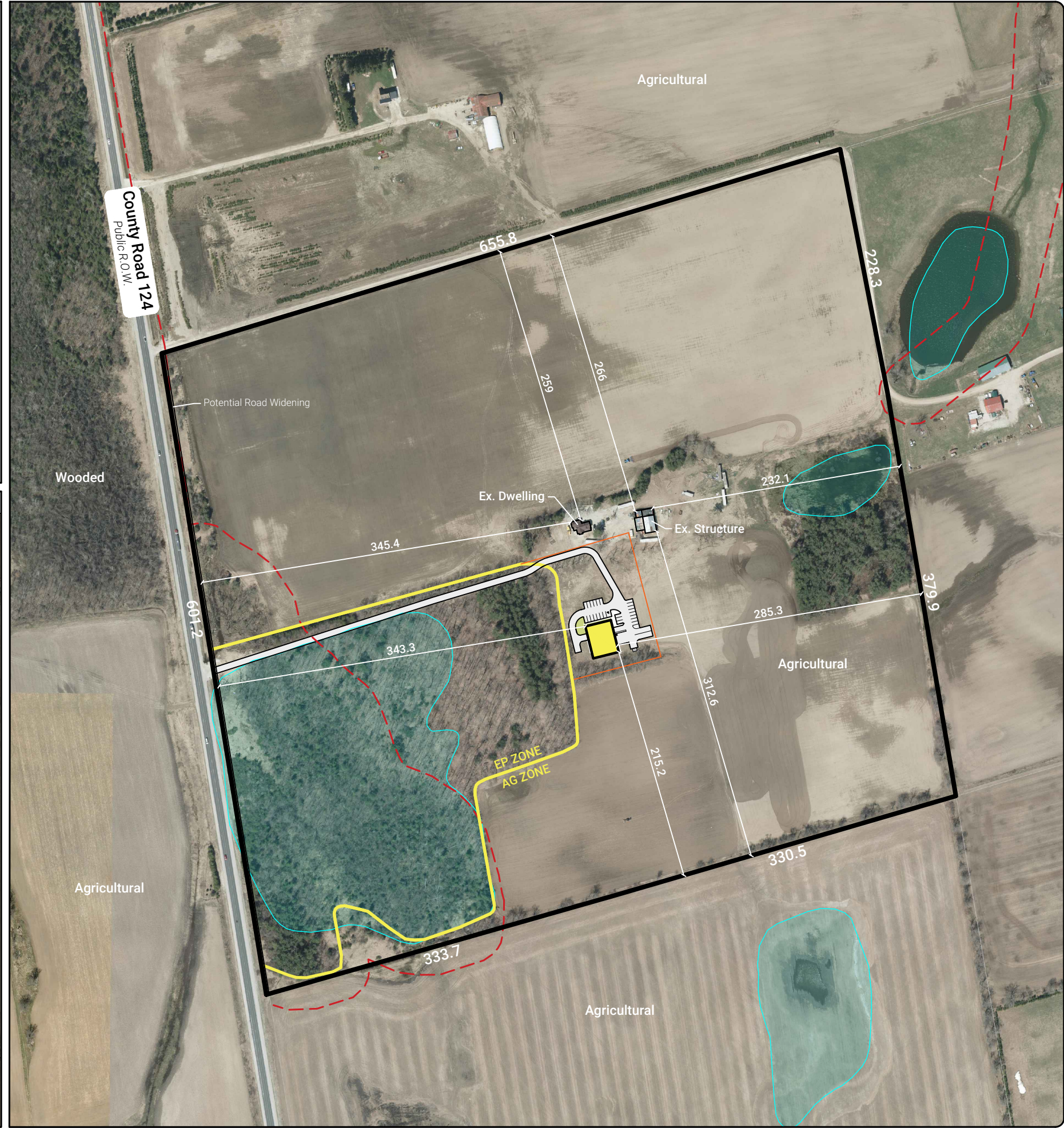
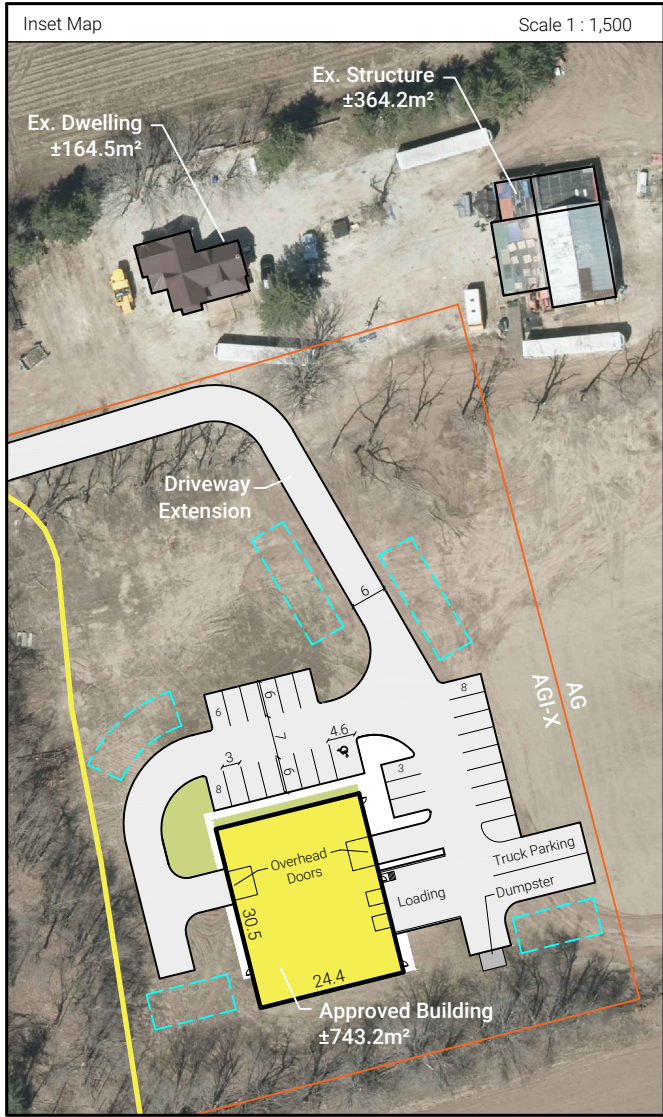
Planner

