

TOWNSHIP OF ST. CLAIR

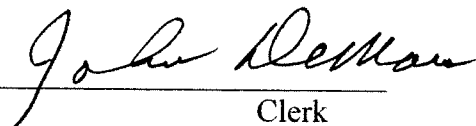
BY-LAW NUMBER 53 OF 2010

The Council of the Corporation of the Township of St. Clair, in accordance with Section 17 (22) of the Planning Act, R.S.O. 1990, hereby enacts as follows:

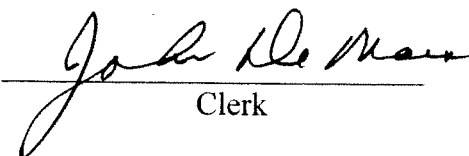
1. Amendment No. 16 to the Official Plan for the Township of St. Clair consisting of the attached text and map, is hereby adopted.
2. The Clerk is hereby authorized and directed to make application to the County of Lambton for approval of Amendment No. 16 to the Township of St. Clair Official Plan.
3. This By-law shall come into force and take effect on the day of the final passing thereof.

ENACTED AND PASSED THIS 22~~nd~~ Day of November, 2010.

  
\_\_\_\_\_  
Mayor

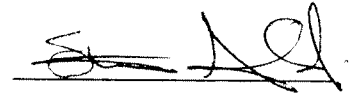
  
\_\_\_\_\_  
Clerk

Certified that the above is a true copy of By-law No. 53 of 2010 as enacted and passed by the Council of the Corporation of the Township of St. Clair on the 22~~nd~~ Day of November 2010.

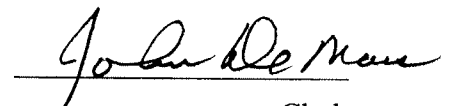
  
\_\_\_\_\_  
Clerk

**TOWNSHIP OF ST. CLAIR**  
**Official Plan Amendment No. 16**

This amendment was adopted by the Council of the Corporation of the Township of St. Clair by By-Law \_\_\_\_\_ of 2010 in accordance with the provisions of Section 17 (4) and 17 (22) of the Planning Act, R.S.O. 1990, on the \_\_\_th day of \_\_\_\_\_, 2010


  
\_\_\_\_\_  
Mayor

Corporate  
Seal

  
\_\_\_\_\_  
Clerk

**CERTIFICATE OF COMPLIANCE**  
**WITH PUBLIC INVOLVEMENT**  
**AND NOTICE REQUIREMENT**

I, John DeMars, Clerk for the Township of St. Clair hereby certify that the requirements for giving notice and the holding of at least one public meeting as set out in subsection 17(15) of the Planning Act, R.S.O.1990, have been complied with.

  
\_\_\_\_\_  
Clerk

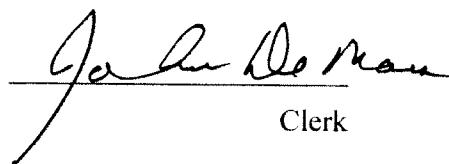
**TOWNSHIP OF ST. CLAIR**  
**Official Plan Amendment No. 16**

This amendment was adopted by the Council of the Corporation of the Township of St. Clair by By-Law 53 of 2010 in accordance with the provisions of Section 17 (4) and 17 (22) of the Planning Act, R.S.O. 1990, on the 22<sup>nd</sup> day of November 2010



Mayor


Corporate  
Seal



Clerk

**CERTIFICATE OF COMPLIANCE**  
**WITH PUBLIC INVOLVEMENT**  
**AND NOTICE REQUIREMENT**

I, John DeMars, Clerk for the Township of St. Clair hereby certify that the requirements for giving notice and the holding of at least one public meeting as set out in subsection 17(15) of the Planning Act, R.S.O.1990, have been complied with.



