



CLEARVIEW

ZONING BY-LAW AMENDMENT NOTICE OF PASSING

The Decision:

In consideration of all written and oral submissions made relating to the subject Zoning By-law Amendment, the Township of Clearview Council has made a decision regarding an application to amend Comprehensive Zoning By-law 06-54. The amendment has been considered under the requirements of the *Planning Act RSO 1990 c.P.13* and applicable regulations. The purpose of this notice is to make you aware of Council's decision on the matter.

Date of Passing: Monday June 13, 2022

By-law No.: 22-26

Last Date of Appeal: Thursday July 14, 2022

The Proposal:

Project No.: 2022-033

The purpose of the meeting is to provide notice that the Council for The Corporation of the Township of Clearview will be holding a public meeting under Section 34 of the Planning Act, R.S.O. 1990, C.P. 13 as amended, to inform the public and provide opportunity for public comments on the proposed update to Comprehensive Zoning By-law 06-54 for the Municipality of the Township of Clearview.

The Zoning By-law is a statutory document that sets out the specific permitted land uses and development standards that apply to properties in the Township of Clearview.

Our Zoning By-law was passed in 2006 and is generally amended each year in order to make sure that it is as accurate and up-to-date as possible. The purpose of the proposed housekeeping amendment seeks to simplify wording and clarify the intent of ambiguous provisions and proposes:

1. To reduce the pool setbacks in the Agricultural and Rural Zones to 1.8 metres; otherwise, many smaller lots in these zones would not be able to accommodate pools given the current larger setbacks.
2. To ensure absolute clarity, we have added that Bed and Breakfasts are not short-term rentals, even though this is already covered off in the definitions.
3. In the Agricultural Zone an asterix " * " is used to describe what uses are permitted on lots that have been created as surplus dwelling lots. These lots are generally 1.5 hectares in area or less. The uses permitted on these small lots are: conservation uses, passive recreation use, single detached dwelling, accessory dwelling unit, home occupation, home industry and single accessory apartment.

The intent of the provision is to ensure that these residential properties in the agricultural area are used for residential purposes. This amendment will serve the public and staff better as it can take research to determine whether a lot was a surplus dwelling lot and sometimes the history is unclear. Further, regarding these uses, lots that are 1.5 hectares in area or less should be treated consistently.

4. In the Agricultural Zone, clarify where to measure the setback for a farm produce sales outlet and accessory farm winery and cidery from a neighbouring dwelling.
5. Reduce the front yard setback in the Rural Zone from 15 metres to 10 metres to match the Agricultural Zone setback.
6. Add a Fire Hall as a permitted use in the Institutional Zone.
7. Change the exception number of the C1-6 Zone at Huron and Ontario Street to a C1-8 as staff found that there are two C1-6 Zones that are different, a duplication that was not found when the By-law was originally passed in 2006. There is no other change other than the number assigned, however, the whole subsection has to be deleted and replaced in order to distinguish it from the other C1-6. This is done in the text of the By-law as well as on the schedule to the By-law.



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8. Amend the definition for “attached” as the public has misinterpreted the words ‘enclosed breezeway’. This is proposed to be replaced with the wording ‘enclosed corridor’ along with more detailed clarification.
9. Amend the definition of passive recreation to be more clear.
10. Delete the accessible parking space regulations from the definition of a parking space that are inconsistent with the accessible parking regulations found in the General Provisions section of the By-law.
11. Delete Plan 111 from the Lot of Record definition to recognize this Plan located in Duntroon in the Special Policy designation of the Official Plan.
12. Remove the Environmental Protection Zone that covers legally existing dwellings on the following properties:
 - a) 2581 Fairgrounds Road South;
 - b) 2203 Concession 11 South
 - c) 6205 Concession 6 Sunnidale
 - d) 2403 Concession 8 South Nottawasaga
 - e) 2531 Creemore Avenue
 - f) 3778 Centre Line Road
 - g) 5262 Concession 2 Sunnidale
 - h) 11 and 2849 Hogback Road
 - i) 11, 15 and 17 Elgin Road
 - j) 5247, 5253 and 5259 County Road 9
13. Correct the zoning on the Edenvale Airport Lands from the Airport Industrial Zone MA-1 and MA-1(H1) to the Airport Industrial Zone MA Zone.
14. Correct by adjusting and shifting the Environmental Protection (EP) zoning on 5560 and 5572 Sunnidale-Tosorontio Townline to reflect the historically cleared area.

The effect of the proposed amendment is to make the By-law more current, easier to understand, consistent and more defensible.

The subject application concerns all lands within the Township of Clearview.

There are no associated applications.



CLEARVIEW

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Your Rights to Appeal:

A notice of appeal must:

- i. be filed with the clerk of the municipality,
- ii. set out the reasons for the appeal, and
- iii. be accompanied by the fee required by the Local Planning Appeal Tribunal.

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

For more information on making an appeal, please visit: <https://olt.gov.on.ca/>.

For More Information:

There are several ways to find more information about this application.

Visit our website:

www.clearview.ca

Contact the Planner assigned to this file:

Mara Burton, Director of Community Services
mburton@clearview.ca
705-428-6230 ext. 264

Visit or write to the Community Services Department at the Township of Clearview Administration Centre:

Box 200, 217 Gideon St., Stayner ON L0M 1S0
Monday to Friday 8:30 AM to 4:30 PM

If you have specific accessibility needs and would like another format or other accommodations the Township of Clearview will work to meet your needs. Please contact Human Resources at 705-428-6230 ext. 255.

Notice dated: 23 June 2022

By-law Number 22-26

The Corporation of the Township of Clearview

Being a By-law to regulate the use of land and the character, location and use of buildings and structures on lands within in the Township of Clearview

(Zoning By-law Amendment – Housekeeping 2022)

Whereas pursuant to Section 34 of the Planning Act R.S.O., 1990, c.P.13, as amended, 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 pursuant to Section 34(17) of the Planning Act, R.S.O., 1990, c. P.13, as amended, Council determines that no further notice is required in respect of the proposed By-law;

And Whereas the amendment is in conformity with the Township of Clearview Official Plan;

And Whereas Council deems it desirable and necessary to amend By-law 06-54;

Now Therefore Council of the Corporation of the Township of Clearview hereby enacts as follows:

1. That Section 2.6.3 "General Provisions, Accessory Building, Structures and Uses, Swimming Pools and Hot Tubs" be amended by deleting article "d)" in its entirety and by adding the following articles:

"d) In Agricultural, Rural and Estate Residential Zones, a pool or hot tub may encroach into a required interior side yard to within 1.8 metres of the interior side lot line.

e) In all other zones, a pool or hot tub shall comply with all other required setbacks and regulations of the pertinent zone."

2. That Section 2.9 "General Provisions, Bed and Breakfast Establishment" be amended by adding the following article after article g); and, that the remaining sections be renumbered accordingly:

"i) That a bed and breakfast is not a short-term accommodation as defined herein."

3. That Section 3.1.1 "Agricultural (AG), Permitted Uses" Zone be amended by deleting all asterisks "*" and the following sentence "Notwithstanding the

above, permitted uses shall be limited to those uses marked with an * on an approved surplus dwelling lot” and by adding the following provision:

“(o) For lots having a lot are of less 1.5 hectares or less, the permitted uses shall be limited to the following and renumber the remaining sections accordingly:

- Conservation use
- Passive recreation uses
- Single detached dwelling
- Accessory dwelling unit
- Home occupation
- Home industry
- Single accessory apartment”.

