



## TOWNSHIP OF CLEARVIEW COMMITTEE OF ADJUSTMENT MEETING AGENDA

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**Wednesday, October 11, 2023**

**3:00 P.M.**

**Council Chambers**

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### **1. CALL TO ORDER**

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#### Land Acknowledgement

I would like to begin our meeting by recognizing the First Nations, Metis and Inuit peoples of Canada as traditional stewards and caretakers of the land. We acknowledge that Clearview Township is located within the boundaries of Treaty 18, the traditional lands of the Anishinaabeg, Haudenosaunee, Tionontati, Wendat, and is the home of many First Nations, Metis, and Inuit peoples as part of an intricate nationhood that reaches across Turtle Island. At this time of truth and reconciliation, we welcome the opportunity to work together towards new understandings and new relationships and ask for guidance in all we do.

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### **2. CONFIRMATION OF MINUTES**

**2.1** Minutes of the Committee of Adjustment meeting held on September 13<sup>th</sup>, 2023.

### **3. DISCLOSURE OF PECUNIARY INTEREST**

### **4. APPLICATIONS**

**4.1** Minor Variance File 23-A15 – 2341 Concession 10 North (Wilson)

**4.2** Minor Variance File 23-A16 – 8 Homestead Drive (Hafner)

**4.3** Consent File 23-B06 – 1955 Concession 6 North (Winterland Airfield)

### **5. NEW BUSINES**

### **6. NEXT MEETING**

Tentatively scheduled for Wednesday, November 29, 2023

### **7. ADJOURNMENT**



## **Township of Clearview Committee of Adjustment Minutes**

Meeting held via Zoom and broadcast on YouTube on September 13, 2023, commencing at 7:00 p.m.

### **Members Present:**

Chuck Arrand, Chairman  
Dan Fantin  
Gord Zeggil  
Marc Royal  
Robert McArthur

### **Staff Present:**

Rossalyn Workman, Community Planner  
Christine Taggart, Secretary-Treasurer

### **1. Call to Order**

The Chairman called the meeting to order at 7:00 p.m.

### **2. Minutes**

2.1 Minutes of the Committee of Adjustment meeting held on August 9, 2023.

**Moved by** G. Zeggil

That the minutes of the Committee of Adjustment meetings held August 9, 2023, be approved as circulated.

Carried.

### **3. Disclosure of Pecuniary Interest**

Member Zeggil disclosed pecuniary interest in application 23-B05.

Member Zeggil left the meeting.

### **4. Applications**

#### **Consent File 23-B05**

2056 Concession 8 South Nottawasaga – Hamilton

The purpose and effect of the application is to sever a portion of land from 2056 Concession 8 South to be added to the abutting lands located at 2100 & 2110

Concession 8 South. The lands at 2100 Concession 8 South will be merged with 2110 Concession 8 South along with the severed land from 2056 Concession 8 South.

PROPOSED SEVERED PARCEL: 17 metres of frontage, 0.27 hectares (.67 acres) of vacant land.

PROPOSED LAND TO BE MERGED: 71 m frontage, .181 hectares (.45 acres) vacant land.

RETAINED LOT: 427 metres of frontage overall, 8.2 hectares (20 acres) with dwelling and accessory building.

The severed land and land to be merged will result in 2110 Concession 8 being one lot having a total frontage of approximately 154 metres and lot area of 0.75 hectares (1.85 acres). There is an existing house on these lands.

The Chairman announced the application and asked the Secretary-Treasurer to summarize the application and any correspondence received.

The Secretary read the notice of application and advised that circulation of the applications was mailed on August 29, 2023, to the applicant, appropriate agencies, and property owners within 60 metres. The Secretary advised that comments were received by Hydro One, Bell Canada, Enbridge, Nottawasaga Valley Conservation Authority, and the Chief Building Official, having no concern or objection to the application.

The Chairman asked Planning Staff to provide any additional information. Ms. Workman advised that the zoning by-law was approved by Council on Monday, September 11, 2023.

The Chairman asked the applicant if they had a presentation they would like to make. They had none.

The Chairman asked Committee if they had any questions or comments. There were none.

It was then:

Moved by: M. Royal

That consent application 23-B05 be approved as applied for with the following conditions:

1. That the owner meet all the requirements, financial and otherwise of the Municipality including servicing by-law charges and payment of the fee of \$150.00 per lot for each Certificate of Consent to be issued.

2. That the owner's solicitor obtains a cancelation certificate from the Township and pay the required fee of \$150.00, to ensure that the severed (2056 Concession 8 South and merged lands 2100 Concession 8 South) and receiving parcel (2110 Concession 8 South) merge as one parcel. The solicitor shall provide an undertaking in writing that this condition will be fulfilled as well as merging the pin numbers to have only one pin number for the new parcel.
3. That the owner provides a description of the land which may be registered under the requirements of the Registry Act or Land Titles Act as applicable, for each lot created.
4. That any mortgage on the property be discharged from any lands being severed and for any lands to be added to a lot (2110 Concession 8 South) with a mortgage, that mortgage shall be extended onto the additional land and that the solicitor provide an undertaking in writing that this condition will be fulfilled.
5. That the property to be severed is conveyed into the same name as the owner of abutting land to the West and North, 2056 Concession 8 South and being assessed as Roll No. 432901001015000 and that the solicitor provide an undertaking in writing that this condition will be fulfilled as well merging the pin numbers to have only one pin number for the new parcel.
6. That the property to be merged and conveyed into the same name as the owner of abutting land to the East, 2100 Concession 8 South being assessed as Roll No. 432901001015200 and that the solicitor provide an undertaking in writing that this condition will be fulfilled as well merging the pin numbers to have only one pin number for the new parcel.
7. That the owner successfully applies to the municipality to amend the Zoning By-law 06-54, to zone a portion of the subject lands from 'Development Area' (DA) Zone and 'Rural' (RU) to 'Residential Hamlet' (RS) Zone and 'Environmental Protection Exception' (EP-9) Zone.

## **REASON FOR DECISION**

The Committee believes that the request is desirable for the appropriate development and use of the lands.

Carried.

Member Zeggil returned to the meeting.

## **5. New Business**



None.

## **7. Next Meeting**

Tentatively scheduled for Wednesday, October 11, 2023.

## **8. Adjournment**

There being no further business, the Chairman adjourned the meeting at 7:14 pm.

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Chuck Arrand, Chair

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Christine Taggart, Secretary-Treasurer



CLEARVIEW

## COMMITTEE OF ADJUSTMENT

File Number: 23-A15 (2023-056)  
Meeting Date: October 11, 2023  
Report From: Nick Ainley, Community Planner  
Application: Minor Variance for 2341 Concession 10 North (Wilson)

### RECOMMENDATION:

Be it resolved, that Committee of Adjustment of the Township of Clearview hereby:  
Approves minor variance 23-A15 pertaining to lands at 2341 Concession 10 North, Clearview on the basis that it meets the four tests in accordance with the Planning Act.

### BACKGROUND:

#### Subject Lands

The lands subject to the proposed variance are municipally known as 2341 Concession 10 North and are situated within the northwest segment of the Township. The property encompasses an area of approximately 1.06 ha and maintains approximately 48 m of frontage onto Concession 10 North. The subject lands presently support an existing single-detached dwelling, detached accessory dwelling unit and shed.

#### The Proposal

The property owner constructed an addition to the north side of the existing single-detached dwelling located on the property without building permits. In order for the applicant to now proceed through the building permit process, the applicant is requesting approval of the following variation in the Township's Zoning By-law:

1. To provide relief from the minimum interior side yard setback requirement of 4.5 m to 4.42 m.

#### Existing Policy Framework

The subject lands are designated 'Rural' in the Township of Clearview Official Plan (2001) and zoned Rural (RU) in the Township Zoning By-law 06-54, as amended.

## COMMENTS AND ANALYSIS:

In accordance with the Planning Act a minor variance is to be reviewed with four tests in mind: is the proposal minor in nature; is the proposal desirable for the development and use of the lands; does the variance conform to the Official Plan; does the variance comply with the general intent and purpose of the Zoning By-law? The four tests are explored below.

### Provincial Policy Statement

The Provincial Policy Statement (PPS 2020) sets out the parameters under which development is to occur within the Province. The PPS permits the development of single detached dwellings on rural lands as well as additions to existing structures.

The proposal is consistent with the Provincial Policy Statement (2020) issued under the *Planning Act*.

### Clearview Township Official Plan

The Township of Clearview Official Plan designates the lands Rural. The Rural designation permits single detached dwellings. The addition is in keeping with the general size and scale of the rural property and homes in the surrounding area.

The proposal conforms to the Township's Official Plan.

### Clearview Zoning By-law

The Applicant is requesting a 0.08 m reduction in the interior side yard setback requirement of the Township's Zoning By-law, from 4.5 m to 4.42 m. The variance is being requested to recognize and permit an existing deficiency in the interior side yard setback requirements of the Township Zoning By-law. The deficiency is a result of the applicant constructing an addition to the north side of the existing single-detached dwelling located on the subject lands without building permits.

The Planning Department considers the request to vary the interior side yard setback maintaining the general intent and purposes of the Zoning By-law. Although the building addition and deficiency in the required interior side yard setback are already in existence, the primary intent of the setback requirement remains to ensure: separation of uses and buildings along lot lines; provide for visual amenity and privacy separation; ensure adequate fire separation; as well as to maintain access to the side and rear yards. In this circumstance, the lands located immediately adjacent to the proposed addition currently supports an existing single-detached dwelling and detached garage.

Given that the existing building addition is of a scale that is compatible with the size of the existing rural lot, it is the opinion of municipal staff that the setback of 4.42 m from the northern lot line provides a sufficient level of separation from adjacent land uses and buildings. At a reduction of only 0.08 m the requested variance does not result in an impact to the privacy and/or visual amenity of the adjacent rural lands to the north. Additionally, at a distance of 4.42 m the northern wall of the existing addition is sufficiently setback to meet minimum fire separation requirements under the Ontario Building Code. Further, the requested reduction to recognize and permit the existing interior side yard setback on the property does not impact the applicant's ability to access their rear yard. The subject lands

continue to maintain a minimum setback of approximately 35 m to the southern interior lot line, due to the existing configuration of the subject lands and location of the existing dwelling and addition (refer to Schedule 'C').

