

THE CORPORATION OF THE TOWNSHIP OF ST. CLAIR

ZONING BY-LAW ___54___ OF 2010

Being a By-law to amend the Comprehensive Zoning-By-law No. 17 of 2003 Pursuant to Section 34 of the Planning Act, S.O. 1996, C.4

WHEREAS the Council of the Corporation of the Township of St. Clair, passed a comprehensive Zoning By-law No. 17 of 2003 on the 21st day of April 2003 and;

NOW THEREFORE the Council of the Corporation of the Township of St. Clair enacts as follows:

1. Schedule "A-2-11" attached hereto is hereby declared to form part of this by-law
2. By-law 17 of 2003 is hereby amended by affecting the lands described as being part of Lots 25 & 26, Concessions 11 & 12, geographic Township of Moore, Township of St. Clair and shown more particularly on Schedule "A-2-11" attached hereto.
3. Schedule "A-2" to By-law 17 of 2003 is hereby amended by changing the zone symbols which applies to the lands subject to this by-law amendment from M1 to M1-2(h).
4. Section 10.1 of By-law No. 17 of 2003 is hereby amended by adding the following subsection:

"10.1.3
M1-2(h)
Exception 2 to the
Light industrial uses Zone
with Holding Symbol

For lands zoned M1-2(h), no new development shall be permitted without removing the holding symbol.

Notwithstanding provisions to the contrary, for lands zoned M1-2, the permitted uses shall include a Liquid Propane / LHG Rail Loading - Distribution Facility and accessory buildings /uses. Rail Loading infrastructure including above ground tanks for the storage of compressed hydrocarbon gases (i.e. Compressed butane / propane) shall comply with the following provisions in addition to the general provision of the by-law:

Minimum Front Yard:	890 m
Minimum Interior Side Yard :	70 m
Minimum Rear Yard:	70 m
Minimum Exterior Side Yard:	153 m
Maximum Height:	14 m
Minimum Landscaped Open Space :	20%
Minimum Lot Area:	100 ha
Minimum Lot Frontage :	750 m

Notwithstanding provisions to the contrary, a Rail Marshalling Yard and accessory uses thereto shall comply with the following provisions in addition to the general provisions of the by-law:

Minimum Front Yard:	153 m
Minimum Interior Side Yard:	30 m
Minimum Rear Yard:	30 m
Minimum Exterior Side Yard:	153 m

Berming with landscaping shall be required including berming that addresses recommendations of noise studies accepted by the Township

in addition to berming with landscaping that addresses visual screening, safety and aesthetics to the satisfaction of the Township in yards abutting a public street or facing residential uses within one kilometer of the Liquid Propane / LHG Rail Loading - Distribution infrastructure.

Notwithstanding provisions to the contrary, an office or repair garage and uses accessory thereto shall comply with the provisions of the M1 Zone and the general provisions of the By-law.

The height of the berms shall be a minimum height of the top of the rail tanker car (4.7 m) and address sound study recommendations.

Notwithstanding any provisions to the contrary, the provisions of the M1 Zone shall apply to office buildings.

The holding (h) symbol of the M1-2(h) Zone shall be removed pursuant to Section 36 of the Planning Act S.O. 1996, c.4 only upon the completion of a noise study, storm water study, emissions study, traffic study, hazard distance, risk & safety management plan and archeological study to the satisfaction of the Township of St. Clair and a demonstration that the recommendations of the studies can be implemented to the satisfaction of the Township of St.Clair."

5. Section 2 of By-law No. 17 of 2003 is hereby amended by addition the following definitions in alphabetical sequence:


Liquid Propane/LHG Rail Loading-Distribution Facility shall mean the use of land, infrastructure and buildings used in transferring liquid propane or liquid hydrocarbon gases from underground hydrocarbon storage features to rail cars for bulk distribution and accessory uses shall include a rail marshalling yard, above ground tanks storing liquid propane or liquid hydrocarbon gases, repair garages and offices for employees of the facility.

Rail Marshalling Yard shall mean the use of lands to store empty rail cars but includes the shunting of loaded rail tankers within approximately 24 hours or tanker arrival; and, includes rail spurs and associated rail infrastructure. The number of rail cars to be situated on the said rail marshalling yard shall be limited to 48.

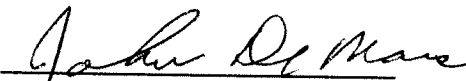
6. This by-law shall come into force and take effect upon being passed by Council subject to any approval being necessary pursuant to the Planning Act S.O. 1996 C.4.