Powell Planning & Associates

Chief Planning Officer

Powell Planning & Associates

Zone Matrix		
ZBL 06-54		
	Agriculturally Related Industrial (AGI) Zone	Proposed
Lot Area (min)	0.5ha	±39.775ha
Lot Frontage (min)	40.0m	±601.4m
Lot Coverage (max)	60%	±0.3%
Front Yard (min)	10.0m	±343.3m
Interior Side Yard (min)	7.5m	±215.2m
Exterior Side Yard (min)	10.0m	n/a
Rear Yard (min)	7.5m	±232.1m
Height (max)		
- Principal Buildings	20.0m	<13.0m
- Accessory Buildings	18.0m	9.2m
Parking Spaces (min)	77 total	29 total
- Dwelling Unit	2	2
- Industrial Use	75 (1/10m²)	25 + 2 truck parking spaces
Tree Plantings (min)	9	9
Barrier Free Parking (min)	4	1
Drive Aisle Width (min)	7.0m	7.0m
Loading Spaces (min)	2	2
Loading Location	Behind front wall	Behind front wall
Parking Dimensions (min)	3.0m x 6.0m 4.6m x 6.0m (BF)	3.0m x 6.0m 4.6m x 6.0m (BF)
Loading Dimensions (min)	3.5m x 9.0m	3.5m x 9.0m
Snow Storage (min)	20% (478m²)	±500m²