4. That Section 3.1.2 t) “Agricultural (AG), Zone Provisions, Farm Produce Sales Outlet and Farm Winery or Cidery Provisions” be amended by replacing the words “ 30 metres from any residential use other than a residential use on the same lot” with the words “ 30 metres from any dwelling, other than a dwelling located on the same lot”.
5. That Section 3.5.2(c) “Rural (RU), Zone Provisions” be amended by replacing the required front yard setback of “15 m” with “10 m”.
6. That Section 3.16.1 “Institutional (IN)” Zone be amended by the addition of the following primary permitted use: “Fire Hall”.
7. That Section 3.20.3 “General Commercial Zone Exceptions” be amended by replacing the following:

“C1-6

Additional Permitted Uses:

- Light Custom Workshop

Additional Zone Provision:

- Garage or overhead bay doors are not permitted to face Ontario or Huron Street”

with the following:

“C1-8

Additional Permitted Uses:

- Light Custom Workshop

Additional Zone Provision:

- Garage or overhead bay doors are not permitted to face Ontario or Huron Street”
8. That Section 4.0 “Definitions” be amended by replacing the definitions for “Attached” and “Passive Recreation” in their entirety with the following:
- “Attached
- Means a building otherwise in itself, which depends, for structural support or complete enclosure, upon a division wall shared in common. A building may be attached by an enclosed corridor, where such corridor is no more than 5 metres in length. Where such corridor is not enclosed or is longer, the buildings joined by the corridor shall be considered detached. Further no attached accessory building can be attached to another accessory building to be considered attached.”
- “Passive Recreation
- Means an activity or use of land carried out for recreational purposes which does not require buildings or the alteration of soil or topography and includes open space and environmental areas and is not a commercial business.”
9. That Section 4.0 “Definitions, Parking Space” be amended by deleting the sentence “Each parking space dedicated for persons with disabilities shall have a minimum width of 4.3 metres and a minimum depth of 6 metres and be located in close proximity to building entrances and accessible ramps, walkways and elevators”.
10. That Section 4.0 “Definitions, Lot of Record” is hereby amended by deleting the words “Plan 111”.
11. That Schedule ‘A1’ of Zoning By-law 06-54 is hereby amended by changing the zoning on the lands located at 2581 Fairgrounds Road South, being Part of Lot 12, Concession 4, formerly Nottawasaga, now in the Township of Clearview, from Environmental Protection (EP) Zone to the Agricultural (AG) Zone as shown on Schedule ‘1’ attached hereto and forming part of this By-law.
12. That Schedule ‘A1’ of Zoning By-law 06-54 is hereby amended by changing the zoning on the lands located at 2203 Concession 11 South, being Part of Lot 15, Concession 11, formerly Nottawasaga, now in the Township of Clearview, from

Environmental Protection (EP) Zone to the Agricultural (AG) Zone as shown on Schedule '2' attached hereto and forming part of this By-law.

13. That Schedule 'A1' of Zoning By-law 06-54 is hereby amended by changing the zoning on the lands located at 6205 Concession 6 Sunnidale, being Part of Lot 1, Concession 5, formerly Sunnidale, now in the Township of Clearview, from Environmental Protection (EP) Zone to the Agricultural (AG) Zone as shown on Schedule '3' attached hereto and forming part of this By-law.

14. That Schedule 'A1' of Zoning By-law 06-54 is hereby amended by changing the zoning on lands located at 2034 Concession 8 South Nottawasaga, from the Environmental Protection (EP) Zone to the Residential Hamlet (RS) Zone, as shown on Schedule '4' attached hereto and forming part of this By-law.

15. That Schedule 'A2' of Zoning By-law 06-54 is hereby amended by changing the zoning on the lands located at 2531 Creemore Avenue, being Part of Lot 9, Concession 6, formerly Sunnidale, now in the Township of Clearview, from Environmental Protection (EP) Zone to the Agricultural (AG) Zone as shown on Schedule '5' attached hereto and forming part of this By-law.

16. That Schedule 'A2' of Zoning By-law 06-54 is hereby amended by changing the zoning on the lands located at 3778 Centre Line Road, from the Environmental Protection (EP) Zone, to the Agricultural (AG) Zone as shown on Schedule '6' attached hereto and forming part of this By-law.

17. That Schedule 'A2' of Zoning By-law 06-54 is hereby amended by changing the zoning on the lands located at 5262 Concession 2, Sunnidale, from the Environmental Protection (EP) Zone, to the Rural (RU) Zone as shown on Schedule '7' attached hereto and forming part of this By-law.

18. That Schedule 'A2' of Zoning By-law 06-54 is hereby amended by changing the zoning on the lands located at 5403 Highway 26 Sunnidale, from the Airport Industrial Exception One (MA-1) Zone and the Airport Industrial (MA(H1)) Zone, to the Airport Industrial (MA) and the Rural (RU) Zone and as shown on Schedule '8' attached hereto and forming part of this By-law.

19. That Schedule 'B-8' of Zoning By-law 06-54 is hereby amended by changing the zoning on the lands located at 230, 232, 234 and 236 Huron Street and 205 and 217 Ontario Street from the C1-6 Zone to the C1-8 Zone as shown on Schedule '9' attached hereto and forming part of this By-law.

20. That Schedule 'B-19' of Zoning By-law 06-54 is hereby amended by changing the zoning on the lands located at 11 and 2849 Hogback Road and 11, 15 and 17 Elgin Road and 5247, 5253 and 5259 County Road 9, formerly Sunnidale,

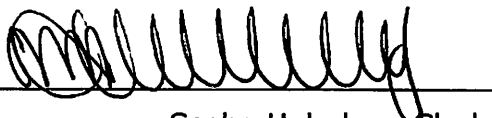
now in the Township of Clearview, from the Environmental Protection (EP) Zone to the Residential Large Lot (RS1) Zone as shown on Schedule '10' attached hereby and forming part of this By-law.

21. That Schedule 'A2' of Zoning By-law 06-54 is hereby amended by changing the zoning on lands located at 5560 and 5572 Sunnidale-Tosorontio Townline from the Environmental Protection (EP) Zone to the Rural (RU) Zone and from the Rural (RU) Zone to the Environmental Protection (EP) Zone as shown on Schedule '11' attached hereto and forming part of this By-law.
22. That all other provisions of By-law 06-54, as amended, which are not inconsistent with the provisions of this By-law, shall continue to apply when the By-law comes into effect.
23. 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 22-26 read a first, second and third time and finally passed this 13th day of June, 2022.



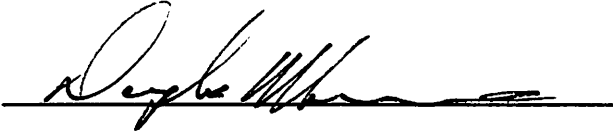
Doug Measures, Mayor



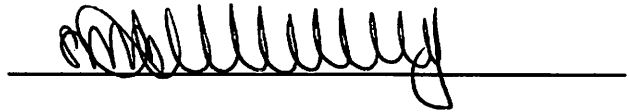
Sasha Helmkey, Clerk

Township of Clearview Schedule '1'

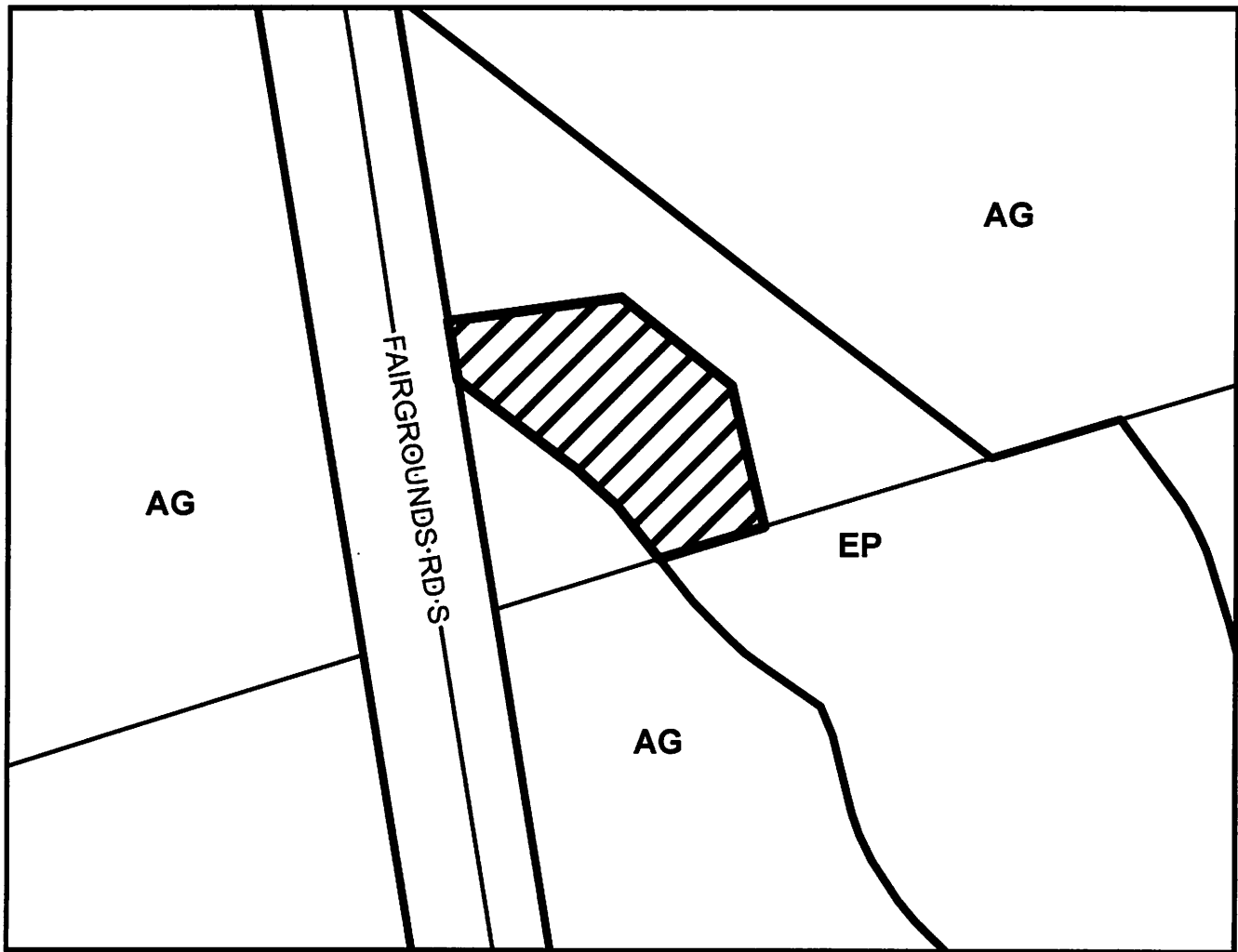
This is Schedule '1' to Zoning By-law No. 22-26,
passed this 13th day of June, 2022.



