



Official Plan Amendment & Zoning By-law Amendment Applications *Planning Justification Report*

To:	Township of Clearview
Attention:	Derek Abbotts, RPP MCIP PLE - <i>Director of Planning & Building</i> Danielle Waters, MSc., MCIP, RPP – <i>Community Planner</i>
From:	Lauren Arsenault, BA, CPT - <i>Planner</i>
Date:	August 20 th , 2026
Delivered:	By Email
Subject Property:	144 Mary Street, Township of Clearview
MP&D File No.:	PN 1559

1.0 INTRODUCTION

MORGAN Planning & Development Inc. (MP&D) has been retained by Ashley Leimgardt, to act on their behalf on matters pertaining to Official Plan Amendment (OPA) and Zoning By-law Amendment applications for the property known municipally as 144 Mary Street within Clearview Township. The purpose of the applications is to establish and implement site-specific policy and provisions to permit the creation of one new residential lot. The applications have been submitted concurrently with a Consent application to facilitate the lot creation once the site-specific policy and provisions are in place.

The purpose of this Planning Justification Report is to: provide an overview of the development proposal; summarize the purpose of the applications; list the reports submitted in support of the application, and to explain how the applications conform to the applicable planning policies.

2.0 LOCATION AND DESCRIPTION OF LAND

The subject property, known municipally as 144 Mary Street within Clearview Township, is located on the southwest corner of Mary Street and Caroline Street East, within the built boundary of the Creemore Settlement area.

The property has an approximate lot area of 2,636 square meters (0.26 hectares/0.64 acres), 50.96 meters of frontage onto Mary Street, and 51.35 meters of frontage onto Caroline Street East. **Values are survey accurate.*

The property is regulated by the Nottawasaga Valley Conservation authority (NVCA) and is designated within the Upper Mad River Flood Plain by a recent flood hazard study which has modified flood hazard mapping within the community of Creemore.

The subject property is currently developed with a single detached dwelling, accessed via a gravel driveway off Mary Street. Several accessory structures including an attached deck and concrete pad to the rear of the dwelling, and an existing shed towards the southwest corner of the property. The property contains several mature deciduous and coniferous trees throughout, and is currently serviced by municipal water and wastewater services. There are overhead hydro lines running across the northern portion of the subject property.

Appendix 1 of this report provides site photo(s) of the subject property.

Figure 1 the following page provides the location of the subject property, with **Figure 2** providing aerial imagery of the lands as of 2024 (County of Simcoe Interactive Mapping).

Figure 1 *Location of Subject Property*

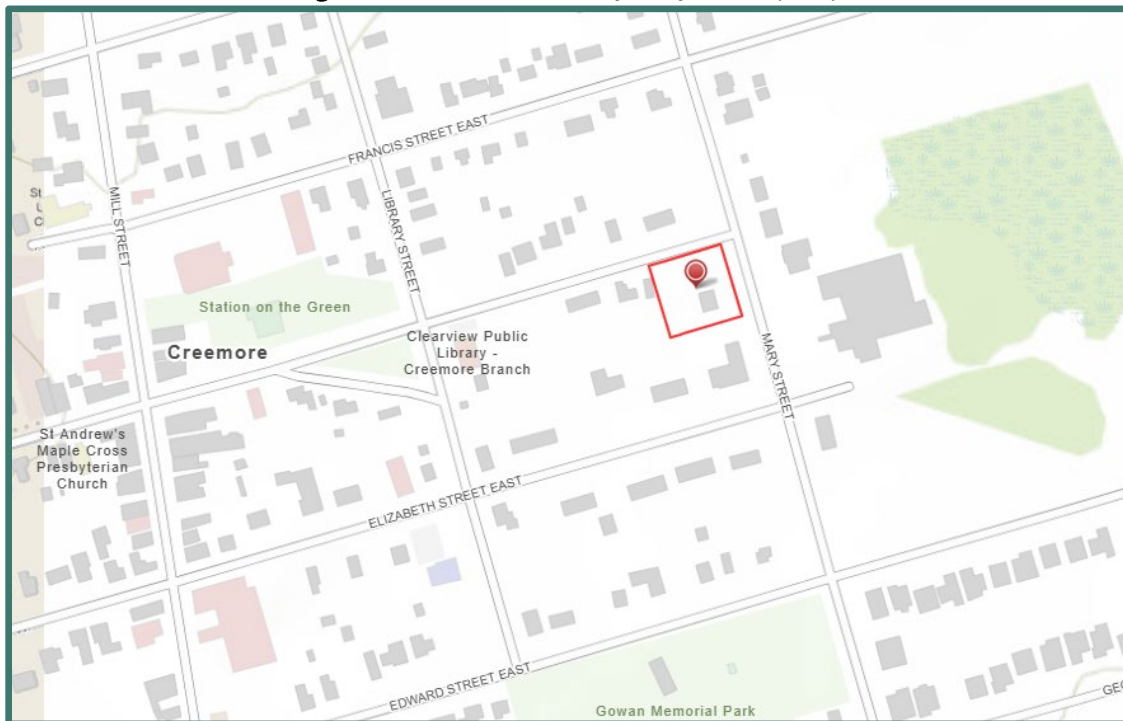


Figure 2 *Aerial Imagery of Subject Lands and Adjacent Uses*



Existing development in the surrounding area can be categorized as low-density residential, in the form of single detached dwellings. Other notable land uses in proximity to 144 Mary Street include: Creedan Valley Care Community, the Creemore Jail (cultural heritage), a doctor's office, the Creemore Public Library, a Liquor Store, and a Children's Center.

The surrounding uses are categorized as follows, and illustrated on **Figure 3** (following page):

- North: The property is bound to the North by Caroline St. E with single detached dwellings opposite the street.
- East: The property is bound to the East by *Mary St.* with single detached dwellings and Creedan Valley Care Community opposite the street.
- South: The property is bound to the south by single detached dwellings.
- West: The property is bound to the west by a single detached dwelling.

Figure 3 Surrounding Land Uses



3.0 OVERVIEW OF PROPOSAL AND PLANNING INSTRUMENTS

3.1 History of Proposed Development

MORGAN Planning and Development (MP&D) engaged municipal staff through a formal pre-consultation process in September 2025. At that time, the original development proposal contemplated the creation of two new residential lots. MP&D received comments from staff and external agencies on November 7, 2025 and in response prepared an Official Plan Amendment application submitted November 26th of 2025. Upon circulation of the application, the Nottawasaga Valley Conservation Authority ('NVCA') provided additional comments not contemplated through the original pre-consultation process related to the recent Upper Mad River Flood Hazard Study.