APPENDIX 1: Concept Plan

CONCEPT PLAN

793273 COUNTY ROAD 124
Part of Lot 6, Concession 5 Southern Division
Township of Clearview, County of Simcoe

Scale 1 : 75,000

Subject Lands

LEGEND

- Subject Lands
Lot Area: ±39.775ha
Lot Frontage: ±601.4m
Lot Depth: ±659.8m
Land Use Designation: Agricultural
Zoning: AG & EP
- Existing Building / Structures
- Approved Building
Proposed Use: Flour Milling Facility
Coverage: ±743.2m² (8,000ft²)
Dimensions: 24.4m x 30.5m
Height: 9.2m
- Zone Boundary
- Unevaluated Wetlands
- NVCA Regulated Area
- Snow Storage

Scale 1 : 4,000

Note: This drawing is for discussion purposes only. Boundary to be verified by an O.L.S.

Source: Simcoe County interactive map.

Drawn By: AM Check By: AP Date: May 25, 2026

File No: 090-26

Powell Planning & Associates
Town of New Tecumseth County of Simcoe, ON
Mobile: 647.828.2467
Email: aimee@powellplanning.ca

By-law Number 2X-XX**The Corporation of the Township of Clearview**

Being a By-law to amend Zoning By-law No. 06-54, as amended, to rezone lands from “Agricultural (AG)” Zone to “Agriculturally Related Industrial Exception (AGI-X)” Zone to permit an agriculture-related use in the form of a Flour Mill Facility on lands municipally known as 793273 County Road 124, legally described as Part of Lot 6, Concession 5 Southern Division, Township of Clearview.

(Zoning By-law Amendment – 793273 County Road 124)

WHEREAS pursuant to Section 34 of the Planning Act R.S.O., 1990, c.P.13, as amended, the Council of the Corporation of the Township of Clearview has passed By-law 06-54 being the Comprehensive Zoning By-law for the Township of Clearview;

AND WHEREAS the Council of the Corporation of the Township of Clearview has received a request to amend the provisions of Zoning By-law 06-54 by rezoning lands from “Agricultural (AG)” Zone to “Agriculturally Related Industrial Exception (AGI-X)” Zone to permit an agriculture-related use in the form of a Flour Mill Facility as a site-specific permitted use on the lands municipally known as 793273 County Road 124, Township of Clearview;

AND WHEREAS the amendment is in conformity with the Township of Clearview Official Plan;

AND WHEREAS the Council of the Corporation of the Township of Clearview deems it desirable and necessary to amend By-law 06-54;

NOW THEREFORE the Council of the Corporation of the Township of Clearview does hereby enact as follows:

1. **THAT** Schedule ‘A1’ of Zoning By-law 06-54 is hereby amended by rezoning a portion of the lands municipally known as 793273 County Road 124, Township of Clearview, from “Agricultural (AG)” Zone to “Agriculturally Related Industrial Exception (AGI-X)” Zone, as shown on Schedule ‘A’ attached hereto and forming part of this By-law.
2. **THAT** Section 3.2.3 Agriculturally Related Industrial Zone Exceptions be amended by adding the following:

AGI-X

Part of Lot 6, Concession 5 Southern Division
(793273 County Road 124, 010-011-27700)

Permitted Uses Restricted To:

- Flour Mill Facility

Altered or Additional Provisions:

- The combined total minimum parking space requirement for the agriculture-related use – Flour Mill Facility is 19 parking spaces, including one (1) barrier-free parking space.
3. **THAT** all other provisions of By-law 06-54, as amended, shall continue to apply when this By-law comes into effect.
 4. **THAT** Schedule 'A' attached hereto hereby forms part of this By-law.
 5. **THAT** this By-law shall come into force and take effect in accordance with the provisions of the Planning Act R.S.O., 1990 c. P. 13.