As access to the rear yard is maintained, no impacts to visual amenity, privacy and/or fire separation between adjacent properties have been created as a result of the existing deficiency, it is the opinion of municipal staff that the requested 0.08 m reduction in the northern interior side yard setback meets the general intent and purposes of the Zoning By-law.

## Minor in Nature

The Planning Department considers the request to allow a 4.42 m interior side yard setback whereas 4.5 m is required, minor in nature. In addition to only being slightly (i.e., 0.08 m) below the 4.5 m minimum interior side yard setback requirement for the (RU) Zone, the requested variance can also be considered as minor as access to the side and rear of the property is not affected by the existing interior side yard setback reduction. The existing building addition does not impact the privacy of adjacent lands and the scale of the addition can also be considered as compatible with the size of the rural lot.

The request for a reduction in the interior side yard setback from 4.5 m to 4.42 m to recognize and permit an existing deficiency the interior side yard setback requirement of the Township Zoning By-law that is a result of the applicant constructing an addition to the north side of the existing dwelling located on the subject lands without building permits addition to the applicant's existing dwelling is minor in nature.

## Desirable for the Development of the Lands

The applicant is requesting relief from the minimum interior side yard setback requirement of the (RU) Zone from 4.5 m to 4.42 m, in order to recognize and permit an existing deficiency the interior side yard setback requirements of the Township Zoning By-law. The existing building addition that creates the deficiency in the Zoning By-law provides the applicant with increased interior living space. Increasing the functionality and enjoyment of their home as well as the overall assessment value of the property.

Impacts to neighboring properties are minimal as the existing single-detached dwelling (including building addition) continue to maintain a 4.42 m setback from the northern interior lot line, which is only 0.08 m less than that the current minimum setback requirement. The existing addition is also of a similar design and character to that of the existing dwelling, and in the opinion of municipal staff the requested reduction is appropriate and desirable for the development on this rural lot.

## Public & Agency Comments

Comments with no objection have been received from Bell Canada. Comments can be found attached to this report as Schedule 'D'.

## COMMUNICATION PLAN:

The Notice of Decision regarding this application will be distributed in accordance with the requirements of the Planning Act.

## FINANCIAL IMPACT:

This proposal has no financial impact on the municipality.

## REPORT SCHEDULES:

- Schedule A: Orthophoto
- Schedule B: Policy Framework
- Schedule C: Site Plan
- Schedule D: Comments Received

## PREPARED BY:

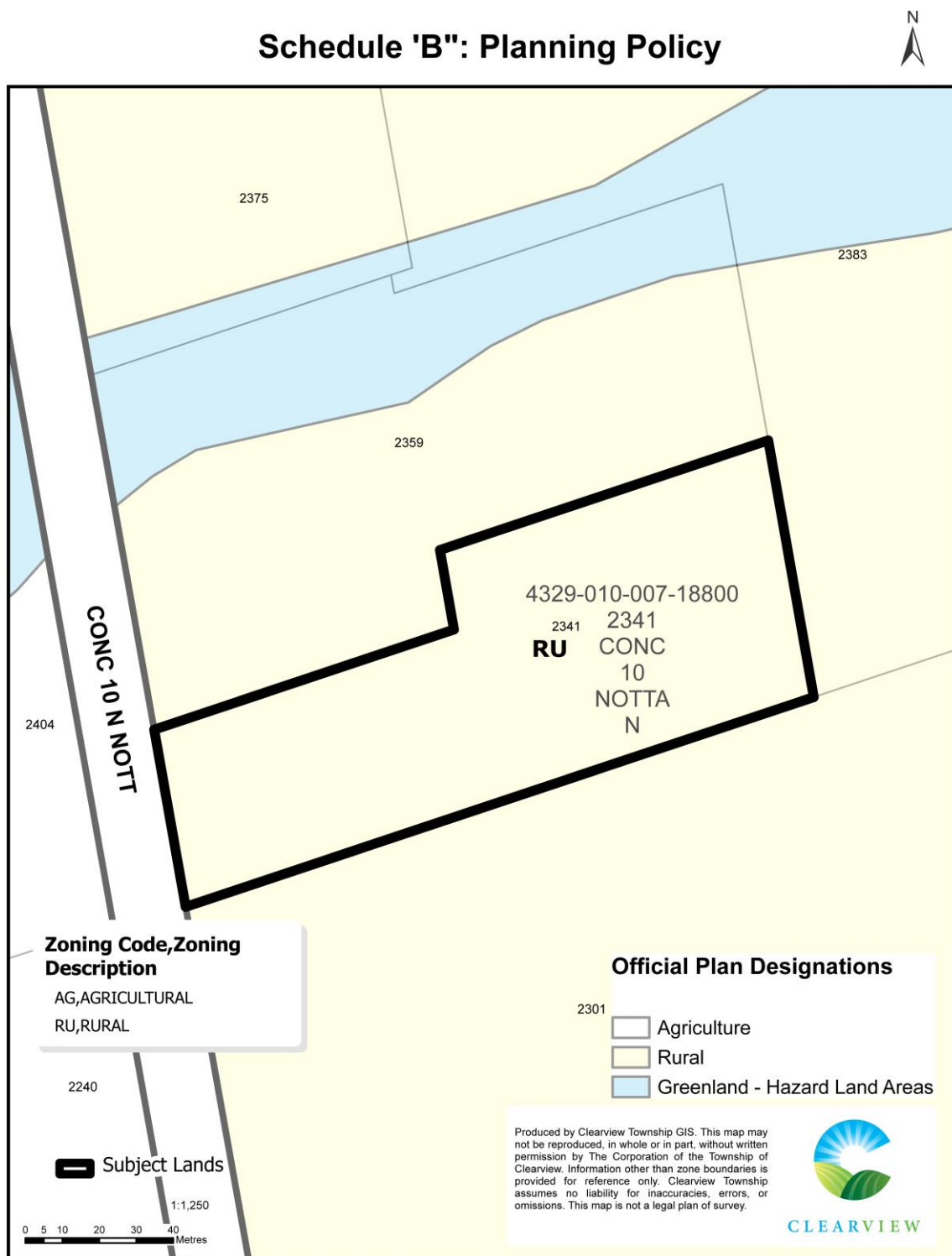
Nick Ainley, B.U.R.PI  
Community Planner, Policy and Approvals

## REVIEWED BY:

Amy Cann, M. PL., MCIP, RPP  
Director of Planning & Building

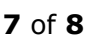
## Schedule 'A': OrthoPhoto







## File No. 23-A15





## Schedule 'D' - Comments

**From:** [McCartney, Mary](#)  
**To:** [Christine Taggart](#)  
**Date:** October 3, 2023 8:37:32 AM  
**Attachments:** [image002.png](#)  
[CN Hearing Notice - 23-B06 09-26-2023.pdf](#)  
[MV Hearing Notice - 23-A15 09-26-2023.pdf](#)  
[MV Hearing Notice - 23-A16 09-26-2023.pdf](#)

CAUTION: This email originated from outside of the Clearview email system. DO NOT open attachments or click links you were not specifically expecting, even from known senders.

Good morning Christine,

Bell Canada does not have any comments or concerns regarding the attached applications.

Thank you,  
Mary

**Mary McCartney**  
Bell Canada - Right of Way Associate  
Floor 2, 140 Bayfield St  
Barrie, ON L4M 3B1  
705-722-2219 or 1-888-497-8735

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**From:** Christine Taggart <ctaggart@clearview.ca>  
**Sent:** Monday, September 25, 2023 9:50 AM  
**To:** Sasha Helmkey <shelmkey@clearview.ca>; Krista Pascoe <kpascoe@clearview.ca>; John Ferguson <jferguson@clearview.ca>; Amy Cann <acann@clearview.ca>; Scott Davison <sdavison@clearview.ca>; Baz Dokainish <bdokainish@clearview.ca>; Kelly McDonald <kmcdonald@clearview.ca>; Todd Patton <tpatton@clearview.ca>; Mike Rawn <mrawn@clearview.ca>; Dan Perreault <dperreault@clearview.ca>; Patti Kennedy <pkennedy@clearview.ca>; Terry Vachon <tvachon@clearview.ca>; Jennifer Georgas <Jennifer.Georgas@rjburnside.com>; Scott McLeod <smcleod@clearview.ca>; Council <council@clearview.ca>; County of Simcoe <planning.notices@simcoe.ca>; Clee, Sandy <sclee@scdsb.on.ca>; Kirton, Katie <kkirton@scdsb.on.ca>; EPCOR - Jody Wilson <jwilson@epcor.com>; EPCOR - Ted Burrell <tburrell@epcor.com>; EPCOR - Mehta <MMehta@epcor.com>; EPCOR - Horne <ohorne@epcor.com>; Enbridge <municipalplanning@enbridge.com>; Rogers 1 <simcoecirculations@rci.rogers.com>; Rogers 2 <Newdevelopment@rci.rogers.com>; MPAC <LPUConsents@mpac.ca>; ROWCC <rowcentre@bell.ca>; Hydro One <landuseplanning@hydroone.com>; KaitlinH@curvelake.ca; keithk@curvelake.ca; consultation@curvelake.ca; dmowat@alderville.ca; consultation@alderville.ca; bfnchief@chimnissing.ca; consultations@chimnissing.ca; Chief Ted Williams <tedw@ramafirstnation.ca>; consultation@ramafirstnation.ca; Chief Donna Big Canoe <donna.bigcanoe@georginaisland.com>; natasha.charles@georginaisland.com; General Email <environmentoffice@saugeenonijibwaynation.ca>; General Email <administration@cnhw.qc.ca>; President Greg Garratt (Georgian Bay Métis Council <greggarratt63@gmail.com>; k.a.sandy-mckenzie@rogers.com  
**Cc:** Rossalyn Workman <rworkman@clearview.ca>; Nick Ainley <nainley@clearview.ca>; Chuck Arrand <clutchpet@gmail.com>; daniel fantin <fantin.works@hotmail.ca>; marcproyal@gmail.com; Gord Zeggil <zeggilfamily@hotmail.com>

**Subject:** [EXT]October Committee of Adjustment Notices of Public Hearing

Good morning, please find attached one consent and two minor variance notices of public hearing which will be considered at the October 11, 2023 Committee of Adjustment meeting.

