

1.0 INTERPRETATION & ADMINISTRATION

1.1 TITLE

This By-law shall be known as the "Township of Clearview Comprehensive Zoning By-law" also referred to herein as the "Zoning By-law", or "this By-law".

1.2 BY-LAWS REPEALED

From the date of the coming into force of this By-law, the former Town of Creemore Zoning By-law 751, the former Township of Nottawasaga Zoning By-laws 16-87 and 10-93, the former Town of Stayner Zoning By-law 11195 and the former Township of Sunnidale Zoning By-laws 1222 and 1553, and all previous By-laws passed under Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, or any predecessors thereof, are hereby repealed in their entirety, including all sections, schedules, and amendments that apply to all the lands subject to the aforementioned By-laws.

Note: Highlighted sentence in Section 0 is under appeal only with respect to the request to add that new aggregate extraction proposals shall also be subject to the former by-laws.

1.3 APPLICATION OF THE BY-LAW

No person shall within any area or Zone of the Township of Clearview use any land, building, or structure, or subdivide any lands, except in conformity with the provisions of this By-law.

No person shall within any area or Zone of the Township of Clearview cause a building/structure or any part or parts thereof, or other structures to be erected, raised, moved, placed, reconstructed, extended, enlarged, or altered, except in conformity with the provisions of this By-law.

1.4 ZONE EXCEPTIONS

Where the Zone symbol, as shown on a Schedule to this By-law, is followed by a dash and a number such as M1-1, then special provisions which may establish use, regulatory, or provisional exceptions, apply to such lands in addition to, or in place of, the normal Zone provisions. Lands zoned in this manner shall be subject to all of the provisions, standards, and restrictions of the Zone, except as otherwise provided by the special provisions. These special provisions apply only to the lands to which such a Zone symbol is shown to apply.

1.5 HOLDING PROVISIONS

Notwithstanding any other provision in this By-law, where a zone symbol is followed by the letter (H), no person shall use the land to which the letter (H)

applies for any use other than the use which existed on the date this By-law was passed or which is specifically established as a permitted use in conjunction with the (H) symbol in this By-law, until the (H) is removed in accordance with the policies of the Township of Clearview Official Plan and the Planning Act, and in accordance with conditions established for the removal of the (H) in this By-law or any amendment thereto. Conditions for removal are set out in Schedule 'E'.

1.6 SEVERABILITY

If any section, clause, or provision of this By-law, including anything contained in the Schedules attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the section, clause, or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses, or provisions of this By-law shall remain in full force and effect until repealed.

1.7 COMPLIANCE WITH OTHER LEGISLATION

Nothing in this By-law shall serve to relieve any person from any obligation to comply with the requirements of any other By-law of the Township of Clearview, or the obligation to obtain any license, permit, authority, or approval required under any by-law of the Municipality, or any other regulation of the County of Simcoe, Province of Ontario, or Government of Canada that may otherwise affect the use of land, buildings or structures.

In the event of conflict between this By-law and any general or special by-law, this By-law shall prevail.

In the event of an inconsistency or conflict between two or more provisions, standards, or requirements of this By-law, the more stringent restrictions shall prevail.

1.8 CERTAIN WORDS

In this By-law, words used in the present tense include the future; words in the singular include the plural; words in the plural include the singular; and the words "used" and "occupied" shall where the context indicates be interpreted to mean "intended, arranged or designed to be used or occupied"; the word "shall" is mandatory and no directory.

1.9 ZONING SCHEDULES

The land use Zones, which include overlay Zones and notations, for all lands covered by this By-law are shown on zoning maps in Schedules "A" and "B" to this By-law. Such schedules, with all notations, references, dimensions, designations, and other necessary information shown thereon, are hereby adopted and made part of this Zoning By-law. Such schedules may hereinafter be referred to as, "Schedules", or "Zoning Schedules".

1.10 SITE PLAN CONTROL

The Township of Clearview is hereby designated as a Site Plan control area, pursuant to Section 41 of the *Planning Act*.

1.11 MULTIPLE USES OR ZONES ON ONE LOT

Where a lot is divided into more than one Zone, each such portion of said lot shall be considered separately for the purposes of determining permitted uses and zone provisions and each such portion shall conform to the provisions of the appropriate zone.

The greatest lot area requirement impacting a multi-zoned property shall apply. The zone category situated along the front lot line shall determine the minimum lot frontage requirement. Where there is a conflict in the application of competing provisions the most stringent provision shall apply.

1.12 ZONE BOUNDARIES

The Zones and zone boundaries are shown on the Schedules to this By-law which are attached to and form part of this By-law.

Unless the location of a zone boundary is specified by the dimensions on the zoning map or interpretation is otherwise provided for herein, a zone boundary which lies within a lot shall be fixed by the scale of the zoning map.

A zone boundary shown approximately at a lot line is deemed to be at the boundary of the lot line.

A zone boundary shown approximately at the centre line of a right-of-way, street, lane, other public thoroughfare, railway line, or transmission line, shall be deemed to follow the centre line of the right-of-way, street, lane, other public thoroughfare, railway line, or transmission line.

The corrections discussed above are considered to be matters of interpretation of the By-law with technical adjustments made being considered implementation of those interpretations. Such corrections are not amendments to this By-law.

Where a zone boundary is indicated as following the limits of a flood line or fill line prepared by the Nottawasaga Valley Conservation Authority (NVCA), where registered under the Conservation Authorities Act and approved by the Township, the boundary shall follow such flood line or fill line, as may be amended from time to time.

1.13 INCORPORATION OF AMENDMENTS

Amendments to this By-law, duly adopted by Council, may be incorporated into a consolidated version of this By-law without the necessity of further amendment to this By-law or formal adoption of the consolidated By-law.

1.14 ADMINISTRATION

The provisions of this By-law shall be administered by the Township of Clearview municipal staff, as delegated by Council.