The NVCA noted that the proposed development was located within a floodplain and would require a Flood Hazard Analysis and Cumulative Impacts Assessment to determine whether the proposed lot creation conforms to the applicable flood fringe criteria and to demonstrate that the development would not result in negative flooding impacts on adjacent properties. The OPA application was put on hold at that time pending completion of this assessment.

Following further consultation with the NVCA and Township staff, the proposed lot fabric was revised to ensure that all proposed development is located outside of the floodway. As a result, the revised development concept now proposes the creation of one new residential parcel and is supported by a Flood Hazard Analysis prepared by MTE Consultants. Further details regarding the Flood Hazard Analysis are provided in Section 3.3.2 of this report, and a full copy of the analysis has been submitted under separate cover.

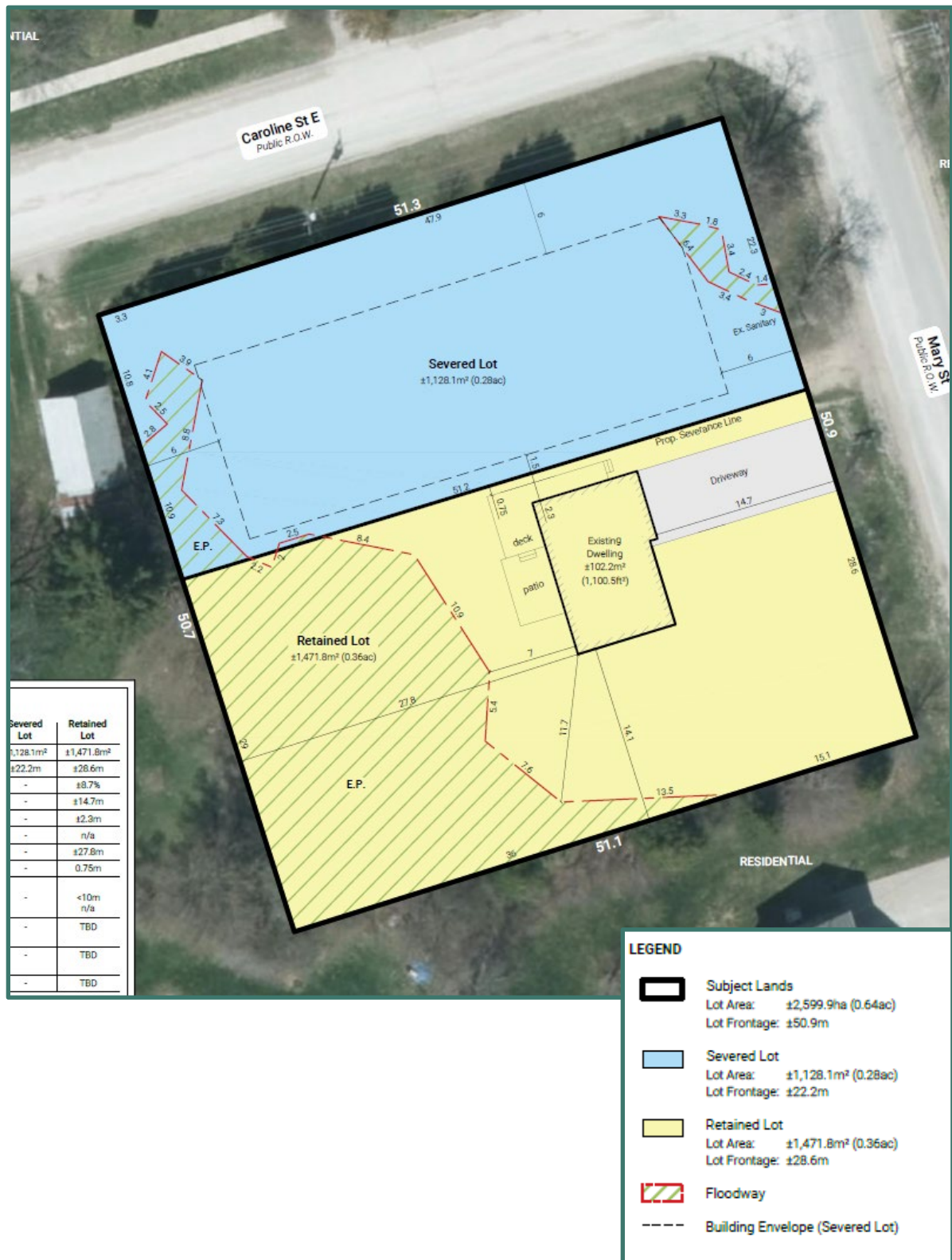
3.2 Overview of Proposed Development

The Official Plan Amendment (OPA) application seeks to permit the creation of one new residential lot on the subject property, through a subsequent consent application, as the current *Transition Corridor* designation on the property does not permit any *new* residential lot creation and the flood plain policies of *Specific Policy Area 13.2.1* (Mad River Hazard Lands) do not permit any *new* land uses within the flood fringe.

The Zoning By-law Amendment (ZBA) application seeks to implement the above noted OPA, by rezoning the portion of lands within the floodway to restrict any future development. All proposed development within the flood fringe will be subject to floodproofing standards.

Figure 4 on the following page provides an excerpt from the Severance Sketch showing the proposed severed and retained lots with a full copy included within this submission.

Figure 4 Excerpt from Site Plan Drawing



3.3 PLANNING INSTRUMENTS

3.3.1 Official Plan Amendment Application

The purpose of the enclosed Official Plan Amendment (OPA) application is to add a Special Exception Policy to Section 4.3.2 of the Township of Clearview Official Plan (2024). The intent of the application is to permit the creation of one new residential lot from the subject property.

The proposed Special Exception Policy is as follows:

Section 4.3.2.X

The lands designated as “Specific Policy Area **4.3.2.X**” on Schedule SP-X to this Official Plan, being those lands described legally as Part Lot 24 & 25 on Registered Plan 315 and known municipally as 144 Mary 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:

Notwithstanding sections 4.3.2.4, 4.3.2.17, 11.9.3.6 c), 11.9.3.8 a) and 13.2.1.3 b) and in addition to those uses permitted in the “*Transition Corridor*” land use designation, the creation of one new lot from the subject property, as it existed on the date of passing of this amendment, by way of consent, for low-density residential use, shall be permitted;

Figure 7 on the following page provides an excerpt of the proposed Official Plan Amendment Schedule that forms part of this submission. A full copy of the Schedule has been included in the submission package, along with the draft Official Plan Amendment text.