Kind regards,

**Christine Taggart, ACST**

Planning & Development Technician

Secretary-Treasurer, Committee of Adjustment

[ctaggart@clearview.ca](mailto:ctaggart@clearview.ca)

705-428-6230 ext. 238

Work Schedule: 8:00 am to 4:00 pm



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CLEARVIEW

## COMMITTEE OF ADJUSTMENT

File Number: 23-A16 (2023-061)  
Meeting Date: October 11, 2023  
Report From: Nick Ainley, Community Planner  
Application: Minor Variance for 8 Homestead Drive (Hafer)

### RECOMMENDATION:

Be it resolved, that Committee of Adjustment of the Township of Clearview hereby:

Approves minor variance 23-A16 pertaining to lands at 8 Homestead Drive on the basis that it meets the four tests in accordance with the Planning Act.

### BACKGROUND:

#### Subject Lands

The lands subject to the proposed variance are municipally known as 8 Homestead Drive and are situated within the Collingwoodland Plan of Subdivision located in northwest segment of the Township. The property encompasses an area of approximately 0.24 ha (0.6 acres) and maintains approximately 32 m of frontage onto Homestead Drive. The subject lands presently contain an existing single-detached dwelling.

#### The Proposal

The property owner seeks to construct an addition to the north and west side of the existing single-detached dwelling located on the property. In order to proceed, the applicant is requesting approval of the following variation in the Township's Zoning By-law:

1. To provide relief from the minimum interior side yard setback requirement of 5 m to 3.25 m.

#### Existing Policy Framework

The subject lands are designated 'Estate Residential' in the Township of Clearview Official Plan (2001) and zoned 'Residential Estate Exception Three' (RE-3) in the Township Zoning By-law (06-54, as amended).

## COMMENTS AND ANALYSIS:

In accordance with the Planning Act a minor variance is to be reviewed with four tests in mind: is the proposal minor in nature; is the proposal desirable for the development and use of the lands; does the variance conform to the Official Plan; does the variance comply with the general intent and purpose of the Zoning By-law? The four tests are explored below.

### Provincial Policy Statement

The Provincial Policy Statement (PPS 2020) sets out the parameters under which development is to occur within the Province. The PPS permits the development of single detached dwellings as well as additions to existing structures.

The proposal is consistent with the Provincial Policy Statement (2020) issued under the *Planning Act*.

### Clearview Township Official Plan

The Township of Clearview Official Plan designates the lands Estate Residential. The Estate Residential designation permits single detached dwellings. The proposed addition will be in keeping with the general size, scale and character of the homes in the surrounding area.

The proposal conforms to the Township's Official Plan.

### Clearview Zoning By-law

The Applicant is requesting a 1.75 m reduction in the interior side yard setback requirement of the Township's Zoning By-law, from 5 m to 3.25 m. The variance is being requested to permit the construction of an addition to the north and west side of the existing dwelling located on the subject lands.

The Planning Department considers the request to vary the interior side yard setback maintaining the general intent and purposes of the Zoning By-law. The primary intent of the interior side yard setback requirement is to ensure: separation of uses and buildings along lot lines; provide for visual amenity and privacy separation; ensure adequate fire separation; as well as to maintain access to the side and rear yards. In this circumstance, the lands located immediately adjacent to the proposed addition currently support an existing single-detached dwelling.

It is the opinion of planning staff that the proposed addition is of a scale that is compatible and consistent with the size the existing residential lot and that the proposed setback of 3.25 m from the northern lot line will continue to provide a sufficient level of separation from adjacent land uses and buildings. The portion of the addition in closest proximity to the northern interior lot line (i.e., the north wall of the proposed addition) will support a single ground level access door as well as two 4' x 4' windows on the second level of the addition. Although two windows are proposed on the second level of the northside of the proposed addition, the requested reduction of 1.75 m in the northern interior side yard setback is not anticipated to significantly increase the potential for impacts to the privacy and/or visual amenity of the adjacent residential lands beyond what current exists today. In addition to the existing garage supporting a single window on the second level, portions of the northern property line in proximity to the proposed addition support areas of existing mature

vegetation (refer to Schedule 'E'). Similarly, the portion of the proposed addition containing the second level windows are located in the front/eastern portion of the proposed addition and are generally in proximity to the interior side yard and front yard of the lands to the north. Additionally, at 3.25 m the northern wall of the proposed addition will be sufficiently setback to meet minimum fire separation requirements under the Ontario Building Code (i.e., 1.2 m). Further, the requested reduction in the interior side yard setback is also not expected to impact the Applicant's ability to access their rear yard, as the subject land will continue to maintain a minimum setback of 3.25 m to the northern interior lot line (refer to Schedule 'B').

As access to the rear yard will be maintained and limited impacts or no to visual amenity, privacy and/or fire separation between adjacent properties are anticipated, it is the opinion of municipal staff that the proposed 1.75 m reduction in the northern interior side yard setback meets the general intent and purposes of the Zoning By-law.

## Minor in Nature

The Planning Department considers the request to allow a 3.25 m interior side yard setback, minor in nature. It is considered minor as access to the side and rear of the property will not be affected by the requested interior side yard setback reduction. The proposed addition is not anticipated to impact or alter the privacy of adjacent lands, as at a setback of 3.25 m, all windows and access points on the north side of the proposed addition will continue to maintain an adequate level of separation to the northern interior lot line. Additionally, the portion of the addition containing the two windows on the second level will also be located within the front/eastern portion of the proposed addition and generally in line with the side and front yards of the adjacent residential lands to the north, and will be partially buffered by existing mature vegetation. The scale of proposed addition can also be considered as compatible with the size of the existing residential lot.

The request for a reduction in the interior side yard setback from 5 m to 3.25 m to permit the construction of an addition to the applicant's existing dwelling is minor in nature.

## Desirable for the Development of the Lands

The applicant is requesting relief from the minimum interior side yard setback requirement of 5 m to 3.25 m, in order to construct an addition to the north and west side of their existing dwelling. The proposed addition is intended to provide the Applicant with increased garage area for interior storage of vehicles and personal items as well as additional living space on the first floor in the form of a new principle bedroom and ensuite as well as a new bathroom, bunkroom and bonus room area in the second level above the garage area (refer to Schedule 'D'). The proposed addition is anticipated to increase the functionality and enjoyment of the Applicant's home as well as the overall assessment value of the property.

Impacts to neighboring properties are anticipated to be minimal as the proposed addition will continue to maintain a minimum setback of 3.25 m from the northern interior lot line and the two (2) proposed windows located on the second level of the addition is similar to the current configuration of the existing window located on the northside of the existing garage (albeit 1.75 m closer to the northern lot line) and will be generally in line with the side yard of existing residential lands to the north. The proposed addition will also be of a similar design and character to that of the existing dwelling, and in the opinion of municipal staff the requested reduction is appropriate and desirable for the development on this residential lot.

## Public & Agency Comments

Comments with no objection has been received from Bell Canada. Comments can be found attached to this report as Schedule 'F'.

## COMMUNICATION PLAN:

The Notice of Decision regarding this application will be distributed in accordance with the requirements of the Planning Act.

## FINANCIAL IMPACT:

This proposal has no financial impact on the municipality.

## REPORT SCHEDULES:

Schedule A:	Orthophoto
Schedule B:	Policy Framework
Schedule C:	Site Plan
Schedule D:	Floor Plans & Elevation Drawings
Schedule E:	Site Photo
Schedule F:	Comments Received

## PREPARED BY:

Nick Ainley, B.U.R.PI  
Community Planner, Policy and Approvals

## REVIEWED BY:

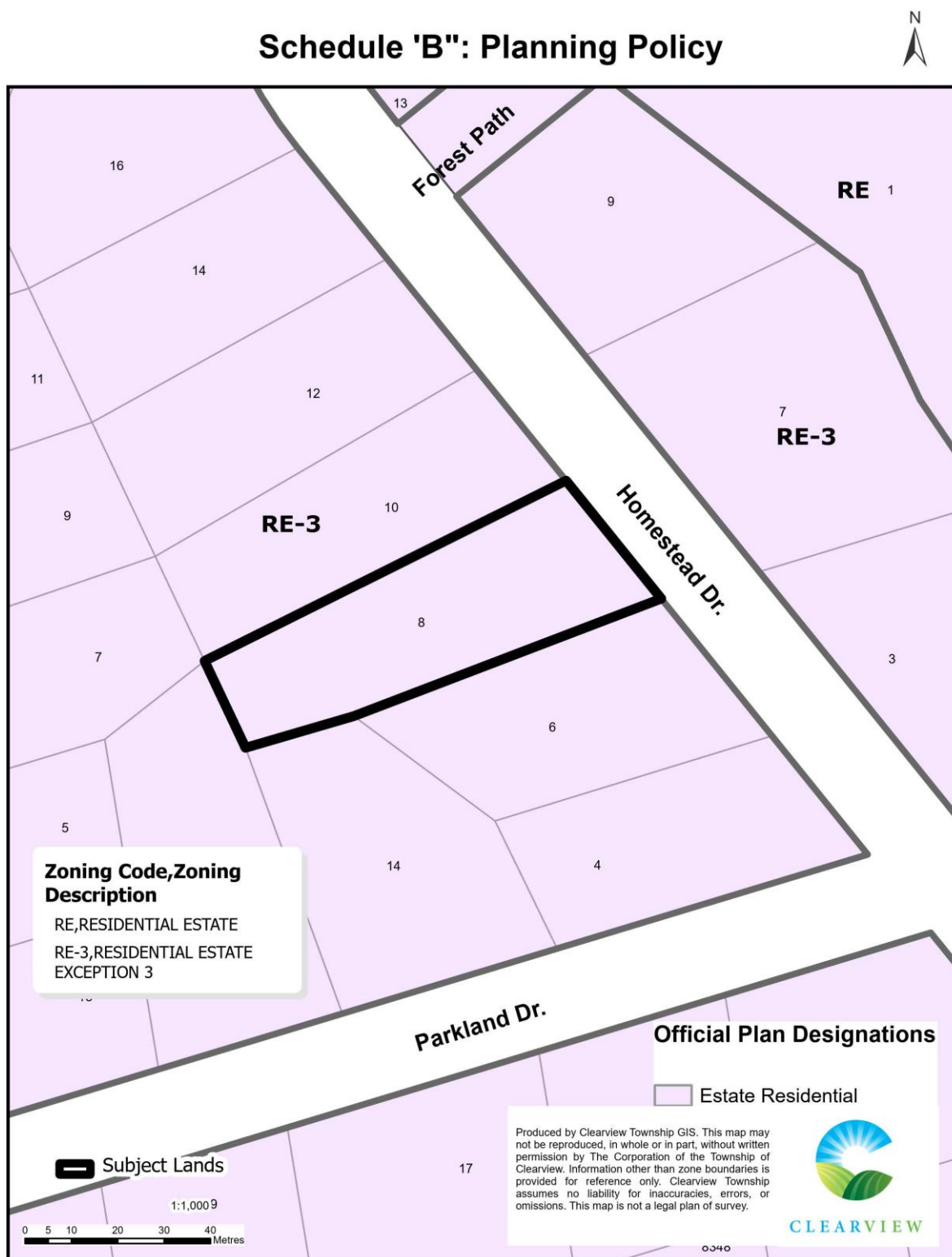
Amy Cann, M. PL., MCIP, RPP  
Director of Planning & Building