By-law Number 2X-XX read a first, second and third time and finally passed this

_____ day of _____, 202X.

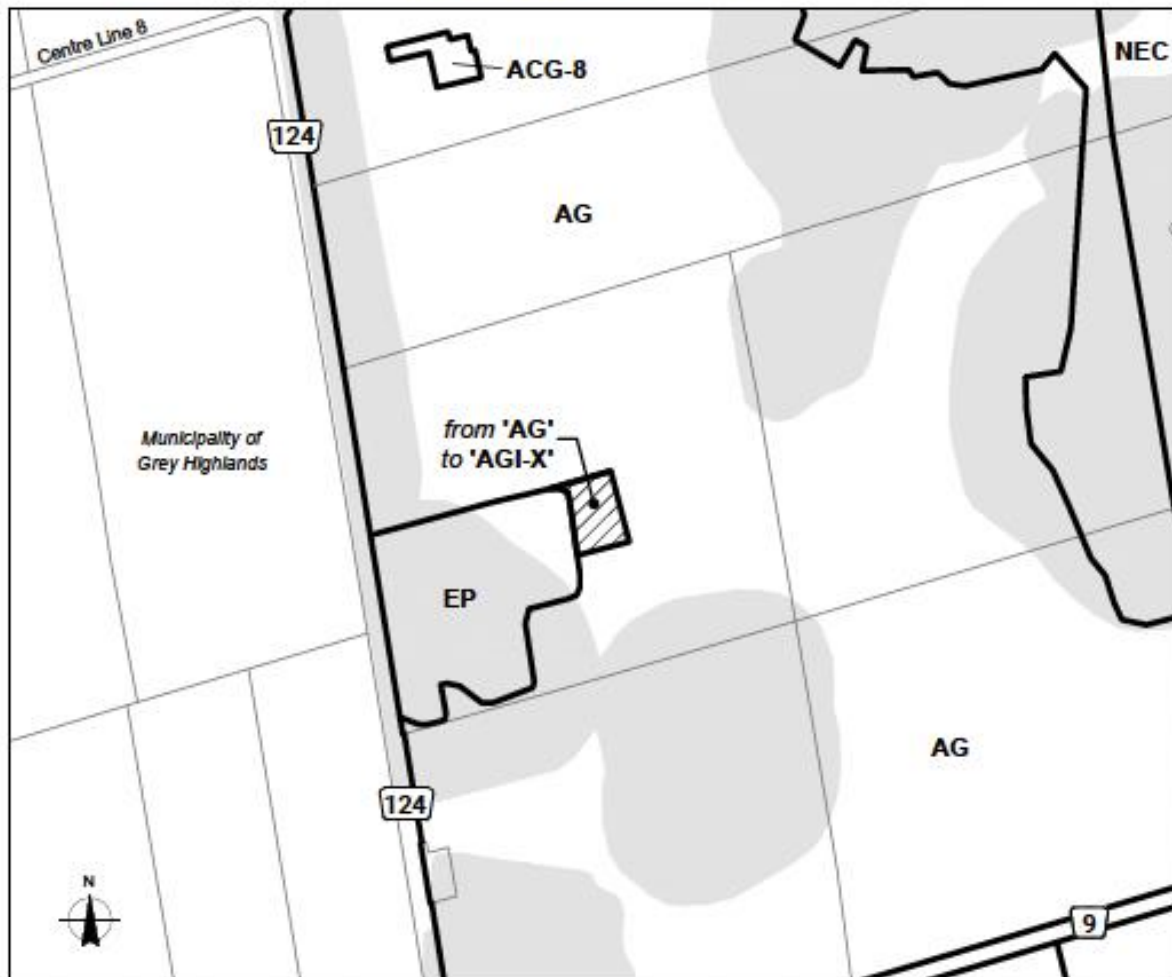
Mayor

Clerk

SCHEDULE 'A' TO Z.B.A. NO. _____

CORPORATION OF THE TOWNSHIP OF CLEARVIEW

ZONING BY-LAW 08-54 - SCHEDULE A1



LANDS TO BE REZONED FROM 'AGRICULTURAL (AG)'
TO 'AGRICULTURALLY RELATED INDUSTRIAL EXCEPTION X (AGI-X)'



FP HAZARD LAND AREA

DRAFT

DATE

DATE

CLERK

MAYOR