Figure 7 Excerpt from Official Plan Amendment Schedule

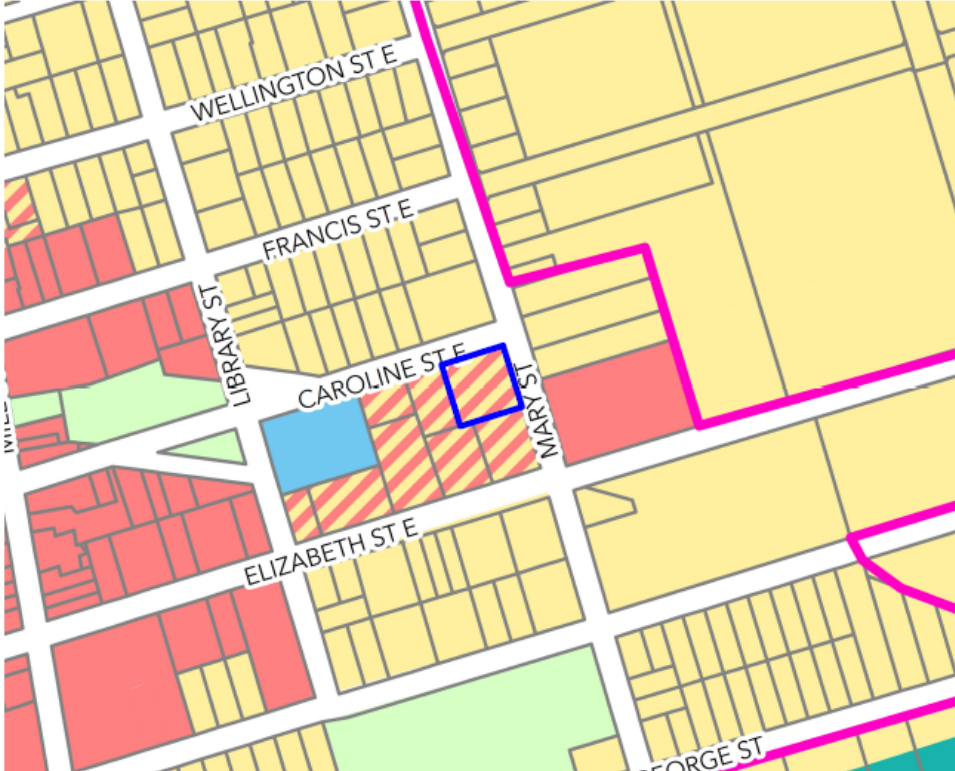
SCHEDULE 'A'

AMENDMENT No. _____

TO THE TOWNSHIP OF CLEARVIEW OFFICIAL PLAN

SCHEDULE 'B-4' - LAND USE PLAN CREEMORE





 LANDS SUBJECT TO AMENDMENT

DATE

CLERK

DATE

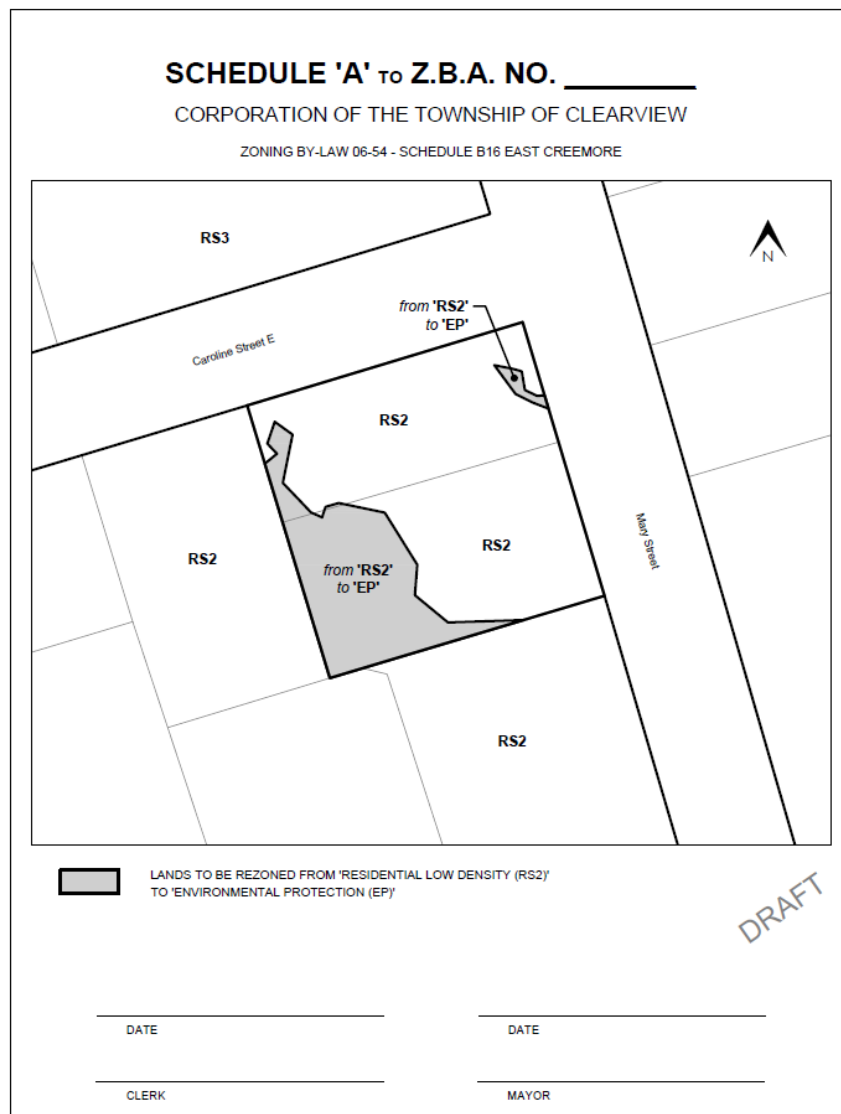
MAYOR

3.3.2 Zoning By-law Amendment Application

The purpose of the enclosed Zoning By-law Amendment (ZBA) is to rezone portions of the subject property that are located within the delineated floodway from the ***Low Density Residential (RS2)*** Zone to the ***Environmental Protection (EP)*** Zone, consistent with the findings of the recent Upper Mad River Flood Hazard Study, to ensure that future development is restricted within the floodway.