MAYOR



DIRECTOR OF LEGISLATIVE SERVICES/CLERK






Area to be rezoned from ENVIRONMENTAL PROTECTION (EP) Zone
to AGRICULTURAL (AG) Zone.



1:1,000

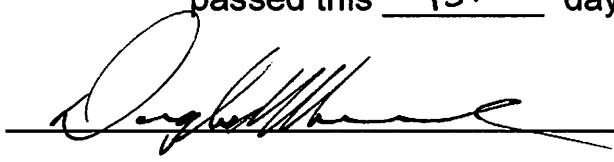
0 5 10 20 30 40
Metres

-  Road Centerline
-  Assessment Parcels
-  Zone Boundary

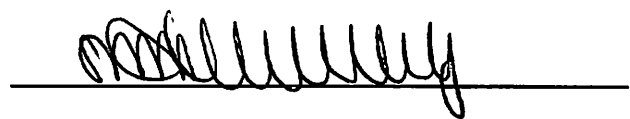
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Township of Clearview Schedule '2'

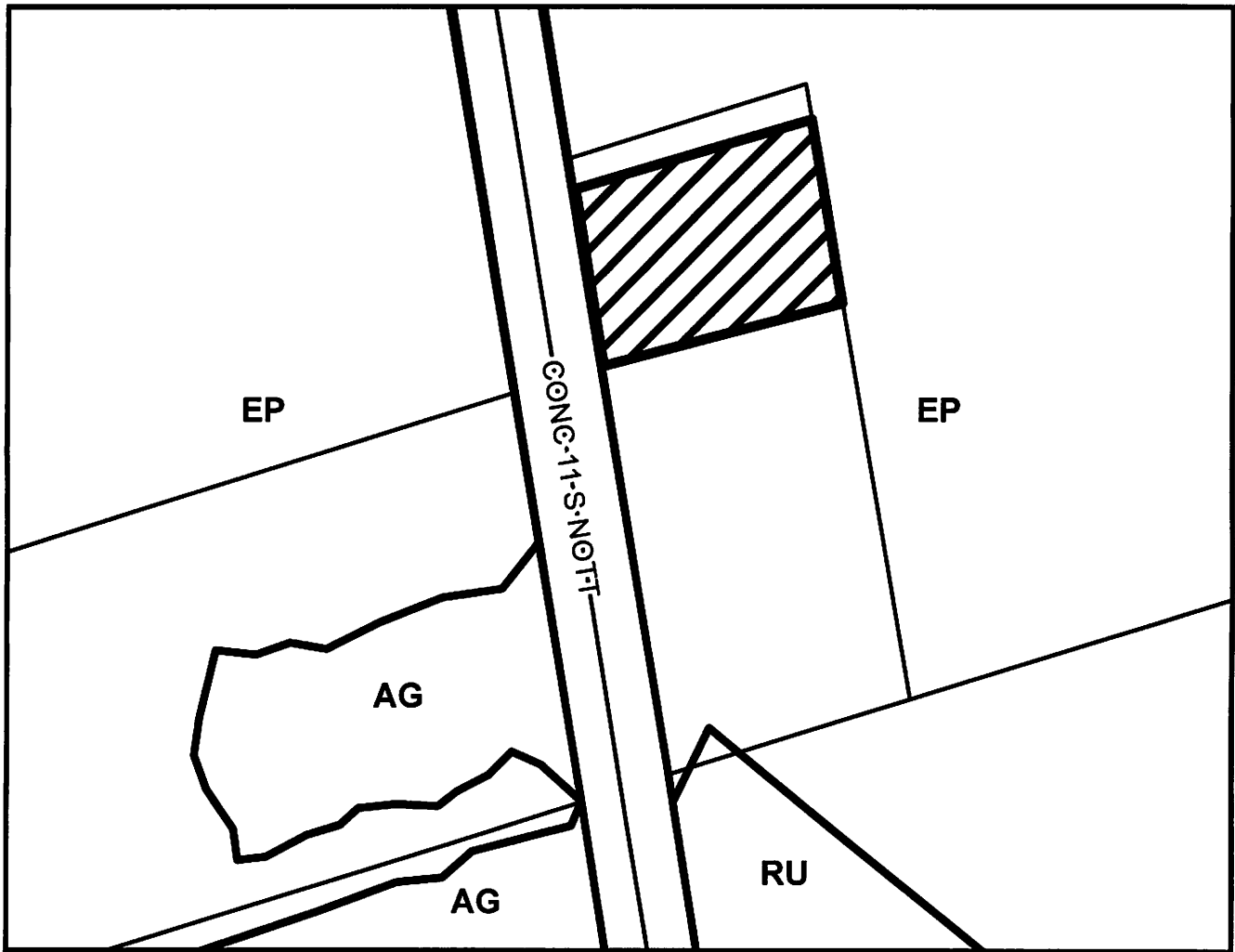
This is Schedule '2' to Zoning By-law No. 22-26,
passed this 13th day of JUNE, 2022.



MAYOR



DIRECTOR OF LEGISLATIVE SERVICES/CLERK



Area to be rezoned from ENVIRONMENTAL PROTECTION (EP) Zone
to AGRICULTURAL (AG) Zone.



1:1,500

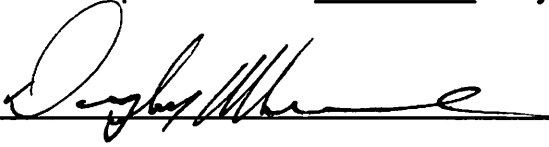
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Metres

- Road Centerline
- Assessment Parcels
- Zone Boundary

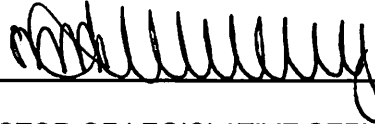
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Township of Clearview Schedule '3'