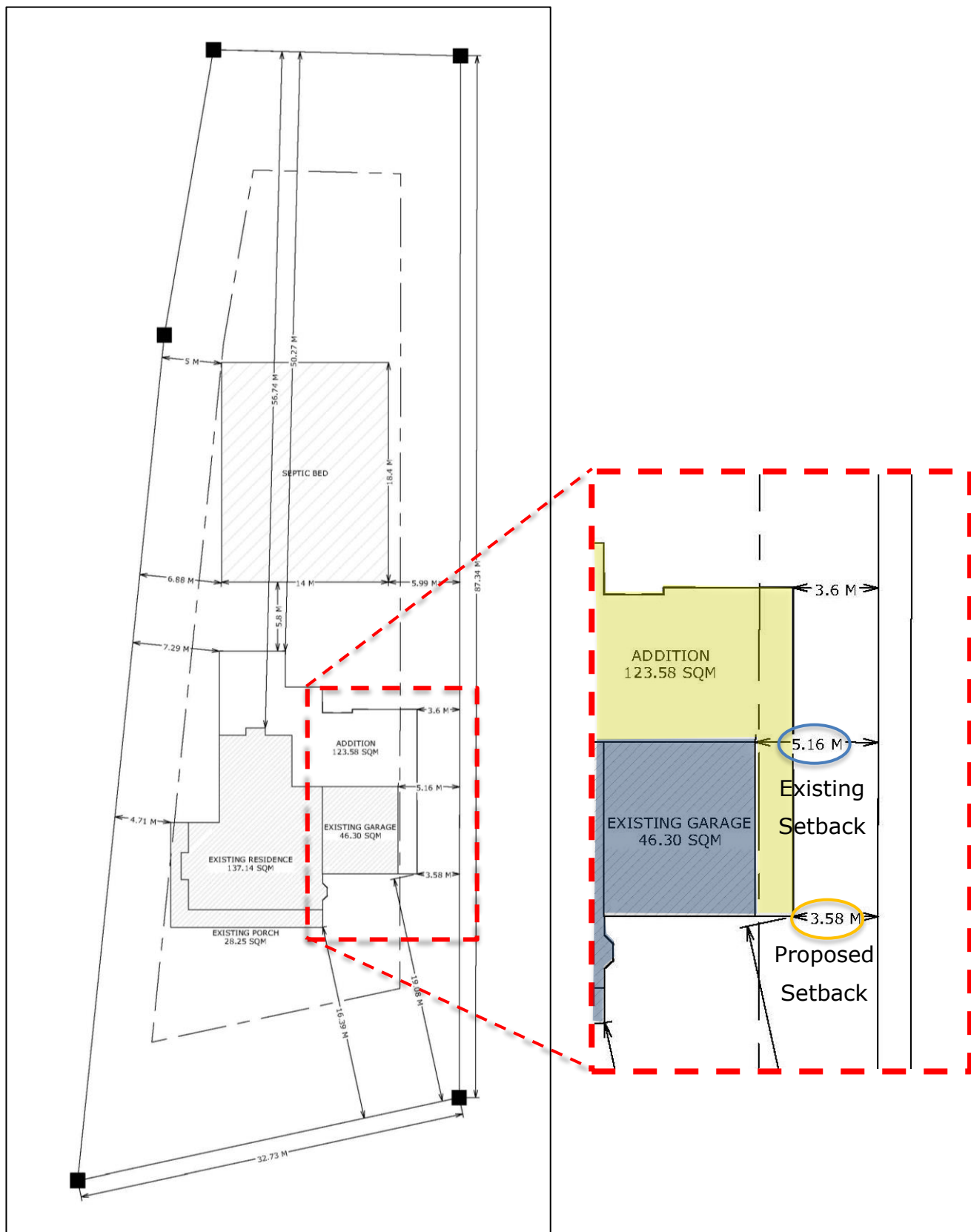
## Schedule 'A': OrthoPhoto



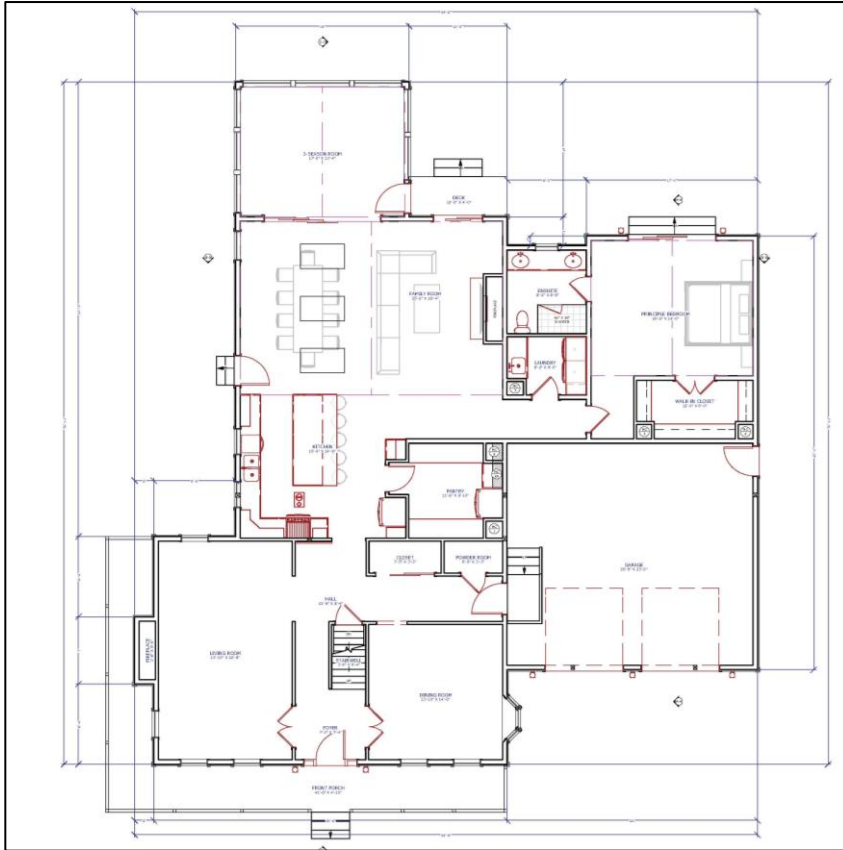




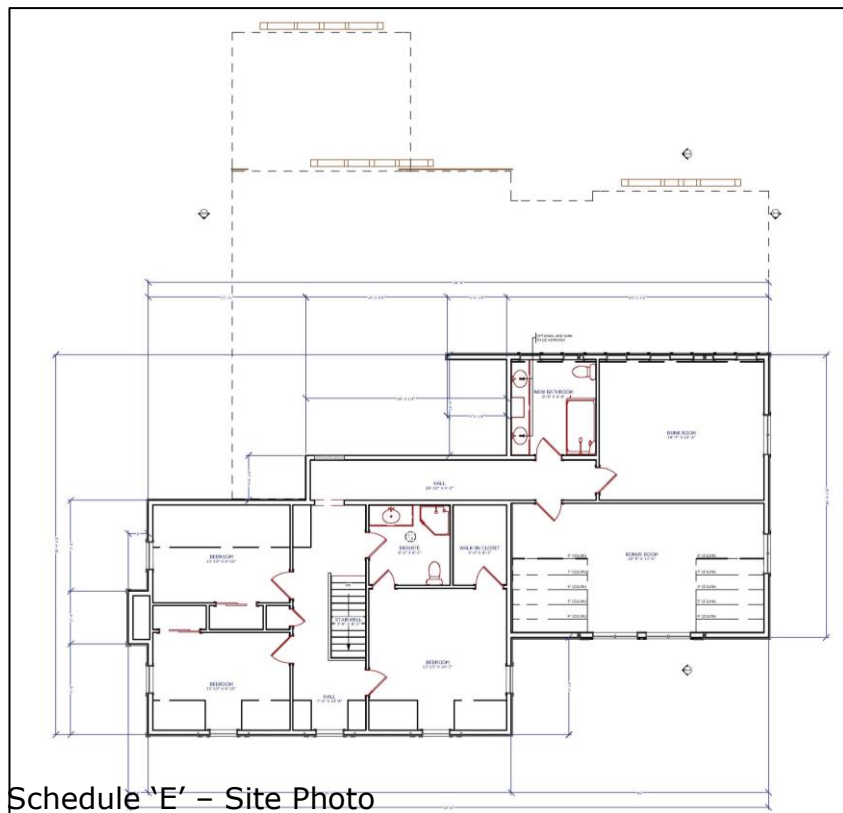
# Schedule 'C' – Site Plan



## Schedule 'D' – Floor Plans & Elevation Drawings



**Ground Floor**



**Second Floor**

## Schedule 'E' – Site Photo





Photo (facing west): Northside of existing attached garage and northern interior side yard.