Figure 8 below provides an excerpt of the proposed Zoning By-law Amendment Schedule that forms part of this submission. A full copy of the Schedule has been included in the submission package, along with the draft Zoning By-law Amendment text.

Figure 8 Excerpt from Zoning By-law Amendment Schedule



3.3.3 Consent Application

A Consent application has been submitted to the Township concurrently, seeking to facilitate the proposed lot creation. Should the enclosed OPA and ZBA applications be successful, it is anticipated that the Consent application would subsequently be presented to the Township's Committee of Adjustment for approval.

The Consent application will seek to sever one new residential building lot from the existing parcel. The retained lands will contain the existing single detached dwelling, driveway and associated accessory structures. It is proposed that the existing water servicing to the dwelling be disconnected as the waterline crosses the proposed severed lot. The existing sanitary servicing is to remain and a new water connection on Mary Street is proposed to service the dwelling.

Table 1 below provides the proposed lot fabric statistics to result from the Consent application.

Table 1 Proposed Lot Fabric

Proposed Lot	Lot Area	Lot Frontage
Retained Lot	±1,471.8 m ²	±28.6 m (Mary St.)
Severed Lot	±1128.1 m ²	±22.3 m (Mary St.)

Both the severed and retained lots have been designed to comply with the performance standards of the Township of Clearview Zoning By-law, as demonstrated in the zoning matrix below:

Table 1 Zoning Matrix

Zone Matrix – 144 Mary St.			
ZBL Provisions 'Low Density Residential (RS2)' Zone	Required/ Permitted	Proposed Retained Lands	Proposed Severed Lot
Lot Area (Min)	750.0 m ²	±1,471.8 m ²	±1128.1 m ²
Lot Frontage (Min)	18.5 m	±28.6 m	±22.3 m
Front Yard (Min)	6.0	±14.7 m	N/A
Exterior Side Yard (Min)	6.0	N/A	N/A
Interior Side Yard (Min)	1.5	±2.3 m	N/A
Rear Yard (Min)	6.0	±27.8 m	N/A
Lot Coverage (Max)	45%	±8.7%	N/A
Deck Setback (min)	0.75 m	0.75 m	N/A

3.4 Supporting Studies

3.4.1 Conceptual Servicing Plan

A conceptual servicing plan was prepared by MTE Consultants, which details existing and proposed water services, the existing and proposed sanitary services, the existing structures, and the proposed lot fabric.

The proposed lot configuration was designed based on existing water and sewer connections on the property. The property currently has three connection points, which allows the severed and retained lots to be serviced individually. The existing dwelling is presently connected to water at the west corner of the property and to sanitary services at the east corner. It is proposed that the waterline serving the dwelling be replaced and redirected to the curb stop on the eastern portion of the retained lot. This adjustment will ensure that water and sanitary lines do not cross any proposed lot boundaries.

Detailed servicing information will be provided on the grading plan with the submission of a building permit. A copy of the plan is submitted in support of the consent application.

3.4.2 Cumulative Impact Assessment

A Cumulative Impact Assessment Brief was prepared by MTE Consultants, dated July 20th, 2026, in response to comments received from the NVCA through the pre-consultation process in a letter dated April 21, 2026. The NVCA and the Township of Clearview required the assessment to confirm that the proposed development would not result in negative flood hazard impacts to the surrounding area.

Detailed flood modelling was undertaken as part of the assessment, based on a conceptual development design. Using topographic and hydraulic data, the study demonstrates that the proposed development and the limited fill required for floodproofing will have a negligible impact on the floodplain and neighbouring properties. The proposed design provides for safe vehicular and pedestrian access during flood events and complies with the applicable regulatory requirements of the Nottawasaga Valley Conservation Authority and the Township of Clearview Official Plan.

Surrounding lots were reviewed and determined to have limited potential for similar development due to the existing lot fabric, including narrow and elongated lots with limited frontage, as well as existing flood-related constraints.

Overall, the assessment supports the conclusion that the proposed development can be appropriately floodproofed, will provide safe pedestrian and vehicular access and egress, will minimize fill requirements, and will not negatively impact the existing floodplain or adjacent properties.

4.0 APPLICABLE PLANNING DOCUMENTS – OVERVIEW

The subject property is identified in the applicable planning policy documents as follows:

Policy Document	Designation/ Zone
Provincial Planning Statement	<i>Settlement Area</i>
County of Simcoe Official Plan	<i>Settlements</i>
Township of Clearview Official Plan	<i>Transition Corridor</i>
Township of Clearview Zoning By-law	<i>Low Density Residential (RS2)</i>

The following subsections provide a detailed analysis of the above noted designations and zones as they pertain to the application.

4.1 *The Planning Act* R.S.O. 1990

The following table summarizes how the Official Plan Amendment application, and residential development it would permit, has regard for the Provincial Interest as outlined in Section 2 of the *Planning Act*:

Section 2 of the <i>Planning Act</i> (Provincial Interest)	
<i>The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,</i>	
	Morgan Planning Comment:
<i>(a) the protection of ecological systems, including natural areas, features and functions;</i>	The site is not located within any identified natural heritage features but is regulated by the Nottawasaga Valley Conservation Authority (NVCA) being that it is located within a floodplain associated with the Mad River Hazard Lands. Extensive consultation with the NVCA has been undertaken and a Flood Hazard and Cumulative Impacts Assessment was prepared by MTE Consultants in support of the proposed development. No development is proposed within the designated floodway which is subject to rezoning to prohibit future development.
<i>(b) the protection of the agricultural resources of the Province;</i>	Not applicable. The subject property is located within an identified Settlement Area.