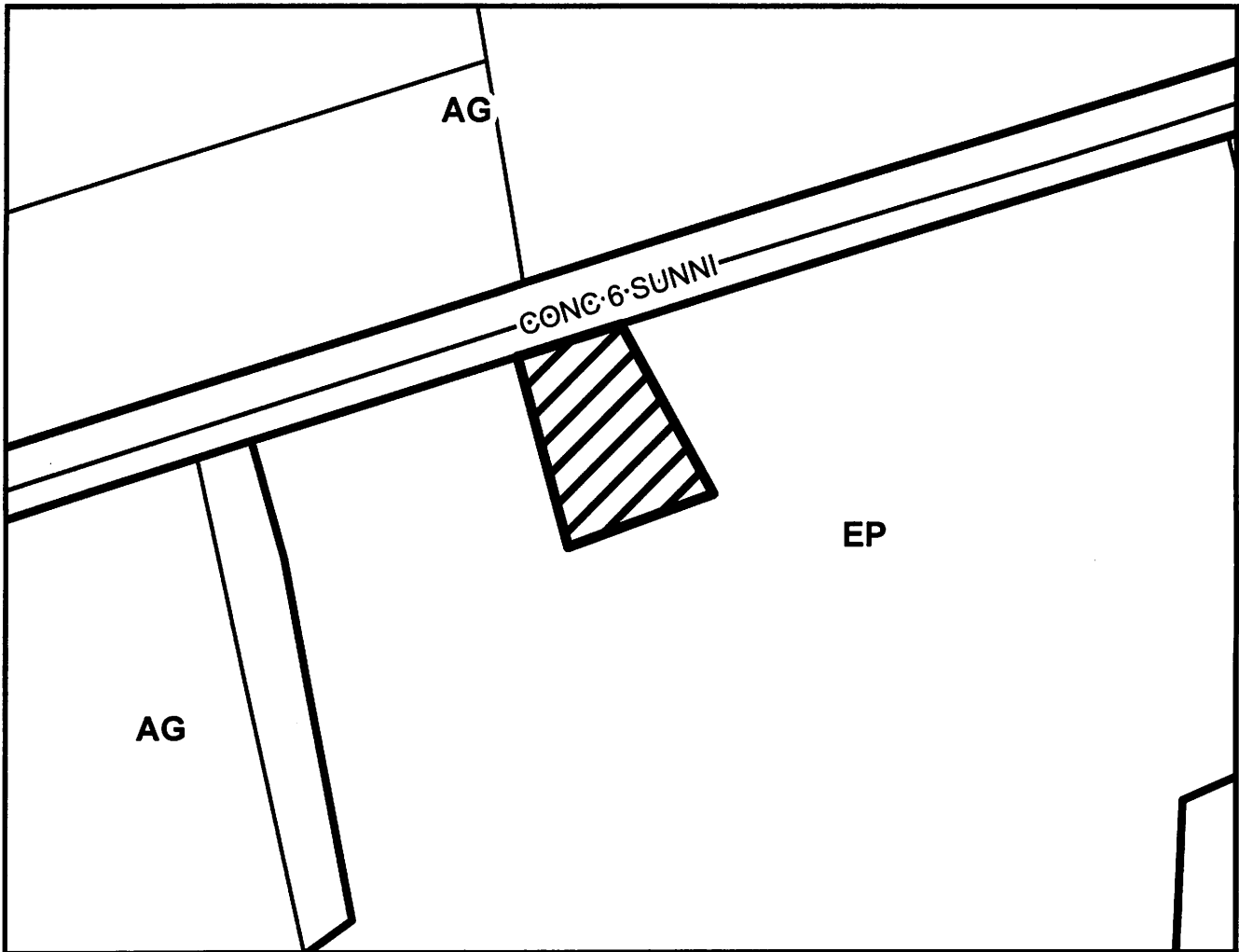
This is Schedule '3' to Zoning By-law No. 22-26,
passed this 13th day of June, 2022.



MAYOR



DIRECTOR OF LEGISLATIVE SERVICES/CLERK



Area to be rezoned from ENVIRONMENTAL PROTECTION (EP) Zone
to AGRICULTURAL (AG) Zone.



1:2,000

0 10 20 40 60 80 Metres

- Road Centerline
- Assessment Parcels
- Zone Boundary

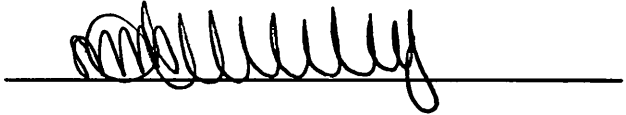
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Township of Clearview Schedule '4'

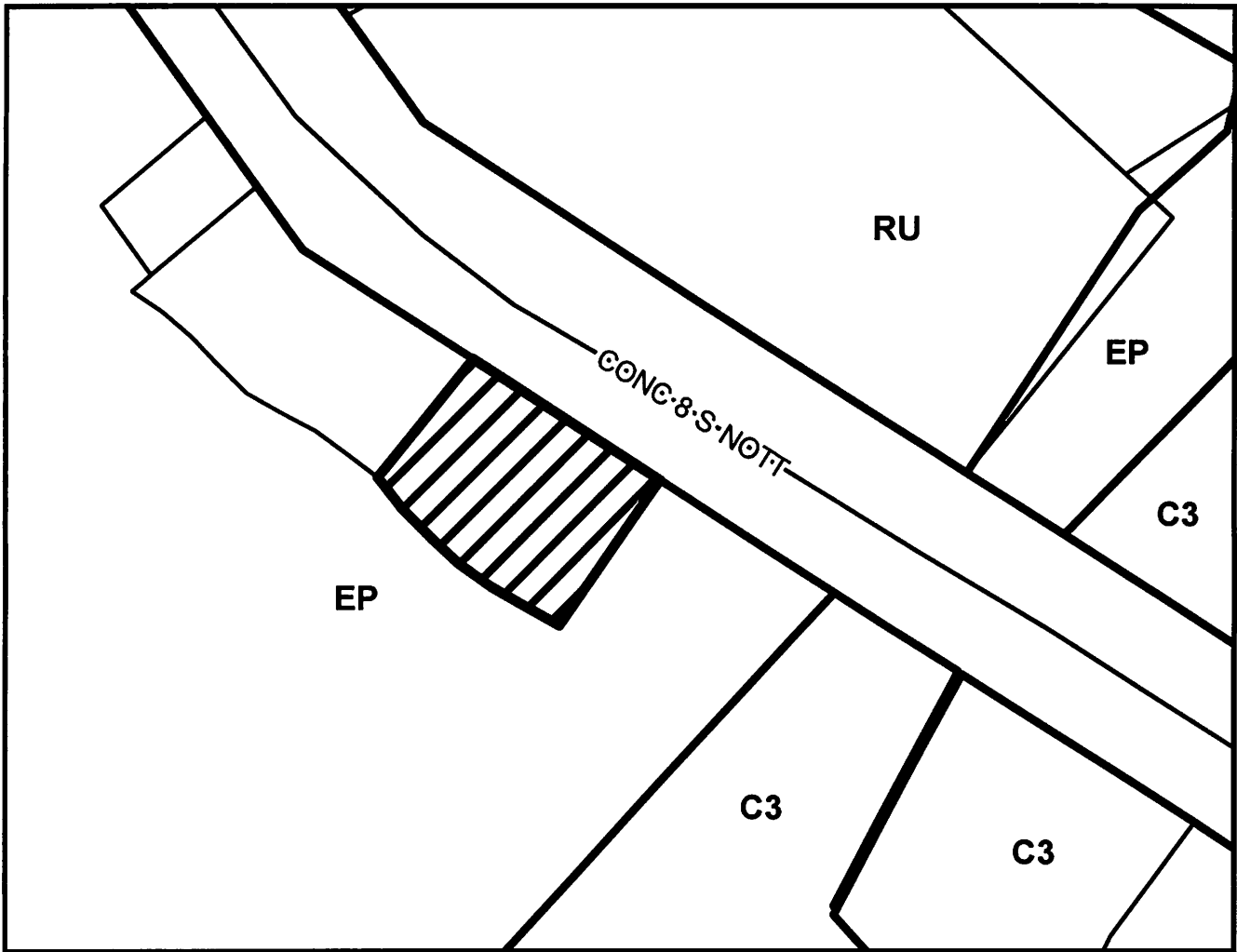
This is Schedule '4' to Zoning By-law No. 22-26,
passed this 13th day of JUNE, 2022.



MAYOR



DIRECTOR OF LEGISLATIVE SERVICES/CLERK



Area to be rezoned from ENVIRONMENTAL PROTECTION (EP) Zone
to RESIDENTIAL HAMLET (RS) Zone.