## Schedule 'F' - Comments



**From:** [McCartney, Mary](#)  
**To:** [Christine Taggart](#)  
**Date:** October 3, 2023 8:37:32 AM  
**Attachments:** [image002.png](#)  
[CN Hearing Notice - 23-B06\\_09-26-2023.pdf](#)  
[MV Hearing Notice - 23-A15\\_09-26-2023.pdf](#)  
[MV Hearing Notice - 23-A16\\_09-26-2023.pdf](#)

CAUTION: This email originated from outside of the Clearview email system. DO NOT open attachments or click links you were not specifically expecting, even from known senders.

Good morning Christine,

Bell Canada does not have any comments or concerns regarding the attached applications.

Thank you,  
Mary

**Mary McCartney**  
Bell Canada - Right of Way Associate  
Floor 2, 140 Bayfield St  
Barrie, ON L4M 3B1  
705-722-2219 or 1-888-497-8735

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**From:** Christine Taggart <ctaggart@clearview.ca>  
**Sent:** Monday, September 25, 2023 9:50 AM  
**To:** Sasha Helmkey <shelmkey@clearview.ca>; Krista Pascoe <kpascoe@clearview.ca>; John Ferguson <jferguson@clearview.ca>; Amy Cann <acann@clearview.ca>; Scott Davison <sdavison@clearview.ca>; Baz Dokainish <bdokainish@clearview.ca>; Kelly McDonald <kmcdonald@clearview.ca>; Todd Patton <tpatton@clearview.ca>; Mike Rawn <mrawn@clearview.ca>; Dan Perreault <dperreault@clearview.ca>; Patti Kennedy <pkennedy@clearview.ca>; Terry Vachon <tvachon@clearview.ca>; Jennifer Georgas <Jennifer.Georgas@rjburnside.com>; Scott McLeod <smcleod@clearview.ca>; Council <council@clearview.ca>; County of Simcoe <planning.notices@simcoe.ca>; Clee, Sandy <sclee@scdsb.on.ca>; Kirton, Katie <kkirton@scdsb.on.ca>; EPCOR - Jody Wilson <jwilson@epcor.com>; EPCOR - Ted Burrell <tburrell@epcor.com>; EPCOR - Mehta <MMehta@epcor.com>; EPCOR - Horne <ohorne@epcor.com>; Enbridge <municipalplanning@enbridge.com>; Rogers 1 <simcoecirculations@rci.rogers.com>; Rogers 2 <Newdevelopment@rci.rogers.com>; MPAC <LPUConsents@mpac.ca>; ROWCC <rowcentre@bell.ca>; Hydro One <landuseplanning@hydroone.com>; KaitlinH@curvelake.ca; keithk@curvelake.ca; consultation@curvelake.ca; dmowat@alderville.ca; consultation@alderville.ca; bfnchief@chimnissing.ca; consultations@chimnissing.ca; Chief Ted Williams <tedw@ramafirstnation.ca>; consultation@ramafirstnation.ca; Chief Donna Big Canoe <donna.bigcanoe@georginaisland.com>; natasha.charles@georginaisland.com; General Email <environmentoffice@saugeenonijibwaynation.ca>; General Email <administration@cnhw.qc.ca>; President Greg Garratt (Georgian Bay Métis Council <greggarratt63@gmail.com>; k.a.sandy-mckenzie@rogers.com  
**Cc:** Rossalyn Workman <rworkman@clearview.ca>; Nick Ainley <nainley@clearview.ca>; Chuck Arrand <clutchpet@gmail.com>; daniel fantin <fantin.works@hotmail.ca>; marcproyal@gmail.com; Gord Zeggil <zeggilfamily@hotmail.com>

**Subject:** [EXT]October Committee of Adjustment Notices of Public Hearing

Good morning, please find attached one consent and two minor variance notices of public hearing which will be considered at the October 11, 2023 Committee of Adjustment meeting.

Kind regards,

**Christine Taggart, ACST**

Planning & Development Technician

Secretary-Treasurer, Committee of Adjustment

[ctaggart@clearview.ca](mailto:ctaggart@clearview.ca)

705-428-6230 ext. 238

Work Schedule: 8:00 am to 4:00 pm



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CLEARVIEW

## COMMITTEE OF ADJUSTMENT

File Number: 23-B06 (2023-062)

Meeting Date: October 11, 2023

Report From: Rossalyn Workman, Community Planner

Application: Consent for Lease Agreement 1955 Concession 6 North  
(Winterland Airfield Holding Ltd.)

### RECOMMENDATION:

Be it resolved, that Committee of Adjustment of the Township of Clearview hereby:

Approves consent 23-B06 pertaining to lands at 1955 Concession 6 North Nottawasaga, subject to the following conditions:

1. That the applicant meet all the requirements, financial and otherwise of the Municipality including servicing by-law charges and payment of the \$150.00 fee for each Certificate of Consent to be issued.
2. That the applicant provides a description of the land, and all associated buildings and structures, which may be registered under the requirements of the Registry Act or Land Titles Act as applicable.
3. That the lease agreement be established for a term of up to 99 years, with the option for renewal, over the lands described in the condition 2. That a copy of the executed and registered lease agreement be provided to the Township.
4. That the lease agreement provides an indemnification clause, to the satisfaction of the Township of Clearview, which indemnifies the Township from any and all liability stemming from the consent and specifically any liability related to the buildings and structures on the subject lands.

#### NOTES REGARDING CONSENT:

- As per Section 53(41) of the Planning Act, R.S.O., 1990, all conditions of this decision shall be fulfilled and the Certificate of Consent issued within two years of this date. If all of the conditions have been met and all the authorities concerned have so notified the Committee in writing, the Secretary is authorized to issue the Certificate of Consent.



## BACKGROUND:

### Subject Lands

The subject lands are approximately 160 ha (395 acres) in size, with frontage on Concession 6 North Nottawasaga and 33/34 Sideroad Nottawasaga. These lands are called the Collingwood Regional Airport (CY3), which is considered an aerodrome under Transportation Canada. The lands were formally owned and operated by the Town of Collingwood, and now they are owned and run privately. There are a number of airplane hangers and other buildings associated with the airport, in addition to a runways, parking areas for planes and cars.

### The Proposal

The purpose of the application is to request a lease agreement on the subject lands beyond 21 years. The effect is to allow the Airport to offer long-term leases for the lands including present and future buildings and structures.

### Existing Policy Framework

The property is designated 'Agricultural' and 'Special Development Area – Collingwood Airport' within the Township of Clearview Official Plan, and it is zoned 'Airport Industrial' (MA) and 'Environmental Protection' (EP) and 'Hazard Land Overlay' (FP) within the Township of Clearview Zoning By-law 06-54, as amended.

## COMMENTS AND ANALYSIS:

In considering an application for consent, a review of the Provincial Policy Statement, A Place to Grow, County and local Official Plan and Township of Clearview Zoning By-law 06-54 must be undertaken. The proposed amendment must be assessed for consistency, conformity and compliance.

### Provincial Policy Statement

The Provincial Policy Statement (PPS) calls for the protection of the long-term operation and economic role of airports is protected. In accordance with the PPS, planning for airports shall protect these lands from incompatible land uses and development. Protection of these lands can be accomplished by limiting or prohibiting new residential development in the area of the airport, and limiting land uses that could cause a potential aviation safety hazard.

There will be no negative impacts on the airport lands as a result of the owner of the airport requesting the ability to offer long term land leases. The lands are currently regulated by the Federal Government, Transportation Canada under an aerodrome status. The Township does not issue building permits for the lands, as these buildings and structures are regulated under Federal jurisdiction and aerodrome status.

Under the PPS, the Township has established lands use control within the Official Plan and Zoning By-law to permit airport related uses, and to treat the lands under the Agricultural designation. The Agricultural designation is quite restrictive only permitting farming uses, and limiting residential uses. The Township has no regulatory control over the proposed location

of the future buildings and structures, however, the federal regulation will ensure that any new or existing structures are built with the aviation safety and approvals in place. The use of buildings/hangers will also be scrutinized by the federal regulation and under the aerodrome certification and will ensure that these proposed and future building/hangers are being used for airport uses.

The proposal is consistent with the Provincial Policy Statement (2020) issued under the *Planning Act*.

## A Place to Grow

The Growth Plan states that transportation systems including airports, should be planned and managed to provide connectivity to people and modes of transportation, offer a balance of transportation choices, be sustainable and consider reduction in greenhouse gas emissions and provide for the safety of the users.

It is proposed that should this application be approved that these lands will be leased to existing and potential users, namely for aviation uses existing and proposed buildings/hangers on the property. This application will be fulfilling the policy direction of integrating airport services while allowing for investment in the lands to facility their continued use.

The proposal is consistent with A Place to Grow (2019) issued under the *Planning Act*.

## County of Simcoe Official Plan

The County of Simcoe Official Plan requires that planning for land uses in the vicinity of airports should ensure that the long term operation and economic viability is protected. The Collingwood Airport is a Special Development Area in the County Official Plan and in the Township of Clearview Official Plan. The lands are protected for the long-term use for airport related uses. Any development on these lands and within the special development area would need to follow the agricultural policies.

It is proposed that should this application be approved that these lands will be leased to existing and potential users for the existing buildings/hangers for airport related uses. All of the existing buildings/hangers are being used for airport purposes as regulated under the federal government under the guidance of Transportation Canada. As a regional airport the licensing is based on uses and buildings strictly being used for aviation purposes. In addition, no land severances for example would be permitted in this designation as the Agricultural policies would not permit this type of application.