<i>(c) the conservation and management of natural resources and the mineral resource base;</i>	Not applicable. The subject property is not located within an identified resource area.
<i>(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;</i>	Not applicable. There are no identified heritage resources on the site.
<i>(e) the supply, efficient use and conservation of energy and water;</i>	The existing single detached dwelling is serviced by municipal water and sewer. The proposed new lot will also be serviced by municipal water and sewer, as shown on the conceptual servicing plan.
<i>(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;</i>	The development will continue to be serviced by communication services in the area and municipal sewage and water services.
<i>(g) the minimization of waste;</i>	The waste generated from the development will be typical of a low density residential area.
<i>(h) the orderly development of safe and healthy communities;</i>	The proposed severed and retained lots are appropriately sized to accommodate built form and servicing needs, and is located within an identified Settlement Area which is to be the focus of growth and development.
<i>(i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;</i>	The development will continue to have access to educational, health, social, cultural and recreational facilities within the Creemore community.
<i>(j) the adequate provision of a full range of housing, including affordable housing;</i>	The development will contribute to the variety of housing options within the Township.
<i>(k) the adequate provision of employment opportunities;</i>	While the lots are intended for residential use, home-based businesses are intended to remain as a permitted accessory use.
<i>(l) the protection of financial and economic well-being of the Province and its municipalities;</i>	The development will add one new residential parcel to the Township's tax base.
<i>(m) the co-ordination of planning activities of public bodies;</i>	The applicant submitted a formal pre-consultation application, which informed this submission.
<i>(n) the resolution of planning conflicts involving public and private interests;</i>	There do not appear to be any conflicts between public and private interests.
<i>(o) the protection of public health and safety;</i>	The subject property is located within the Upper Mad River Flood Plain, as such, the development is subject to flood proofing safety standards.

	Although the property lies within a wellhead protection area, the proposed development poses no perceived threat to drinking water.
<i>(p) the appropriate location of growth and development;</i>	The development is located within the settlement area of Creemore, can be adequately serviced and is compatible with surrounding land uses.
<i>(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;</i>	The development is located within the settlement area of Creemore, within close walking distance of many businesses and services.
<i>(r) the promotion of built form that, (i) is well-designed, (ii) encourages a sense of place, and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;</i>	The enclosed application seeks to permit an additional residential lot that is appropriately sized to allow for low density housing, that will be subject to applicable built form zoning standards, as well as the Ontario Building Code through the building permit process to ensure such built form is well designed and safe.
<i>(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate</i>	The enclosed application seeks to permit an additional residential lot within a settlement area that is considered 'infill'. This contributes to the efforts for appropriate and orderly development within our existing communities to mitigate the impacts of a changing climate. In addition, the subject property is regulated by the Nottawasaga Valley Conservation Authority (NVCA) as it is located within the floodplain associated with the Mad River Hazard Lands. Extensive consultation with the NVCA has been undertaken, and a Flood Hazard and Cumulative Impacts Assessment prepared by MTE Consultants has been submitted in support of the proposed development. A Climate Change Mitigation and Adaptation Statement is also provided in Section 7 of this report.

It is the professional opinion of the undersigned that the Official Plan Amendment application, and the resulting development, have regard for the provincial interests outlined within Section 2 of the *Planning Act*.

4.2 Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS, 2024) provides policy direction on matters related to land use planning and sets the policy foundation for regulating the development and use of all land in the province. The subject property is located within the Creemore settlement area and therefore is considered a 'Settlement Area' by the PPS. The PPS states that Settlement Areas, shall be the focus of growth and development within the province.

The most directly applicable policy areas regarding the proposed development are reviewed below (following page):

Section 2.2 Housing

Policy 2.2.1.b) 2 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by permitting and facilitating:

- all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;*

MP&D Comment: The property is zoned Residential Low Density (RS2) by the Township of Clearview Zoning By-law, with portions of the property within the designated floodway intended to be rezoned to Environmental Protection (EP) through the enclosed ZBA application. Single detached dwellings are permitted within the RS2 Zone, and the proposed lot fabric has been designed to comply with the performance standards of the RS2 Zone. No development is proposed within the portions of the property to be zoned EP, which is intended to restrict any future development or site alteration.

The creation of one new residential lot within the settlement area of Creemore will introduce additional housing options within a fully serviced settlement area.

Section 2.3 Settlement Areas and Settlement Area Boundary Expansions

Policy 2.3.1.3 Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

MP&D Comment: The creation of one new residential lot within the settlement area of Creemore supports residential intensification and assists with the achievement of a complete community within a fully serviced settlement area.

Section 3.6 Sewage, Water and Stormwater

Policy 3.6.2 *Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.*

MP&D Comment: The existing single detached dwelling which will remain on the retained lands is serviced by municipal water and sewer, with the existing water service to the dwelling to be disconnected and reestablished via Mary Street as the current waterline crosses the proposed severed lot. The existing sanitary service is to remain. As illustrated on the conceptual servicing plan prepared by WMI, the severed lot will also be serviced by municipal water and sewer.

Section 5.2 Natural Hazards

Policy 5.2.3 *Development and site alteration shall not be permitted within:*

- a) the dynamic beach hazard;*
- b) defined portions of the flooding hazard along connecting channels (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);*
- c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and*
- d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.*

Policy 5.2.7 *Where the two zone concept for flood plains is applied, development and site alteration may be permitted in the flood fringe, subject to appropriate floodproofing to the flooding hazard elevation or another flooding hazard standard approved by the Minister of Natural Resources and Forestry.*

Policy 5.2.8 *Further to policy 5.2.7, and except as prohibited in policies 5.2.3 and 5.2.6, development and site alteration may be permitted in those portions of*

hazardous lands and hazardous sites where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:

- a) development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;*
- b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;*
- c) new hazards are not created and existing hazards are not aggravated; and*
- d) no adverse environmental impacts will result.*

MP&D Comment: A Cumulative Impact Assessment was prepared by MTE Consulting which included modeling to determine the extent of the floodway within the greater floodplain. All proposed development is located outside of the floodway and proposed development within the flood fringe will be subject to appropriate floodproofing. Further, the enclosed ZBA application seeks to rezone the lands within the floodway to an appropriate Environmental Protection (EP) zone to restrict future development.

It is the professional opinion of the undersigned that the enclosed applications, and resulting development, are consistent with the policy direction provided by the Provincial Planning Statement.

4.3 County of Simcoe Official Plan

The property is designated **‘Settlements’** by the County of Simcoe Official Plan (‘CSOP’), as per Schedule 5.1 – Land Use Designations. The Settlements designation is intended to be the primary areas for population and employment growth throughout the County.