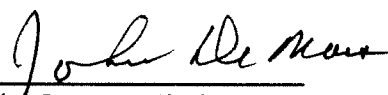
Clerk

Township of St. Clair  
**SCHEDULE "A" LAND USE PLAN**

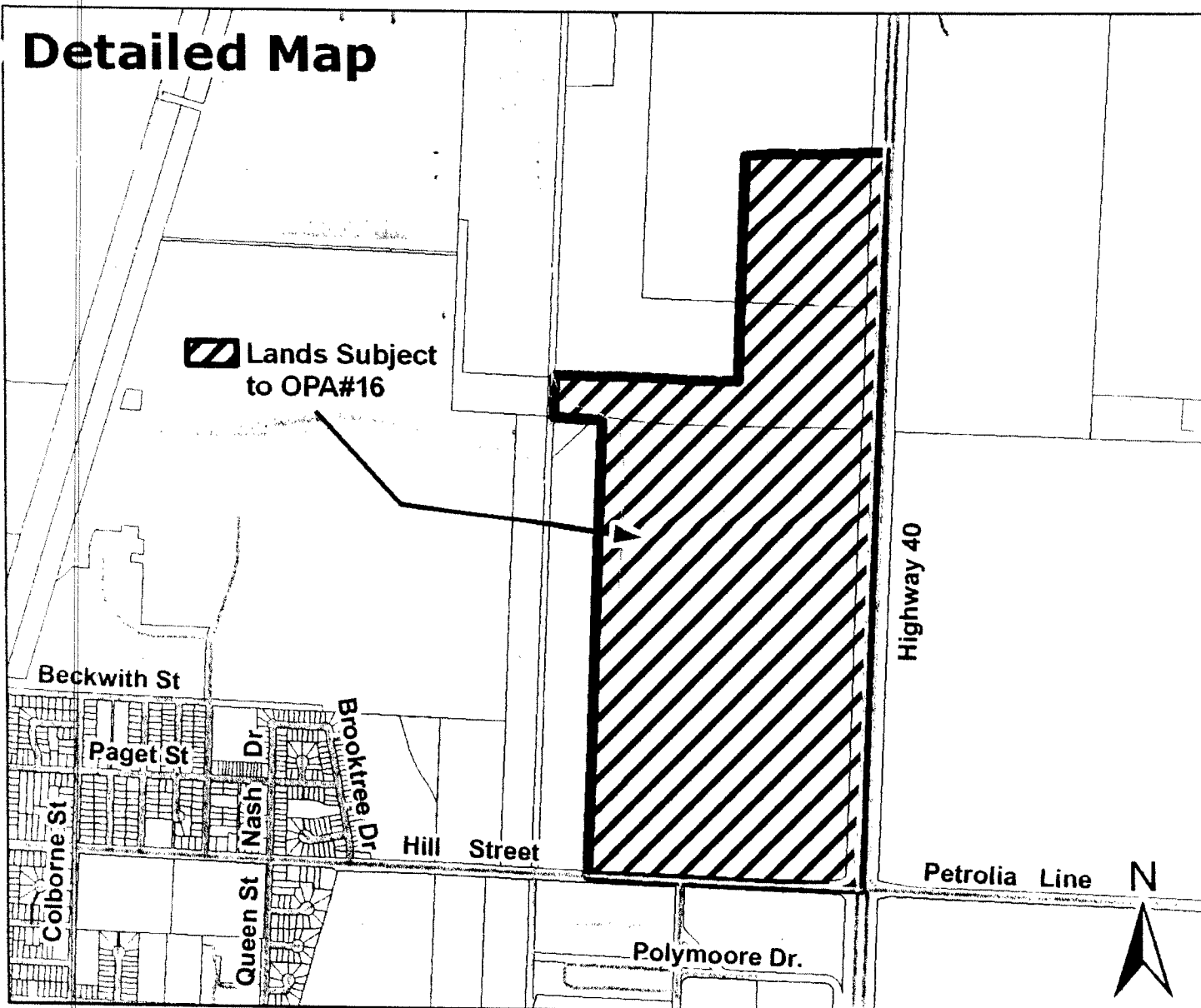
THIS SCHEDULE FORMS PART OF AMENDMENT NO. 16 TO THE TOWNSHIP of ST. CLAIR OFFICIAL PLAN AND MUST BE READ WITH THE WRITTEN TEXT.