Land severance for example would not be permitted in this designation, as the Agricultural policies would not permit this type of application, and in general severance would not be a good use of airport lands. The dividing of lands could lead to land use conflicts and new ownership of land could lead to potentially non-airport uses. The use of the long-term land lease would physically not divide the lands, but instead would allow the entering into an agreement, with current airport owners and new airport users. This agreement would ensure the airport lands remain intact while affording the current owner economic flexibility.

The proposal conforms to the 2008 County of Simcoe Official Plan.

## Clearview Township Official Plan

The subject lands are designated 'Agricultural' and 'Special Policy Area – Collingwood Airport' in the 2001 Township Official Plan.

The airport is owned privately and not by the Town of Collingwood, however it is still considered a major transportation asset, providing economic opportunities to the area to both the resort industry as well as ancillary industrial and commercial development in the area. The lands in this special policy area should not be developed without a comprehensive planning study establishing preferred lands uses in relation to both their economic viability, environmental and social suitability, as well as land use, transportation and servicing frameworks. No new development is proposed as part of the subject application.

It is proposed that should this application be approved that these lands will be leased to existing and potential users for the existing buildings/hangers for airport related uses. All of the existing buildings/hangers are being used for airport purposes as regulated under the federal government under the guidance of Transportation Canada. As a regional airport licensing is based on the uses and buildings strictly being used for aviation purposes. In addition, land severance for example would not be permitted in this designation, as the Agricultural polices would not permit this type of application, and in general land severance would not be a good use of airport lands. The dividing of lands could lead to land use conflicts and ownership of land potentially not related to airport uses. Alternatively, the use of the long-term land lease would ensure the airport lands remain intact, while affording the current owner economic flexibility.

To ensure continued economic viability of the airport and to allow for enhanced services to the airport lands, the owner wishes to use the long-term leasing opportunities to generate economic opportunities and the ability to expand airport related services. The current owner is regulated under the aerodrome certification which will ensure that the buildings/hangers and the placement on the airport lands maintain the viability and integrity of a regional airport. To ensure consistency with ownership and services the use of a long-term lease longer than 21 years provides the commitment of not only the current owner of the airport lands but also the user of the lands.

The proposal conforms to the 2001 Township Official Plan.

## Clearview Zoning By-law

The subject lands are zoned 'Airport Industrial' (MA) and 'Environmental Protection' (EP) in the Township Zoning By-law (06-54, as amended).

The lands are being used for Collingwood Regional Airport. The existing zoning of the lands confirms the aerodrome status and the uses that are permitted in an airport. The lands are regulated and governed under the federal government under the guidance of Transportation Canada for the use of the lands for an aerodrome. As such the Township does not issue building permits nor is zoning conformity considered when buildings have been built. Airports are aerodromes that are certified by the federal minister of transport to be operated according to the conditions stated in the airport certification document.

The proposal generally conforms to the intent and purpose of the Township's Zoning By-law.

## Public & Agency Comments

Comment with no objection has been received from:

- Bell Canada

Comments can be found attached to this report as Schedule 'D'.

## COMMUNICATION PLAN:

The Notice of Decision regarding this application will be distributed in accordance with the requirements of the Planning Act.

## FINANCIAL IMPACT:

This proposal has no financial impact on the municipality.

## REPORT SCHEDULES:

- Schedule A: Orthophoto
- Schedule B: Policy Framework
- Schedule C: Site Sketch
- Schedule D: Comments Received

## PREPARED BY:

Rossalyn Workman, MURP, MCIP, RPP  
Community Planner, Policy and Approvals

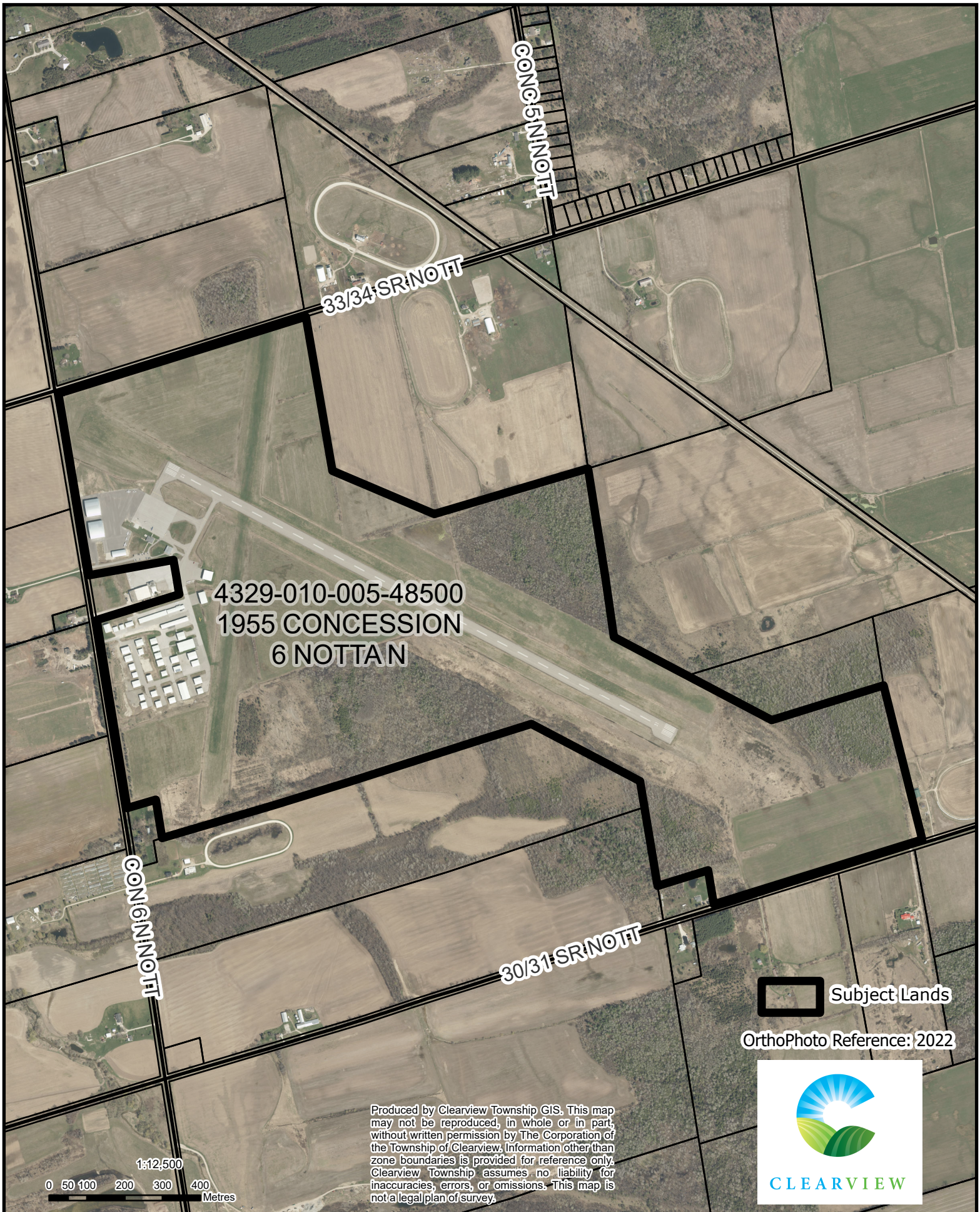
## REVIEWED BY:

Amy Cann, M. PL., MCIP, RPP  
Director of Community Services

Schedule 'A': Orthophoto



# Schedule 'A": OrthoPhoto



4329-010-005-48500  
1955 CONCESSION  
6 NOTTAN

33/34 SR NOTT

30/31 SR NOTT

CON 5 N NOTT

CON 6 N NOTT



Subject Lands

OrthoPhoto Reference: 2022



CLEARVIEW

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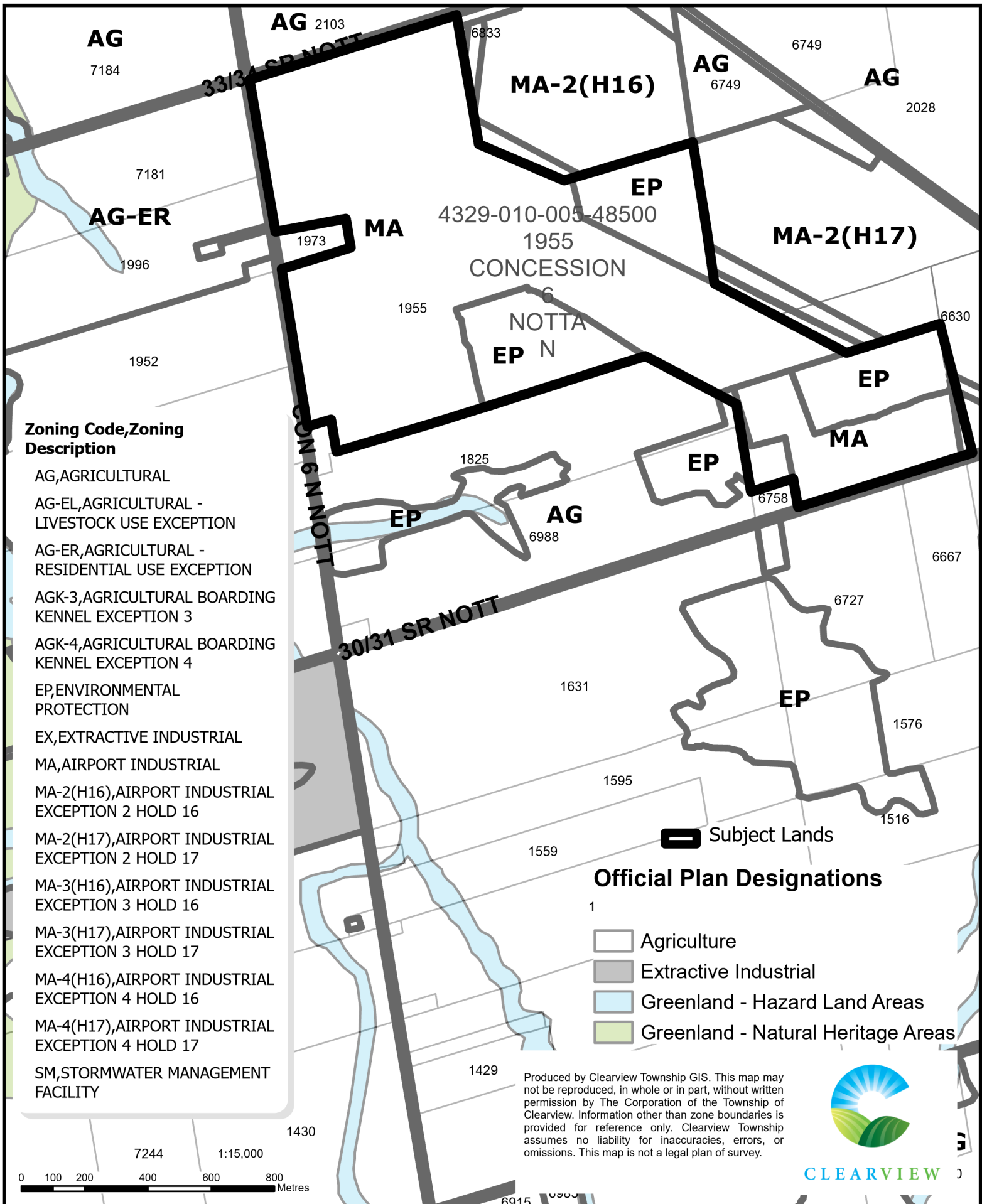
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## Schedule 'B' – Policy Framework