The objectives of the Settlements designation include the following:

- Focusing population and employment growth and development within Settlements;
- Developing a compact urban form that promotes the efficient use of land and provision of services;
- Developing mixed uses as strong and vibrant central places and to create healthy settlements;
- Promoting development forms and patterns which minimize land consumption and servicing costs and;
- Promoting healthy, complete, and accessible communities in close proximity to amenities, support services, and transit.

Subdivision of land by way of consent is permitted within the 'Settlements' designation for permitted uses, and subject to the objectives and policies of the County Plan in accordance with section 3.3.2.

The most directly applicable policy areas of the CSOP affecting the proposed development are reviewed below.

Section 3.3. General Development Policies

Policy 3.3.2 Subdivision of land by plan of subdivision or consent, or plans of condominium, are permitted only for the land uses permitted in the designation or that maintain the intent of the Plan's objectives and policies.

MP&D Comment: The creation of one new residential lot by way of consent conforms to the objectives of the *Settlements* designation as described above. The development will provide gentle residential intensification, focusing population growth within the settlement area.

Section 3.5 Settlements

Policy 3.5.25 Intensification, or directing of development to the built-up area and serviced areas within settlement areas, contributes to a compact development form. Accordingly, it is a policy of this Plan that local municipalities will plan to achieve the following minimum percentages of all new residential units occurring annually to be developed within the built boundaries of settlement areas by the year 2015 and for each year thereafter:

- *Township of Clearview 30% (Per OPA 7 By-law No. 6977)*

MP&D Comment: The property is located within the urban settlement area of Creemore, within the delineated built-up area and subject to the intensification targets set by the County. It is understood that the intensification targets have been recently updated based on the County of Simcoe Municipal Comprehensive Review (OPA 7) which was passed in April of 2026. The creation of one new residential lot will aid the Township towards applicable intensification targets.

Section 3.15 Source Protection

Policy 3.15.12 The local municipal Risk Management Official, or other qualified individual through the Clean Water Act, shall be responsible for determining when

an existing or future land use or activity is, or may be, a significant drinking water threat.

MP&D Comment: The property is located within a Wellhead Protection Area. MP&D received comments from the Nottawasaga Valley Conservation Authority during the pre-consultation process stating no concerns with the severance application regarding Source Water Protection under the *Clean Water Act*. The new lot is proposed to be serviced by the municipal water system.

Section 4.5 Resource Conservation - Flood Plains and Other Hazard Lands

Section 4.5.14 Where there is a Two Zone Concept applied, and except as prohibited in policy 4.5.10, development and site alteration may be permitted within the flood fringe of a river, stream, and inland lake systems subject to appropriate flood proofing to the flooding hazard elevation or another flooding hazard standard approved by the Minister of Natural Resources and Forestry, and if the following criteria can be achieved:

- a) the hazards can be safely addressed, and the development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;*
- b) new hazards will not be created and existing hazards aggravated;*
- c) no adverse environmental impacts will result;*
- d) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies; and*
- e) the development does not include institutional uses, essential emergency services, or the disposal, manufacture, treatment, or storage of hazardous substances.*

Section 4.5.17 Any development or site alteration permitted in the flood plain shall require written approval from the Conservation Authority or appropriate authority, in consultation with the local municipality.

Section 4.5.18 Delineation of the flood prone areas shall, where applicable, be identified on schedules to local municipal official plans. In the absence of detailed flood plain analysis, a development applicant may be required to provide a flood plain study as a prerequisite to any development, prepared to the satisfaction of the Conservation Authority or other qualified professional, and the local municipality. The cost of preparing the study and professional review if required shall be borne by the applicant.

MP&D Comment: A Cumulative Impact Assessment was prepared by MTE Consultants in support of the proposed development, including flood modelling to confirm the extent of the floodway and flood fringe on the subject property. Extensive consultation with the NVCA was undertaken through the development of the modeling and assessment. The assessment demonstrates that all proposed development can be located outside of the floodway, with any development within the flood fringe to be appropriately floodproofed. The enclosed Zoning By-law Amendment application seeks to place the floodway portion of the property in an Environmental Protection (EP) Zone, restricting future development or site alteration within this area in accordance with these policies.

The proposed development satisfies the intent of the County floodplain policies, as the flood hazard can be safely addressed through the implementation of appropriate floodproofing measures and the impacts of the proposed development on the existing hazard lands would be negligible. On this basis, the proposed Official Plan and Zoning By-law Amendment applications, and subsequent Consent application, are consistent with the County's two-zone floodplain policy framework.

It is the professional opinion of the undersigned that the enclosed applications, and resulting development, conform with the applicable policies of the County of Simcoe Official Plan.

4.4 Township of Clearview Official Plan

The subject property is located within the Urban Settlement area of Creemore. Urban Settlement areas are envisioned to *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* (section 2.2.1.1).

The subject property is designated '**Transition Corridor**' and within the delineated built-up area by the Township of Clearview's Official Plan (2024) – *Schedule B4 – Land Use Plan, Creemore*. The policies pertaining to the 'Transition Corridor' designation are included in section 4.3.2 of the Township's Official Plan (OP).

The primary intent of the '**Transition Corridor**' designation is to identify parcels and areas of land which are to 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 outside of the traditional downtowns.

In the context of the subject property, the neighboring built-up/downtown area is proposed to be expanded, and the subject property is intended to serve as part of a connective corridor to this expanded built-up area.

We note that the property is located within a cluster of larger low density residential lots all designated part of the ‘*Transition Corridor*’. This specific cluster connects the public library and surrounding commercial uses to the densely developed residential areas to the east which include Brix Condominiums, Creedan Valley Care Community and future residential developments (Alliance Homes).

The following uses are permitted in the ‘Transition Corridor’ designation:

- Small-scale commercial uses, such as boutiques and small retail establishments, personal service stores,
- business offices and professional services, and similar uses that are compatible with the existing built environment;
- Medical and dental clinics;
- Art Studios and artisanal workshops;
- Child-care centres and small-scale public service facilities;
- Residential Uses (subject to Section 4.3.2.3 and **4.3.2.4** of the Township OP) and;
- Home businesses.

The most directly applicable policy areas of the OP affecting the proposed development are reviewed below.

Section 4.3.2 Transition Corridor Designation

Policy 4.3.2.4 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.

MP&D Comment: As directed by this policy, the enclosed OPA application proposes to establish a site-specific policy to permit the creation of one new lot to be developed with a low-density residential use. The creation of the new residential lot from the large existing lot represents gentle residential intensification within an existing low-density residential neighbourhood. The associated ZBA application retains accessory permissions for Home Occupation and Bed and Breakfast uses, allowing for small business owners to operate out of their homes, in accordance with the intended permitted uses of this designation.

