



## LOFT PLANNING

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July 10, 2025

Mr. Nick Ainley, BURPI  
Community Planner  
Township of Clearview  
217 Gideon Street  
Stayner, Ontario  
L0M 1S0

Dear Mr. Ainley:

**RE: Planning Justification Report (ZBA and Consent)  
1943 Fairgrounds Road, Township of Clearview  
No Civic Address, CON 4 S PT LOT 17, CLEARVIEW  
2015 Fairgrounds Road, Township of Clearview  
2057 Fairgrounds Road, Township of Clearview  
RED-84425-278 (REDRUPP)**

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We have been retained by Mr. William Redrupp, owner of the above noted lands, to act as planners for a proposed Consent Application for a Surplus Dwelling Lot and an implementing proposed Zoning By-law Amendment. The proposal will facilitate the creation of a surplus dwelling lot from a large landholding including the following civic addresses: 1943 Fairgrounds Road South, No Civic Address, CON 4 S PT LOT 16, 2015 Fairgrounds Road S and 2057 Fairgrounds Road South. The lands have been purchased at different times, and are all registered under one name, the lands have merged on title. This Planning Justification Report is being submitted as part of a complete application.

### 1.0 Location

The Subject Lands are municipally known as 1943 Fairgrounds Road South, No Civic Address, CON 4 S PT LOT 16, 2015 Fairgrounds Road S and 2057 Fairgrounds Road South. The land is located on the east side of Fairgrounds Road South between 18/19 Sideroad Nottawasaga to the north and 15/16 Sideroad Nottawasaga to the south. The land is west of Mad River Golf Course. The lands have a total lot area of 108 ha (266.885 acres). (Figure 1: Site Location).

*We would note that there is some discrepancy with regard to the lot area between the Geowarehouse information, GIS mapping and Tax Bill data. We have completed this report based on the Geowarehouse data. In our opinion, both lot areas would continue to conform to policies – and as such it does not make a difference to the overall policy review.*

### 2.0 Site Description & Surrounding Uses

The overall subject lands comprise an agricultural parcel with a lot area of 108 hectares. The lands are almost wholly agricultural lands with small portions of woodlands and a small watercourse. There are three residences and barns on the subject lands between 1943, 2015 and 2057 Fairgrounds Road S. The landowner considers 2015 Fairgrounds Road S to be the home farm and is the owner's place of residence. The lands are surrounded by agricultural lands and are in close proximity to the Mad River Golf Course located just to the east of the subject lands. (Figure 2 – Aerial)



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The lands are identified as Agricultural and Greenland – Hazard lands Area in the Township of Clearview Official Plan.

The surrounding lands can be described as agricultural with a woodlot to the east. The applicant owns the adjacent lands east and south.

### 3.0 Description of Proposal

The Applicant wishes to create a surplus dwelling lot on the subject lands (Figure 3 – Consent Sketch). The applicant has submitted a Consent Application for Surplus Dwelling Lot and an implementing Zoning By-law Amendment concurrently. The Zoning By-law will implement the Consent.

The applications are described as follows:

#### 1. Consent

- i. **Severed Lot:** To create a new lot containing an existing surplus farm dwelling with a lot area of 0.768 ha and a lot frontage of 52 metres onto Fairgrounds Road South.
- ii. **Retained Lot:** To retain an agricultural parcel having a lot of 107.23 ha and a lot frontage of 848 metres onto Fairgrounds Road South. Because the lands have already merged, there is not a requirement for further amalgamation.

2. **Zoning By-law Amendment:** To implement a consent to create a surplus dwelling lot by amending S.2.23 to reduce the required MDS I requirement where 130 m is required and 10m is provided.

The lands are designated Agricultural, Greenland – Hazard Lands Area. The lands are zoned Agricultural (AG) and Environmental Protection (EP).

The following is a summary of the agricultural land holdings owned by the Applicant, and specifically the farm and residence that create the surplus residence parcel of the subject lands.

The following depicts the merged landholding owned by the Applicant. The landholdings include:

- **1943 Fairgrounds Road South**
  - o CON 4 S PT LOT 17, TOWNSHIP OF CLEARVIEW
  - o 21.4 HA (53.117 ACRES)
- **2015 Fairgrounds Road South**
  - o CON 4 N PT LOT 16 & CON 4 S PT LOT 17. TOWNSHIP OF CLEARVIEW
  - o 57.7 HA (142.619 ACRES)
  - o
- **2057 FAIRGROUNDS ROAD SOUTH**
  - o CON 4 S PT LOT 16, TOWNSHIP OF CLEARVIEW
  - o 28.79 HA (71.149 ACRES)



## 4.0 Planning Analysis

A review of planning documents was undertaken to determine compliance with the Applications to the Planning Act and the provincial and municipal planning documents. A review of the applications in light of the planning documents made the following conclusions:

1. **The Applications Have Regard for Matters of Provincial Interest (Section 2 of the Planning Act, 1990).** The proposed applications will not impact the agricultural lands associated with the Subject Lands and are an appropriate location for this type of lot development being a surplus dwelling lot.
2. **The Applications are in the Public Interest.** The proposed applications will create an additional lot with an existing house, which meets the definition of a surplus dwelling lot and will make for efficient use of existing infrastructure.
3. **The Applications are Consistent with the Provincial Planning Statement 2024.** The proposed applications are consistent with the policies that apply to agricultural lands, the natural heritage system and the protection of public health and safety.
4. **The Applications Conform to the County of Simcoe Official Plan and the Township of Clearview Official Plan.** The proposed applications conform to policies that guide uses and development on agricultural lands, protect the natural heritage system and guide land division by consent.
5. **The Proposed Consents complies with the zone standards of the Zoning By-law.** The proposed Amendment implements the consent application, while the severed and retained lands maintain the provisions of the appropriate zones within the By-law.