1:800

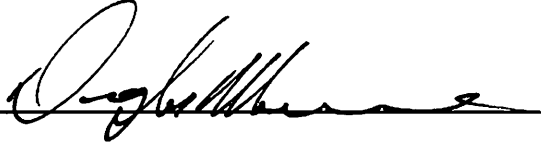
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- Road Centerline
- Assessment Parcels
- Zone Boundary

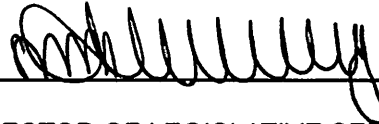
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Township of Clearview Schedule '5'

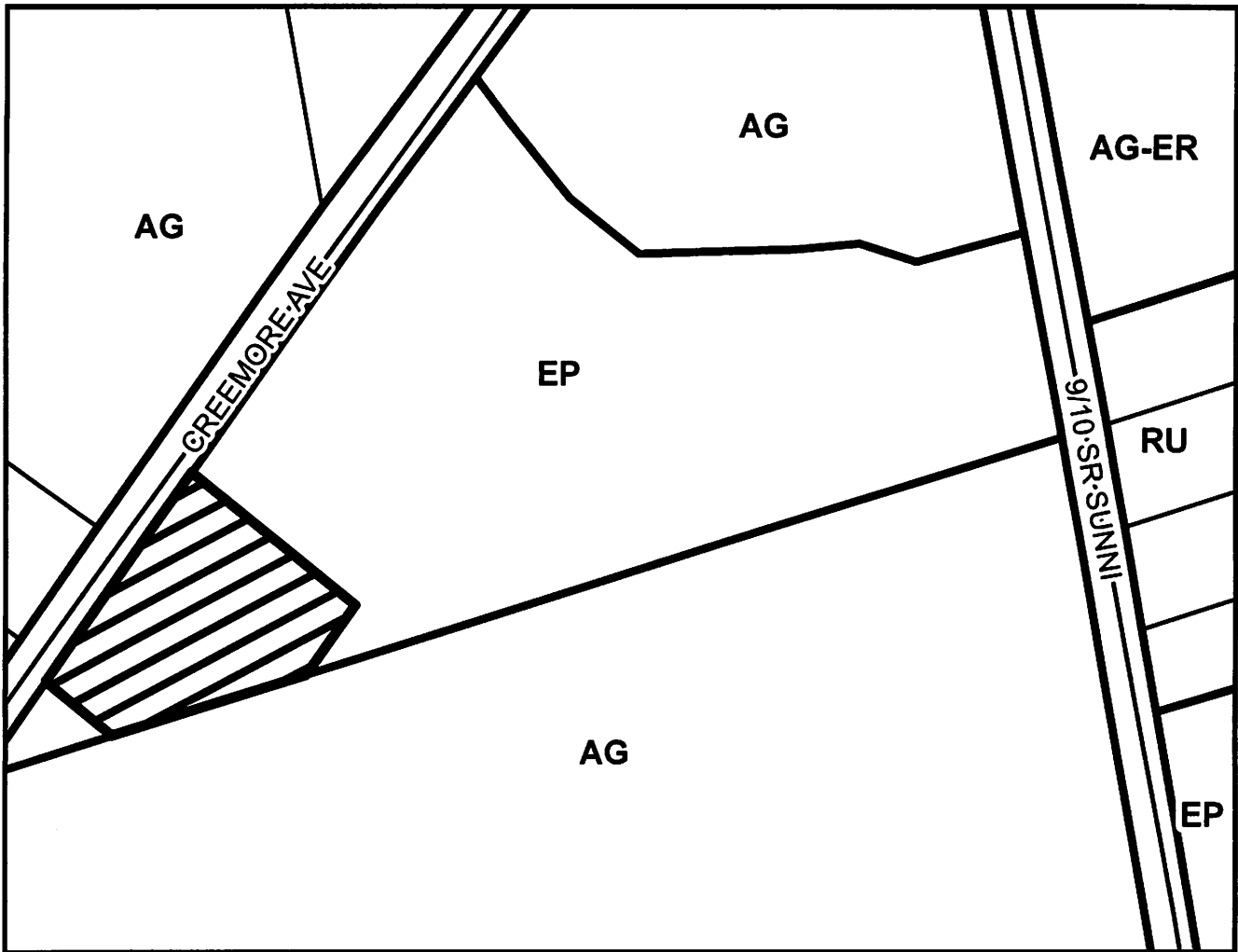
This is Schedule '5' to Zoning By-law No. 22-26,
passed this 13th day of JUNE, 2022.



MAYOR



DIRECTOR OF LEGISLATIVE SERVICES/CLERK



Area to be rezoned from ENVIRONMENTAL PROTECTION (EP) Zone
to AGRICULTURAL (AG) Zone.



1:3,000

0 10 20 40 60 80
Metres

- Road Centerline
- Assessment Parcels
- Zone Boundary

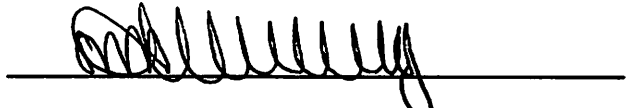
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Township of Clearview Schedule '6'

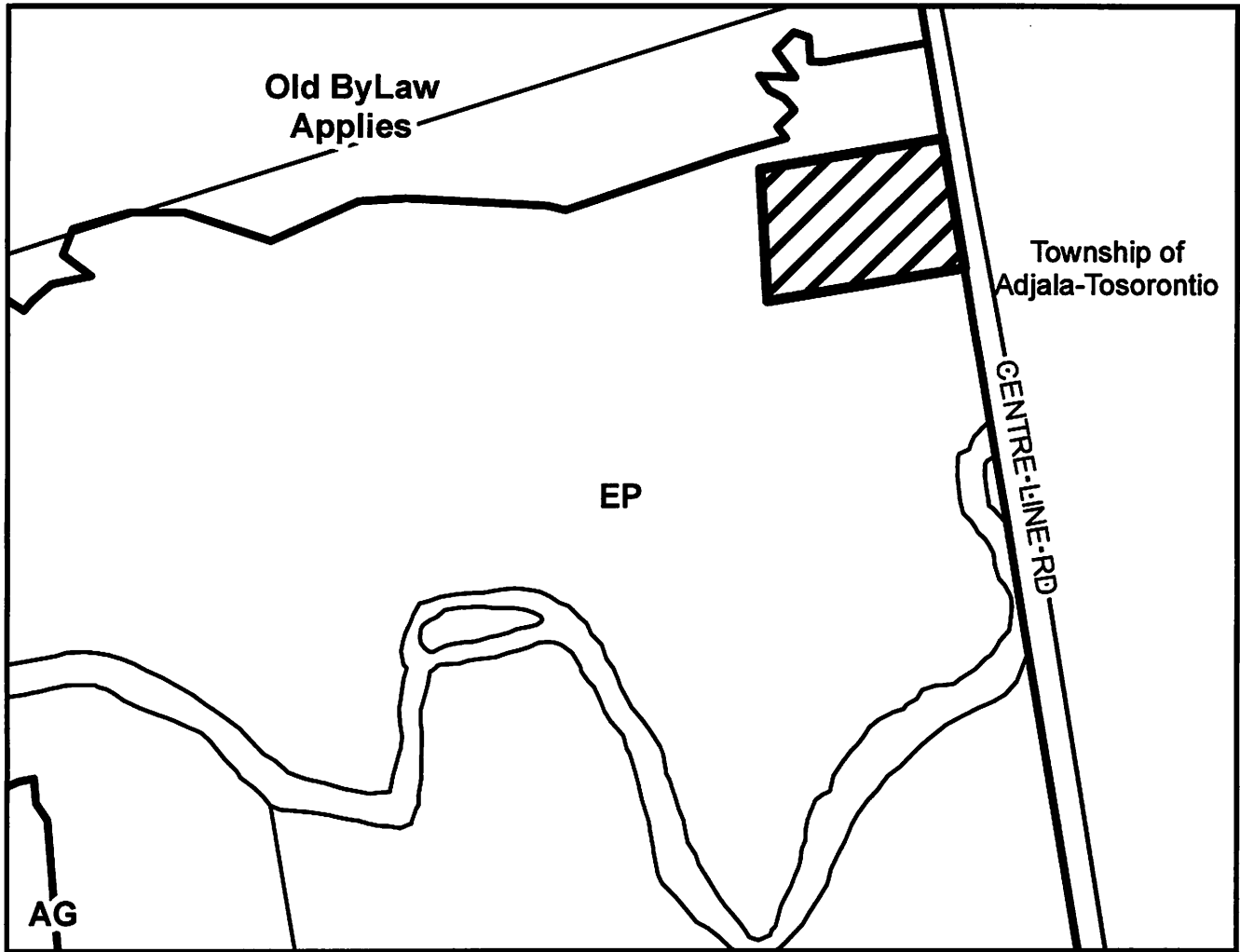
This is Schedule '6' to Zoning By-law No. 22-26,
passed this 13th day of JUNE, 2022.