Policy 4.3.2.8 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.

MP&D Comment: The proposed redevelopment will maintain the existing residence on the retained lands.

Policy 4.3.2.17 The creation of a new lot in the “Transition Corridor” designation shall only be permitted in accordance with the general consent policies in Section 11.9.1 and with the applicable policies in Section 11.9.3.

MP&D Comment: The creation of one residential lot would conform to the general consent policies listed in section 11.9.1. The severed and retained lots will be municipally serviced, have frontage on public roads, and development is to be located outside of any environmentally sensitive areas. A review of the policies of Section 11.9.3 are provided below.

Section 11.9.3 Lot Creation in Commercial Designations

Policy 11.9.3.4 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.*

MP&D Comment: The creation of one residential lot would conform to the above noted policy as:

- a) the existing lot was not created by a previous consent;
- b) the redevelopment is not anticipated to hinder or limit planned development in the area as the proposed residential uses are compatible with existing and proposed uses in the area (see section 5.0 of this report *Land Use Compatibility*) and will retain permitted accessory uses such as bed and breakfast and home occupations;
- c) the proposed development represents logical gentle infilling within an existing residential area;
- d) the proposed development is not anticipated to create adverse impacts on pedestrian or vehicular movement as the existing sidewalk is located along the north side of Caroline Street East,

and significant road frontage is available for the establishment of a new driveway for the severed lands; and

- e) the creation of one residential lot within a fully serviced settlement area is not anticipated to have any adverse impacts on any infrastructure, services or other matters.

Policy 11.9.3.6

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 wastewater 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 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.***

MP&D Comment:

The enclosed applications seek to permit the creation of one new residential lot on municipal services. The existing and proposed servicing connections have been illustrated on the servicing plan prepared by MTE Consulting to ensure servicing connections remain wholly located on each parcel. The existing parcel was not created by an earlier consent. The lot to be created does not have any existing buildings; however, has historically been utilized for low density residential use which is intended to remain through the construction of a new single-family dwelling, therefore maintaining the intent of this policy direction.

Policy 11.9.3.8

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 primary use of the lot to be created is not a residential use; and***
- (a) development on the lot created will not require or involve the demolition of any buildings or structures situated on the lot retained.*

MP&D Comment:

The enclosed OPA application proposes to establish a site-specific policy to permit the creation of one new residential lot and represents gentle intensification within a long established low-density residential neighbourhood. The proposed lot fabric has been designed to comply with the performance standards of the Township’s Zoning By-law.

The proposal will not require or involve the demolition of any buildings or structures on the retained parcel.

We note that the intent of the 'Transitional Corridor' designation is to transition from the downtown commercial core to the surrounding residential neighbourhoods and allow for mixed uses within this area. The policies of the transitional corridor limit new residential uses and promote small-scale commercial and service-based uses. There is still opportunity for home-based businesses on the proposed severed and retained lots as the RS2 zone permits 'Home Occupation' and 'Bed and Breakfast' as permitted accessory uses per section 3.10.1 of the Zoning By-law. The enclosed site-specific Zoning By-law Amendment will maintain the existing permitted uses, so as to maintain the intent of the designation and allow for the addition of a *new* residential use on the proposed severed parcel.

Section 13.2.1

Mad River Hazard Lands

Section 13.2.1

The lands designated as "Specific 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, a two-zone floodplain management concept shall be used for the subject lands, according to which the floodplain shall consist of:*
 - a) *the floodway, which shall refer to the contiguous inner portion of the floodplain, representing the area required for the safe passage of flood flow or the area where flood depths and velocities are considered to be such that they pose a potential threat to life or risk of property damage, and which shall be defined as any area within which one of the following criteria is exceeded:*
 - i. *a maximum flooding depth of 0.3 metres;*
 - ii. *a maximum flooding velocity of 1.7 m/s; or*
 - iii. *a maximum combined depth-velocity product of 0.4 m²/s; and*
 - b) *the flood fringe, which shall refer to the outer portion of the floodplain, being the area situated between the floodway and the flooding hazard limit, and which shall be defined as the*

portion of the floodplain in which none of the maximum values specified in Clause 13.2.1.1(a) is exceeded.

MP&D Comment: The subject property is located outside of Specific Policy Area 13.2.1; however, the lands have been identified to be within the regional floodplain as per the recently approved Upper Mad River Flood Study (2024) per the NVCA. Section 6.2.1.6 of the Township's Official Plan requires that *whenever more precise or more detailed mapping of hazardous lands or of hazardous sites in the Township 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,*" therefore the two-zone floodplain policies within Section 13.2.1 would apply.

MTE Consultants has prepared a Cumulative Impact Assessment in support of the proposed development, including flood modelling to confirm the extent of the floodway and flood fringe on the subject property and to demonstrate that the proposed development can be appropriately floodproofed without resulting in negative impacts to adjacent properties.

Section 13.2.1.3 *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; and
b) within the delineated built-up area, land uses permitted by the land use designations shown on Schedule B.

Section 13.2.1.4 *Further to No. 13.2.1.3 above, and to clarify:*
a) the improvement or expansion of a lawfully existing use on the subject lands shall not require an amendment to this Official Plan but shall be subject to all other requirements set out in this section of the Plan;
b) the establishment of a new land use within the delineated built-up area may be permitted without an amendment to this Official Plan but shall require an amendment to the Zoning By-law in accordance with the policies in this section of the Plan; and
c) Policy No. 13.2.1.3 may be amended to identify specific land uses on specific properties (including properties outside the delineated built-up area), subject to the policies in this section of the Official Plan.

MP&D Comment: The subject property is located within the delineated built-up area of the

Creemore Settlement Area; however, the Transition Corridor designation does not permit the proposed residential use. The enclosed OPA seeks to address Policy 13.2.1.3 and permit a new residential land use within the flood fringe.

It is the professional opinion of the undersigned that the proposed development meets the general direction provided within the Township's Official Plan, and once the proposed Official Plan Amendment is approved, the associated Zoning By-law Amendment conforms to the Township of Clearview Official Plan.