Signed:

  
Steve Arnold, Mayor

  
John DeMars, Clerk

### Detailed Map



APPLICANT: Provident Energy  
LOCATION: Pt. Lot 25 & 26, Concession 11, geographic township of Moore,  
4391 Highway 40, St. Clair Township.  
FILE: OPA #16

**AMENDMENT NO. 16**  
**TO THE TOWNSHIP OF ST. CLAIR**  
**OFFICIAL PLAN**



Prepared by  
The County of Lambton  
Planning and Development Services Department  
Nov, 2010

**AMENDMENT NO. 16  
TO THE  
TOWNSHIP OF ST. CLAIR OFFICIAL PLAN**

**PART A – The Preamble** does not constitute part of this amendment.

**PART B – The Amendment**, consisting of the following text and map labelled “Schedule A” constitutes Amendment No. 16 to the Township of St. Clair Official Plan.

**PART C – The Appendix**, does not constitute part of this amendment. The appendices contain background information and the minute of the public meeting associated with this amendment.

**INDEX**

**PART A – The Preamble**

Purpose.....	3
Location.....	3
Basis .....	3

**PART B – The Amendment**

Introduction.....	5
Details of the Amendment.....	5
Implementation .....	6
Schedule “A”.....	7

**PART C – The Appendix**

Planning Report .....	8
Public Participation / Minutes of the Public Meeting.....	

## **PART A – THE PREAMBLE**

### **Purpose**

The purpose of this Official Plan Amendment is to amend the Official Plan policy requiring a 1.6 kilometre industrial separation distance to consider a site-specific Rail Loading / Distribution Facility for Compressed Liquid Propane and Other Liquid Petroleum Gases Including Butane, as well as accessory above ground tanks and a rail marshalling yard on lands subject to this amendment; while ensuring site-specific separation distances, setbacks, berming and development provisions for the various components of the facility to the satisfaction of the Township of St. Clair provided the Township is satisfied with appropriate noise, archeological, stormwater, traffic, risk and safety management-engineered hazard distances studies, and other studies deemed appropriate by the Township

### **Location**

This amendment is site-specific to the lands described as Part Lots 25 & 26 of Concession 11 & 12, Geographic Township of Moore, Township of St. Clair and detailed as the "Lands subject to Official Plan Amendment No. 16" on the attached Schedule "A".

### **Basis**

The Township of St. Clair is strongly influenced by the Great Lakes Seaway, industry, and agriculture. Running parallel to the St. Clair River is the Staged Freeway No. 40 which is currently a divided 4 lane highway in the north and an undivided 2 lane highway in the south of the municipality. Along Highway 40, there is a 72.03 square kilometre industrial area that forms part of the "Sarnia-Lambton (St. Clair) Petrochemical and Refining Complex". The industrial area effectively surrounds the urban communities of Corunna, Mooretown and Courtright and extends from the north boundary between Sarnia and St. Clair southwards towards Sombra Village. For many years, the Township's plans and practice has been to maintain a separation distance between the heavy or dangerous industrial areas and their urban communities. The perception that the industrial areas will eventually surround and engulf the residential communities has been a recurrent planning concern over the years.

The Township feels that these difficulties can be overcome by ensuring that industries are adequately separated, that only industries compatible with residential uses locate near urban communities, and that higher impact uses are separated or buffered from the residential areas. High impact or heavy industrial uses (Type 3) shall locate at least 1.6 kilometres from any residential designation. Type 3 uses in St. Clair Township include any industries that involve hydrocarbons, volatiles or dangerous materials such as liquid propane.

It is my understanding that the new owners of the lands subject to this Official Plan Amendment, propose to maintain the existing subterranean hydrocarbon storage facilities but will also create additional land uses on lands that are in part located on tilled farmland and in part on the existing subterranean hydrocarbon storage facility. Current above ground components of the subterranean

hydrocarbon storage facility include pipes and conduit, short flare stack(s), brine ponds, emissions, water usage other than employee washrooms/cleaning, a building for office-operations and a propylene tanker car loading site for a single rail car.