Read a FIRST and SECOND time this ___22nd___ day of November, 2010

Read a THIRD and FINAL time this ___22nd___ day of November, 2010



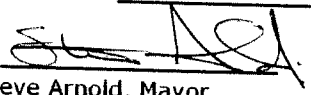
Steve Arnold, Mayor




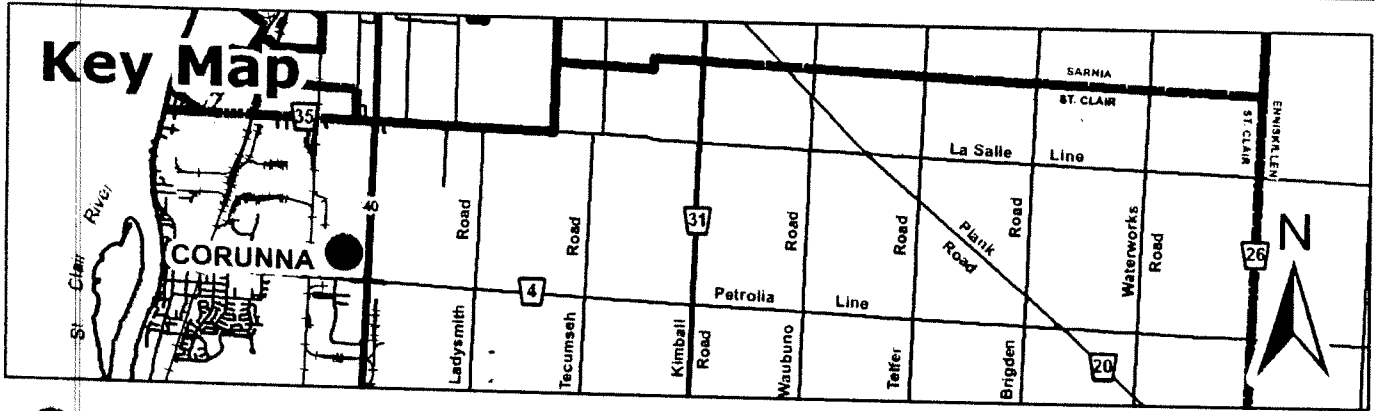
John DeMars, Clerk

Township of St. Clair
SCHEDULE "A-2-11"
to By-law No. 54 of 2010

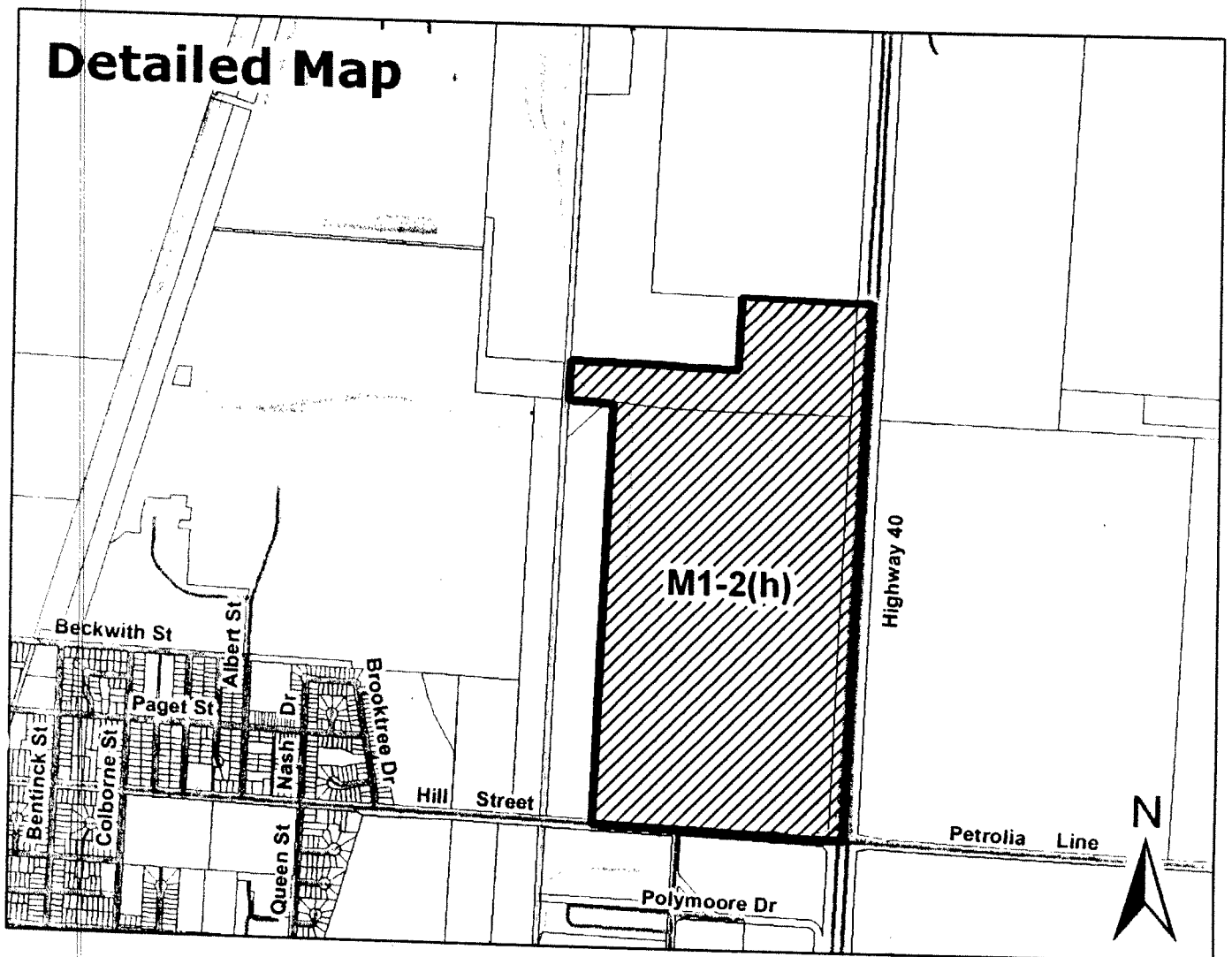
Dated this 22nd Day of November, 2010

Signed: 
Steve Arnold, Mayor


John DeMars, Clerk



● Subject Property



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