MAYOR



DIRECTOR OF LEGISLATIVE SERVICES/CLERK



Area to be rezoned from ENVIRONMENTAL PROTECTION (EP) Zone
to AGRICULTURAL (AG) Zone.



1:3,000

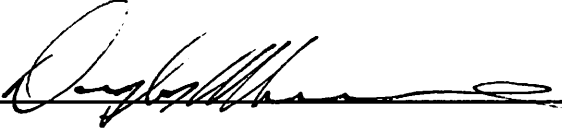
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Metres

- Road Centerline
- Assessment Parcels
- Zone Boundary

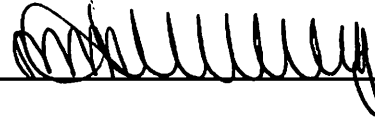
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Township of Clearview Schedule '7'

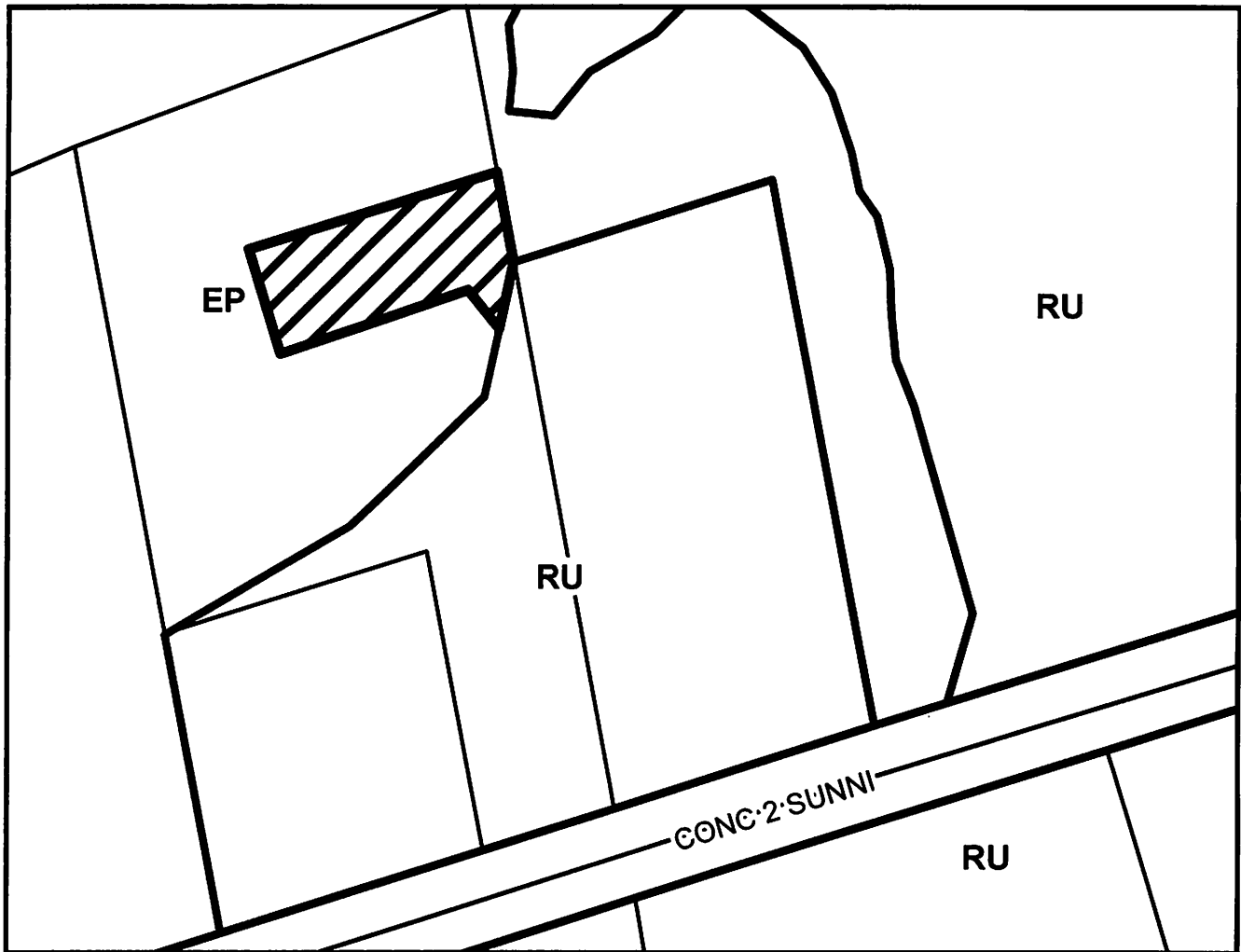
This is Schedule '7' to Zoning By-law No. 22-26,
passed this 13th day of JUNE, 2022.



MAYOR



DIRECTOR OF LEGISLATIVE SERVICES/CLERK



Area to be rezoned from ENVIRONMENTAL PROTECTION (EP) Zone to RURAL (RU) Zone.



1:1,500

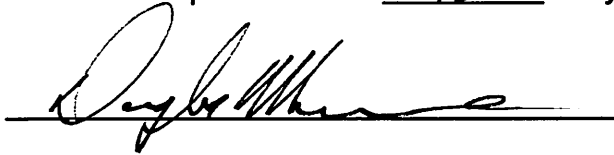
0 5 10 20 30 40
Metres

- Road Centerline
- Assessment Parcels
- Zone Boundary

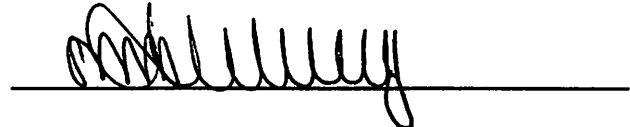
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Township of Clearview Schedule '8'

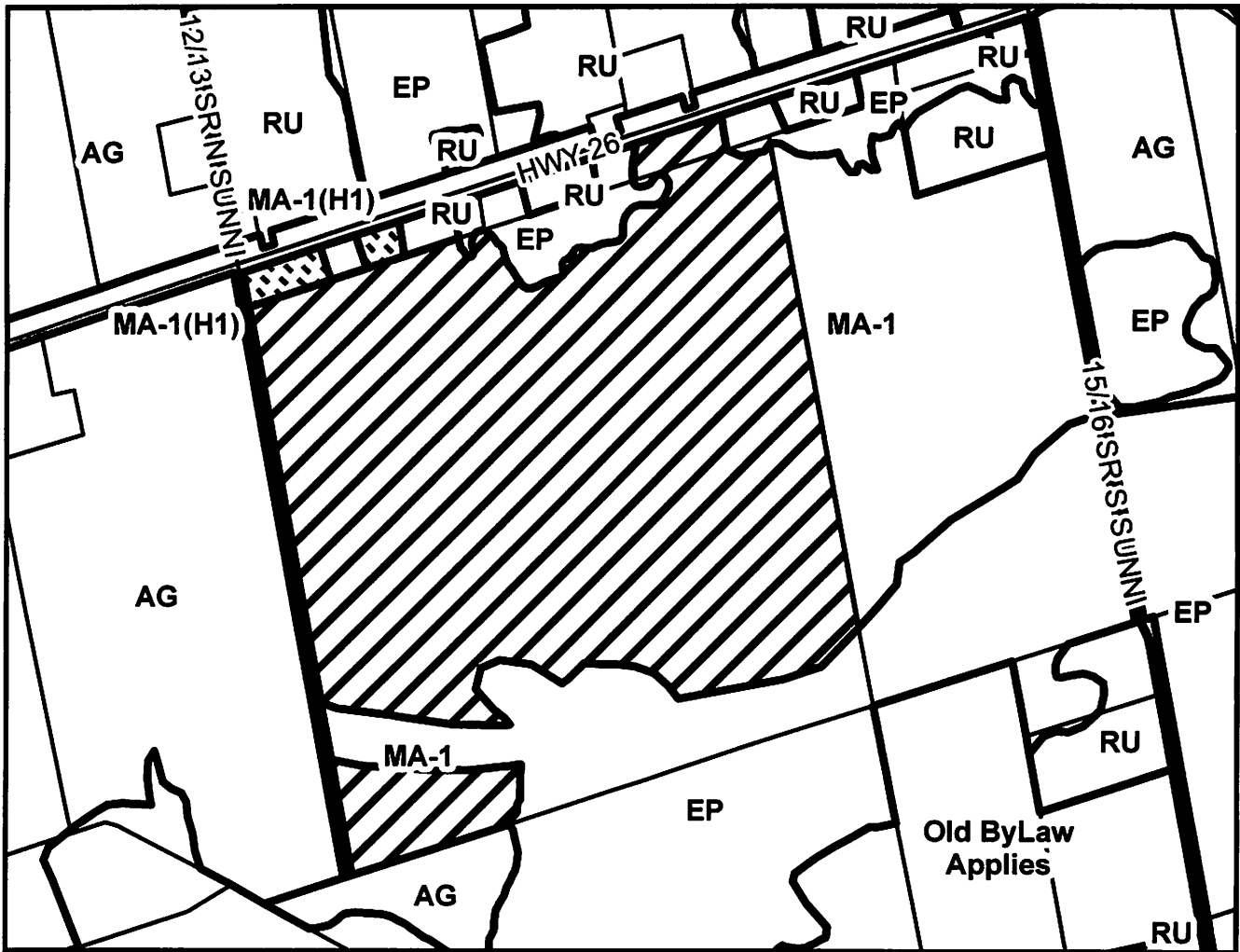
This is Schedule '8' to Zoning By-law No. 22-26,
passed this 13th day of JUNE, 2022.