The new land uses proposed include: a rail marshalling yard for the storage of 48 rail cars, a sixteen tanker car loading facility, above ground storage of compressed liquid propane and liquid petroleum gases (above ground tanks for compressed liquid propane and / or LPGs), and uses accessory thereto including more above ground pipe infrastructure. This is in combination with a symbiotic hydrocarbon liquid petroleum gas truck loading - distribution facility, underground storage facility and a calcium chloride dryer development to be located east of the lands subject to this amendment. The truck loading-distribution facility proposal would be located in compliance with established industrial separation distances and setbacks of the Township of St. Clair Official Plan and Zoning By-law.

The main issue with the 16 bay tanker car loading facility, the 48 tanker car marshalling facility and accessory above ground tank proposal is its constraints to development. Specifically, the proposal requires rail access with an underground petroleum storage infrastructure and would appear to be feasible only near the subject lands. In addition to the site requirement to be near rail lines, there is an easterly operational constraint of the staged freeway No. 40. This main transportation feature would generally hem or limit future rail spurs for a development of this scale.

As such, Official Plan Amendment # 16 intends to consider the development of a significant liquid petroleum gas (LPG) / liquid propane rail loading-distribution facility on a site suitable in an operational sense for such a facility as well as being limited to located in other sites; but, in an area this is affected by land use compatibility concerns in its proximity to sensitive/residential and future urban settlement land uses.

This amendment provides for a mechanism to consider a land use that involves volatiles and dangerous materials closer to the Community of Corunna than envisioned provided that the proposed land use is no closer than operationally necessary, contained in scope with additional site-specific development standards, separation distances, setbacks from lot lines, berms-landscaping requirements to address aesthetics and community design, along with professional studies that address and mitigate impacts and concerns associated with noise, emissions, vibration, archeological matters, traffic, stormwater, engineered hazard separation distances, risk and safety management and other studies deemed necessary to the satisfaction of the Township of St. Clair.



## **PART B – THE AMENDMENT**

### **Introduction**

All of this part of the document entitled Part B – The Amendment, consisting of the following text and attached map designated as Schedule “A” constitutes Amendment No. 16 to the Township of St. Clair Official Plan.

### **Details of the Amendment**

The Township of St. Clair Official Plan is amended as follows:

- Item (1): Schedule "A" to the Township of St. Clair Official Plan is hereby amended by adding "Lands subject to Official Plan Amendment No. 16" and delineating the boundaries as identified in the attached Schedule A.
- Item (2): The text of the Township of St. Clair Official Plan is hereby modified by adding additional clauses after

“**B.10.3.2.1** High impact or heavy industrial uses (Type 3) shall locate at least 1.6 kilometres from any residential designation”.

and

“**B.13.6** The Township considers Type Three uses to be incompatible with residential uses. No new Type Three industrial development shall be permitted within 1.6 km of a residential designation”.

with the following after each of the above Clauses:

Notwithstanding the above clause, infrastructure and buildings used in transferring liquid propane or liquid petroleum gases from underground hydrocarbon storage features and/or above ground tanks to rail cars for bulk distribution, may be located closer than the 1.6 km setback, but no closer than approximately 740 m from a residential designation on lands identified on Schedule A, provided there are additional site specific building envelope setbacks from lot lines, berms, and landscaping, in addition to appropriately implementing the recommendations of studies deemed necessary by the Township of St. Clair (stormwater, engineered hazard separation distances, risk and safety management, noise, emissions, vibration, traffic, archeological studies or other studies deemed necessary by the Township of St. Clair).

Notwithstanding clauses to the contrary, open storage in a front yard may be considered in terms of a rail marshalling yard that stores empty rail cars associated with a Rail Loading and Distribution Facility for Compressed Liquid Propane and

Other Liquid Hydrocarbon Gases including Butane provided it is not located closer than 485 metres from a residential designation on lands identified on Schedule A as Lands Subject of Official Plan Amendment No. 16, and there are additional site specific setbacks from lot lines, berms, and landscaping in addition to appropriately implementing the recommendations of studies deemed necessary by the Township of St. Clair (stormwater, engineered hazard separation distances, risk and safety management, noise, emissions, vibration, traffic, archeological or other studies deemed necessary by the Township of St. Clair).

### **Implementation and Interpretation**

The implementation and interpretation of this amendment shall be in accordance with the respective policies of the Township of St. Clair Official Plan.

Schedule A

**PART C - THE APPENDIX**