# Schedule 'B': Planning Policy





## Schedule 'C' – Site Sketch

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**WARNING**  
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# SKETCH - FOR DISCUSSION PURPOSES COLLINGWOOD REGIONAL AIRPORT GENERAL PLANNING MAP

(OCTOBER 2021)

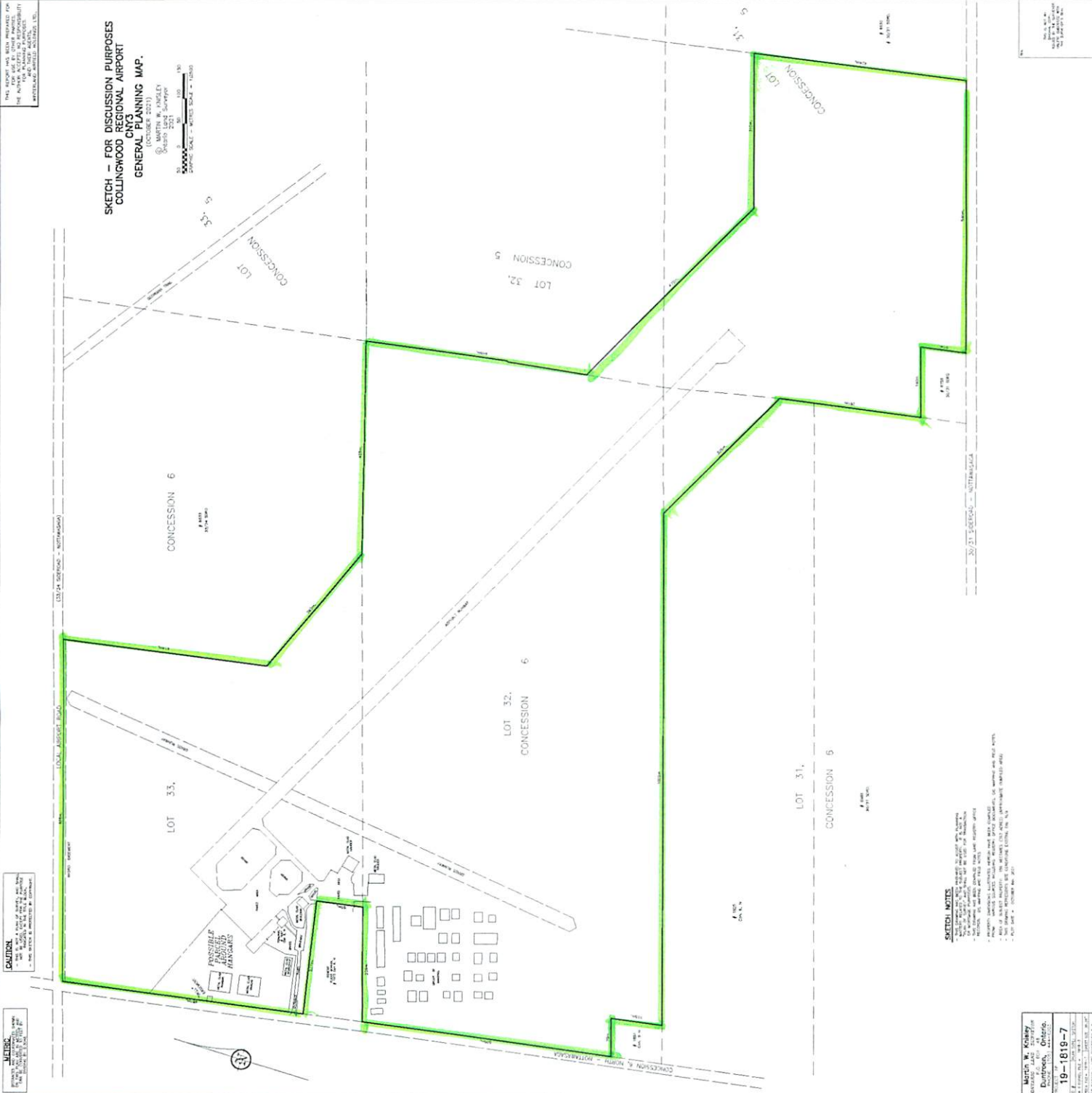
MARTIN W. JENSEN

DESIGN 2021

GRAPHIC SCALE - METRIC SCALE - 1:2500

**SKETCH NOTES**  
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- THE SKETCH IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE AUTHOR.

**MARTIN W. JENSEN**  
DESIGN 2021  
19-1819-7



## Rossalyn Workman

---

**From:** McCartney, Mary <mary.mccartney@bell.ca>  
**Sent:** October 3, 2023 8:37 AM  
**To:** Christine Taggart  
**Subject:** RE: October Committee of Adjustment Notices of Public Hearing  
**Attachments:** CN Hearing Notice - 23-B06\_09-26-2023.pdf; MV Hearing Notice - 23-A15\_09-26-2023.pdf; MV Hearing Notice - 23-A16\_09-26-2023.pdf

CAUTION: This email originated from outside of the Clearview email system. DO NOT open attachments or click links you were not specifically expecting, even from known senders.

Good morning Christine,

Bell Canada does not have any comments or concerns regarding the attached applications.

Thank you,  
Mary

**Mary McCartney**  
Bell Canada - Right of Way Associate  
Floor 2, 140 Bayfield St  
Barrie, ON L4M 3B1  
705-722-2219 or 1-888-497-8735

---

**From:** Christine Taggart <ctaggart@clearview.ca>  
**Sent:** Monday, September 25, 2023 9:50 AM  
**To:** Sasha Helmkey <shelmkey@clearview.ca>; Krista Pascoe <kpascoe@clearview.ca>; John Ferguson <jferguson@clearview.ca>; Amy Cann <acann@clearview.ca>; Scott Davison <sdavison@clearview.ca>; Baz Dokainish <bdokainish@clearview.ca>; Kelly McDonald <kmcdonald@clearview.ca>; Todd Patton <tpatton@clearview.ca>; Mike Rawn <mrawn@clearview.ca>; Dan Perreault <dperreault@clearview.ca>; Patti Kennedy <pkennedy@clearview.ca>; Terry Vachon <tvachon@clearview.ca>; Jennifer Georgas <Jennifer.Georgas@rjburnside.com>; Scott McLeod <smcleod@clearview.ca>; Council <council@clearview.ca>; County of Simcoe <planning.notices@simcoe.ca>; Clee, Sandy <sclee@scdsb.on.ca>; Kirton, Katie <kkirton@scdsb.on.ca>; EPCOR - Jody Wilson <jwilson@epcor.com>; EPCOR - Ted Burrell <tburrell@epcor.com>; EPCOR - Mehta <MMehta@epcor.com>; EPCOR - Horne <ohorne@epcor.com>; Enbridge <municipalplanning@enbridge.com>; Rogers 1 <simcoecirculations@rci.rogers.com>; Rogers 2 <Newdevelopment@rci.rogers.com>; MPAC <LPUConsents@mpac.ca>; ROWCC <rowcentre@bell.ca>; Hydro One <landuseplanning@hydroone.com>; KaitlinH@curvelake.ca; keithk@curvelake.ca; consultation@curvelake.ca; dmowat@alderville.ca; consultation@alderville.ca; bfnchief@chimnissing.ca; consultations@chimnissing.ca; Chief Ted Williams <tedw@ramafirstnation.ca>; consultation@ramafirstnation.ca; Chief Donna Big Canoe <donna.bigcanoe@georginaisland.com>; natasha.charles@georginaisland.com; General Email <environmentoffice@saugeenoyibwaynation.ca>; General Email <administration@cnhw.qc.ca>; President Greg Garratt (Georgian Bay Métis Council <greggarratt63@gmail.com>; k.a.sandy-mckenzie@rogers.com  
**Cc:** Rossalyn Workman <rworkman@clearview.ca>; Nick Ainley <nainley@clearview.ca>; Chuck Arrand <clutchpet@gmail.com>; daniel fantin <fantin.works@hotmail.ca>; marcproyal@gmail.com; Gord Zeggil <zeggilfamily@hotmail.com>  
**Subject:** [EXT]October Committee of Adjustment Notices of Public Hearing

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**Christine Taggart, ACST**

Planning & Development Technician

Secretary-Treasurer, Committee of Adjustment

[ctaggart@clearview.ca](mailto:ctaggart@clearview.ca)