MAYOR



DIRECTOR OF LEGISLATIVE SERVICES/CLERK



Area to be rezoned from AIRPORT INDUSTRIAL EXCEPTION 1 (MA-1) Zone to AIRPORT INDUSTRIAL (MA) Zone.






Area to be rezoned from AIRPORT INDUSTRIAL EXCEPTION 1 HOLD 1 (MA-1(H1)) Zone to AIRPORT INDUSTRIAL (MA) Zone.



1:15,000

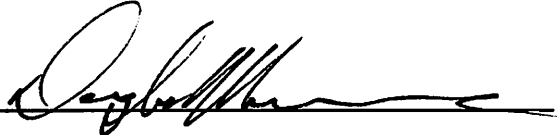
0 60 120 240 360 480
Metres

-  Road Centerline
-  Assessment Parcels
-  Zone Boundary

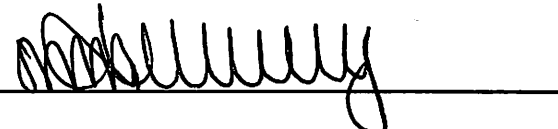
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Township of Clearview Schedule '9'

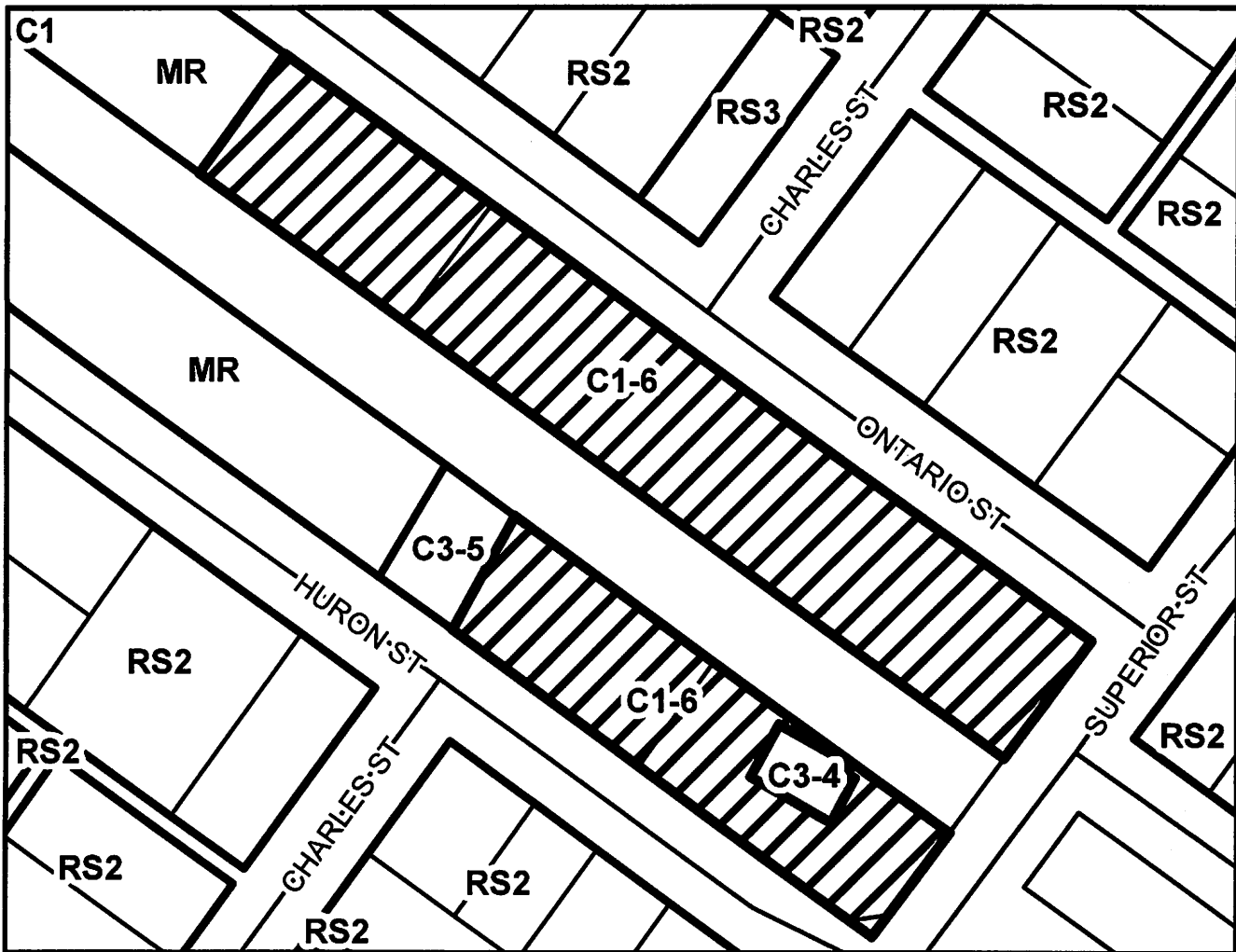
This is Schedule '9' to Zoning By-law No. 22-26,
passed this 13th day of JUNE, 2022.



MAYOR



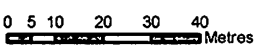
DIRECTOR OF LEGISLATIVE SERVICES/CLERK






Area to be rezoned from GENERAL COMMERCIAL EXCEPTION 6 (C1-6) Zone to GENERAL COMMERCIAL EXCEPTION 8 (C1-8) Zone.