4.5 Township of Clearview Zoning By-law (06-54)

The subject property is currently zoned '*Residential Low Density (RS2)*' within the Township of Clearview Zoning By-law. Single detached dwellings are a permitted use within this zone, as well as 'Home Occupation' and 'Bed and Breakfast' as accessory permitted uses.

The enclosed Zoning By-law Amendment application seeks to rezone the portion of the subject property within the floodway to the Environmental Protection (EP) Zone. As illustrated within Section 3.2 Table 1 of this report, the resulting lots comply with the provisions of the RS2 Zone.

5.0 LAND USE COMPATIBILITY

When considering the appropriateness of the proposed development, land use compatibility is one of the most fundamental considerations. When undertaking this analysis, the author considered: the built form and uses of the adjacent and surrounding properties; the general character of Creemore community; future potential uses envisioned in the surrounding area, and the adequacy of the proposed site plan to mitigate adverse off-site impacts.

The subject property provides opportunity for gentle intensification within an Urban Settlement Area. The property is located within close proximity to the downtown core which offers, amenities and services such as grocery, childcare, bank, medical offices, parks etc. The property currently contain a small single detached dwelling on an oversized lot. The lot fabric within the block features mostly larger residential lots with single detached dwellings.

Based on this neighbourhood analysis, the author is of the opinion that the proposed development will function compatibly with adjacent properties. This conclusion has been reached for the following reasons:

- The development will bridge between the existing lot fabric of the area, being larger residential lots, with the anticipated development towards the east likely to be more dense in nature. This includes townhouses, a care home facility and future subdivision to the east.

- The large corner property provides an ideal residential infill opportunity on a large lot that is under-utilized with municipal servicing connections available. The neighbourhood is comprised of a wide variety of lot sizes, widths and depths, and the proposed redevelopment will contribute to the diversity of the urban form.
- The intent of the Transitional Corridor designation is to transition from the downtown commercial core to the surrounding residential neighbourhoods and allow for mixed uses within this area. A site-specific amendment to the Official Plan is anticipated as a condition of provisional consent approval, which will maintain the existing primary and accessory permitted uses.
- The policies of the Transitional Corridor generally limit new residential uses and promote small-scale commercial and service-based uses. The enclosed Consent application seeks to create one additional residential lot from underutilized lands that are zoned for residential development. The existing RS2 zone permits home occupation as an accessory use, which will allow for future home-based business(s) to be established on both the retained or severed lots.
- A Cumulative Impacts Assessment prepared by MTE Consultants supports the proposed development, concludes that flood-related impacts on surrounding properties will be negligible, and recommends appropriate floodproofing measures for any development within the flood fringe. No physical development or site alteration is proposed within the floodway, and those lands are proposed to be rezoned to an Environmental Protection Zone to restrict future development.

6.0 PUBLIC CONSULTATION

In accordance with Provincial and Township requirements, notification of the enclosed applications will be posted on the property and circulated to surrounding property owners within 120 metres, providing an overview of the proposed development.

7.0 CLIMATE CHANGE MITIGATION AND ADAPTATION STATEMENT

Section 5.6.2 of the Township of Clearview Official Plan requires that development applications consider climate change mitigation and adaptation through the preparation of a Climate Change Mitigation and Adaptation Statement, where required through the development review process. The intent of this policy framework is to ensure that new development considers opportunities to reduce greenhouse gas emissions, support efficient land use and servicing patterns, and respond appropriately to climate-related risks, including flooding and other natural hazards.

The proposed development represents a modest form of residential intensification within the built-up area of the Creemore Urban Settlement Area. The creation of one new residential lot within an existing serviced settlement area supports a compact development pattern and makes

efficient use of existing municipal water, wastewater, road, and community infrastructure. By directing growth to an existing neighbourhood within walking distance of commercial, institutional, recreational, and community services, the proposal supports reduced land consumption and provides opportunities for shorter local trips, thereby contributing to climate change mitigation objectives.

From a climate change adaptation perspective, the applications have been informed by the updated Upper Mad River flood hazard mapping, consultation with the local conservation authority and the Cumulative Impact Assessment prepared by MTE Consultants. The proposed lot fabric has been revised so that all physical development is located outside of the delineated floodway, with development within the flood fringe to be subject to appropriate floodproofing standards. The proposed Zoning By-law Amendment will further support long-term climate resilience by placing the floodway portion of the property in an Environmental Protection Zone, thereby restricting future development and site alteration within the area of greatest flood risk.

Overall, the proposed development addresses the intent of Section 5.6.2 of the Township Official Plan by supporting efficient settlement-area growth, making use of existing municipal services, avoiding development within the floodway, and incorporating floodproofing measures for development within the flood fringe. On this basis, the proposed Official Plan Amendment, Zoning By-law Amendment, and subsequent consent application demonstrate appropriate consideration of climate change mitigation and adaptation matters.

8.0 CONCLUSION

The enclosed Official Plan and Zoning By-law Amendment applications seek to facilitate the creation of one new residential parcel through a subsequent Consent application to sever from an existing oversized lot. The retained lands will maintain the existing residential built form and are not subject to the amendments.

It is the professional planning opinion of the undersigned that the Official Plan Amendment application and the resulting development represents good land use planning. This opinion has been reached for the following reasons:

- The applications have regard for applicable Provincial interests under Section 2 of the *Planning Act*;
- The applications are consistent with the Provincial Planning Statement;
- The applications conform with the County of Simcoe Official Plan;
- The proposed Official Plan Amendment is generally consistent with the direction of the Township of Clearview's Official Plan;
- Upon approval of the Official Plan Amendment, the associated Zoning By-law Amendment conforms with the Township of Clearview's Official Plan;
- The applications and resulting development have considered land use compatibility with the surrounding community and can be appropriately serviced;

- Appropriate evaluation of the floodplain and flood fringe areas have been completed by qualified professionals in support of the proposed development; and
- The proposed development has regard for climate change and has considered mitigation and adaptation measures to protect against climate-related hazards.

Respectfully submitted,
MORGAN Planning & Development Inc.



Lauren Arsenault, BA CPT
Planner



Joshua Morgan, MCIP, RPP
Principal Planner

Appendix 1

Site Photos

Photo 1 View of subject property from intersection of Mary Street and Caroline Street
(proposed severed lot)



Photo 2 Existing dwelling (proposed retained)



Photo 3

View of rear/ exterior side yard of property from Caroline Street (proposed severed lot)



Photo 4

Rear yard (proposed severed lot)