705-428-6230 ext. 238

Work Schedule: 8:00 am to 4:00 pm



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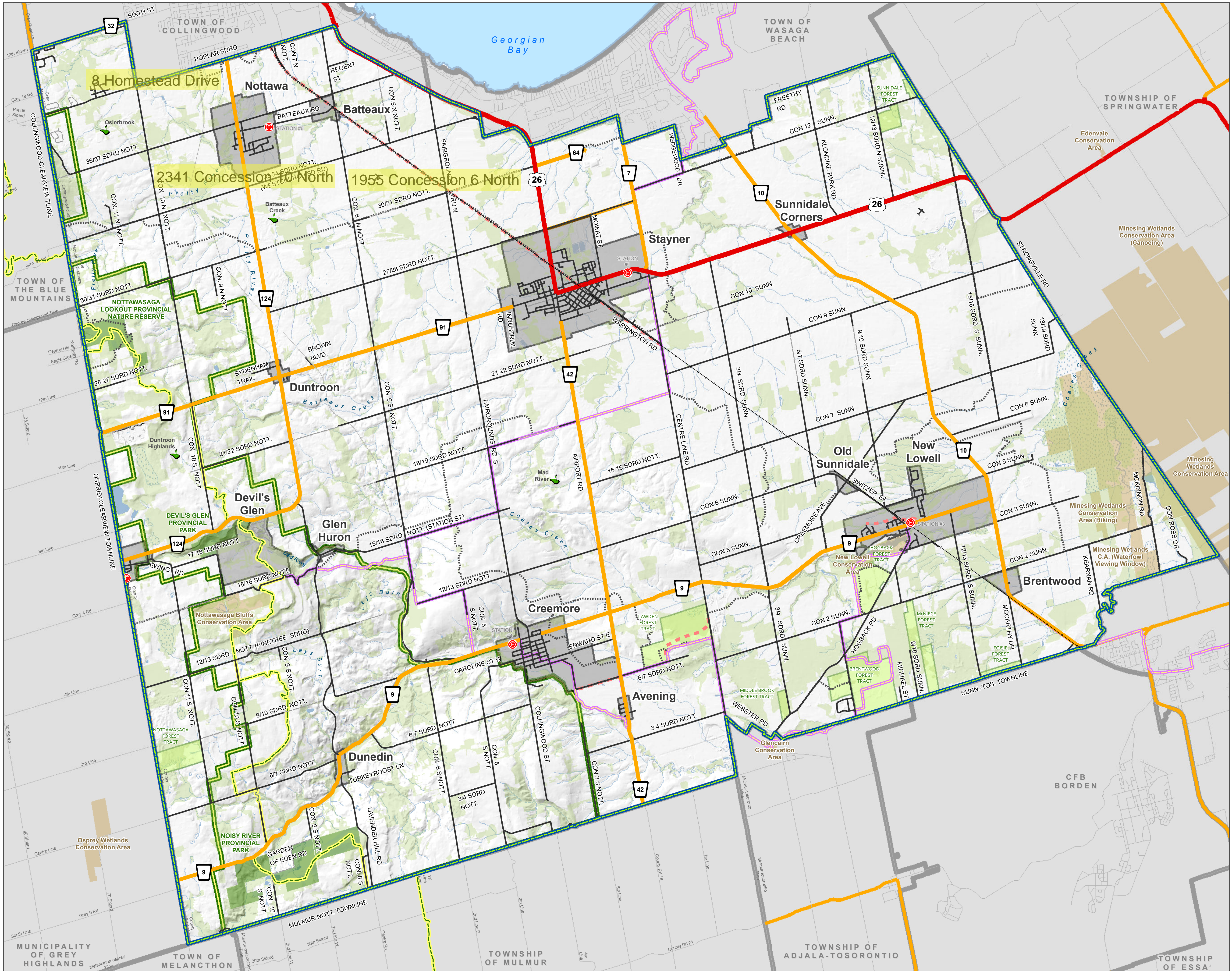
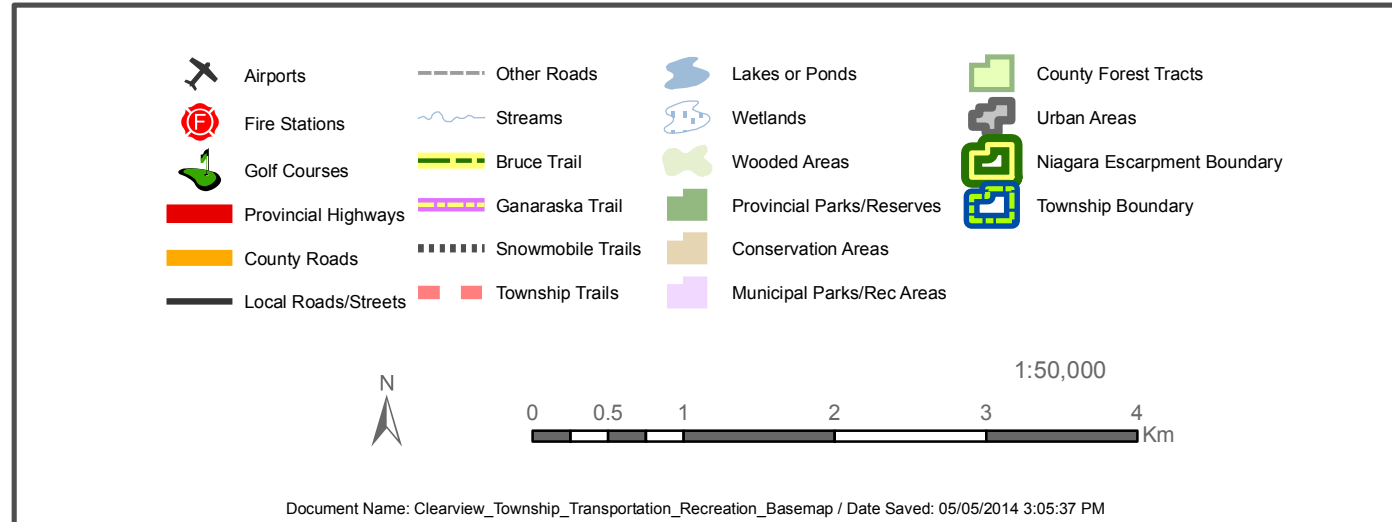
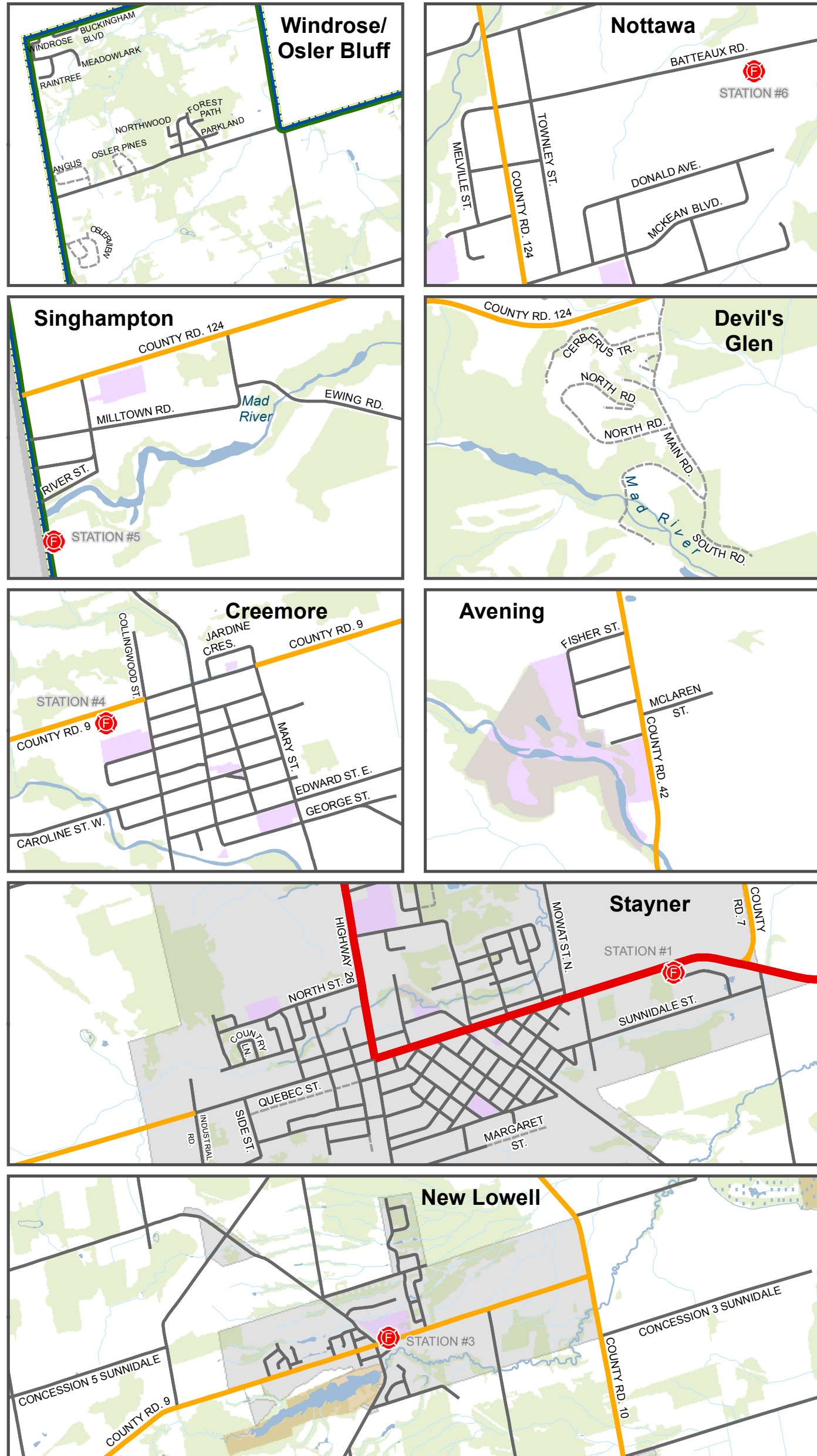
## Schedule 'D' – Comments Recieved





CLEARVIEW

# TRANSPORTATION & RECREATION BASEMAP



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