1:1,500




-  Road Centerline
-  Assessment Parcels
-  Zone Boundary

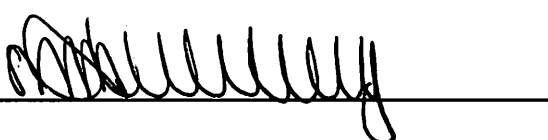
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Township of Clearview Schedule '10'

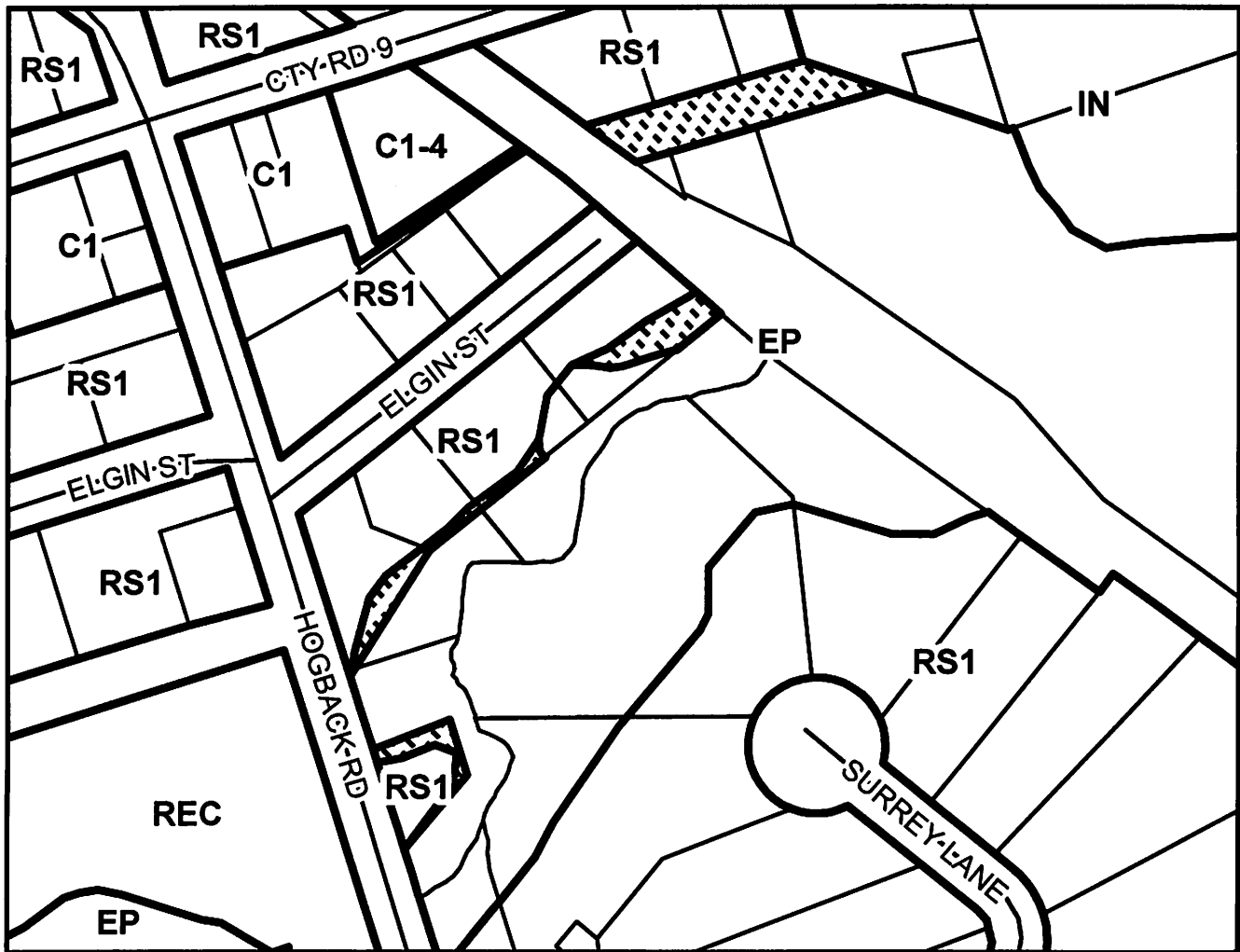
This is Schedule '10' to Zoning By-law No. 22-26,
passed this 13th day of JUNE, 2022.



MAYOR



DIRECTOR OF LEGISLATIVE SERVICES/CLERK






Area to be rezoned from ENVIRONMENTAL PROTECTION (EP) Zone to RESIDENTIAL LARGE LOT (RS1) Zone.



1:2,500

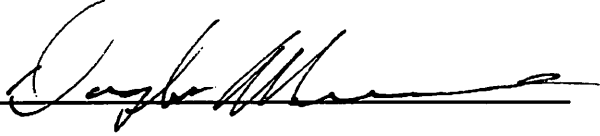
0 10 20 40 60 80 Metres

-  Road Centerline
-  Assessment Parcels
-  Zone Boundary


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Township of Clearview Schedule '11'

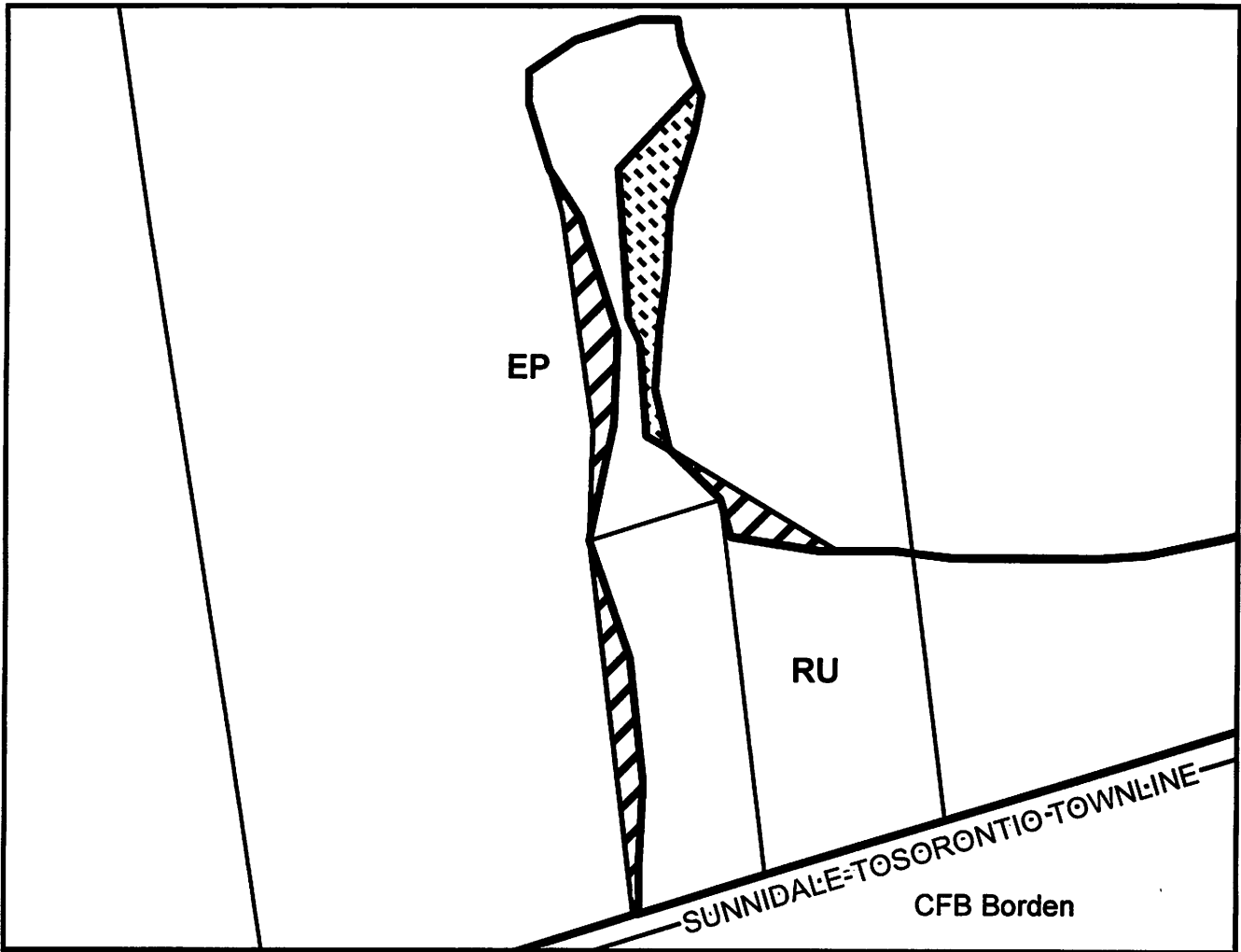
This is Schedule '11' to Zoning By-law No. 22-26,
passed this 13th day of JUNE, 2022.



MAYOR



DIRECTOR OF LEGISLATIVE SERVICES/CLERK



Area to be rezoned from ENVIRONMENTAL PROTECTION (EP)
Zone to RURAL (RU) Zone.



Area to be rezoned from RURAL (RU) Zone to ENVIRONMENTAL
PROTECTION (EP) Zone.



1:3,000

0 10 20 40 60 80
Metres

— Road Centerline

□ Assessment Parcels

□ Zone Boundary

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