A detailed review of the applicable planning documents is provided in the following sections.

### 4.1 Planning Act

The Planning Act must be considered when reviewing development applications. In consideration of the proposed Consent and Zoning By-law Amendment, Sections 2 (Provincial Interest), 3 (Provincial Plans) and 53 (Consents) of the Planning Act apply.

- **Section 2 - Matters of Provincial Interest**

Planning applications must have regard for “Provincial Interest” under Section 2 which includes:

- Protection of ecological systems, including natural areas and functions,
- Protection of Prime Agricultural lands,
- Conservation of features of significant scientific interest,
- Protection of health and safety and
- Appropriate location of development.

The consent application will create a surplus dwelling lot that includes an existing residence and is surplus to the needs of the Applicant. The subject lands are comprised of a mix of agricultural lands, woodlands and environmental features. The proposed lot location and lot configuration considered the agricultural field locations.

- **Section 3 - Consistency and Conformity to Provincial Plans and Statements**



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Planning decisions must be consistent with relevant provincial policy statements and provincial plans. The Provincial Planning Statement (PPS) 2024 applies to the Consent Application and Zoning By-law Amendment and are addressed in the following section.

- **Section 53 - Consents**

The approval of land division through consent is permitted if a plan of subdivision is not necessary for the proper and orderly development of a property. A plan of subdivision is not necessary for the creation of one surplus dwelling lot.

***Conclusion: The proposed applications meet the requirements of the Planning Act.***

#### **4.2 Provincial Planning Statement (PPS 2024)**

The Provincial Planning Statement (PPS) 2024, provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians. The Provincial Planning Statement is a policy statement issued under the authority of section 3 of the Planning Act and came into effect on October 20, 2024. The Provincial Planning Statement applies to all decisions in respect of exercise of any authority that affects a planning matter made on or after October 20, 2024.

- **2.5 – Rural Areas in Municipalities**

Section 2.5 of the PPS recognizes the importance of rural areas to the success of the province and quality of life for its residents. Rural areas, rural settlement areas shall be the focus of growth and development, and vitality and regeneration shall be promoted. Healthy, integrated and viable areas should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;
  - b) promoting regeneration, including the redevelopment of brownfield sites;
  - c) accommodating an appropriate range and max of housing in rural settlement area;
  - d) using rural infrastructure and public service facilities efficiently;
  - e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
  - f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural and natural assets;
  - g) conserving biodiversity and considering the ecological benefits provided by nature; and
  - h) providing opportunities for economic activities in prime agricultural areas, in accordance with policy
- 4.3.

Section 2.6.5 provides that new land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.





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The proposed Zoning By-law Amendment proposes to reduce MDS I. There is an existing livestock barn that is in close proximity to the proposed surplus dwelling lot. The barn is in good structural order. The barn is located approximately 50 metres from the residence. The MDS arc requirement for new lot creation is 130 metres. The proposed Zoning By-law Amendment would reduce the MDS I arc requirement to 10 metres. This 10 metre distance would be to the rear lot line of the proposed surplus dwelling lot.

In support of the MDS I reduction we provide the following details on the use of the barn and livestock operation:

- The owners' overall farming operation utilizes the entirety of their landholding, which has a total of 108.00 hectares.
- The main farm is considered to be 2015 Fairgrounds Road S and includes a barn.
- The farming operation is a cow calf operation.
- The livestock utilizes the entirety of the site and pasturing primarily located in the lower lands in the east portion of 2015 Fairgrounds Road S.
- The barn on 1943 Fairgrounds Road S has no water facilities for livestock (water systems are within the lower lands and barn at 2015 Fairgrounds Road S).
- The barn on 1943 Fairgrounds Road S is fenced and access for livestock is controlled.
- Historically, this barn has been used by livestock in times of inclement weather (a few times throughout winter season). The barn could be considered akin to a loafing facility, recognizing it is a barn structure and does not structurally meet the definition of a loafing barn.
- With regard to livestock numbers – the operation typically has twenty-three (23) breeding cows, one (1) bull and ten (10) calves. There is a limited turnover a year, approximately two (2) cows leaving and calves leaving yearly.
- We request a reduction of the MDS I arc from 130 metres to 10 metres which is measured to the rear lot line of the proposed surplus farm dwelling lot.
- We request the reduction on the basis that the barn is not a critical livestock facility to the overall farming operation, is akin to a loafing barn with no water facilities and no manure storage, and that the barn is fenced with controlled gate access only for livestock and that the barn is only utilized by livestock on a limited basis during inclement weather. (Appendix – MDS I Calculations – Agrisuite)

- **Section 4.0 – Wise Use and Management of Resources**

Section 4.1 requires that natural features and areas be protected for the long term. It is indicated that the natural features on site will be protected, and the uses will not hinder surrounding natural features.

- **Section 4.3.3 – Agriculture**



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Generally, consents in prime agricultural areas are discouraged and are only permitted for agricultural uses, provided the lots are of sufficient size to accommodate the use, agricultural-related uses, and residences surplus to a farming operation.

Section 4.3.2 of the Provincial Planning Statement states the permitted uses as the following:

1. Lot creation in prime agricultural areas is discouraged and may only be permitted in accordance with provincial guidance for:

a) agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;

b) agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;

**c) one new residential lot per farm consolidation for a residence surplus to an agricultural operation, provided that:**

- 1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and**
- 2. the planning authority ensures that new dwellings and additional residential Units are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new dwellings or additional residential units are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches that achieve the same objective; and**

d) infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

The proposal is consistent with Section 4.3.2(1) with regard to lot area and the surplus dwelling located on an overall agriculture landholding that has been merged, creating three residences on the property.

### MDS Guidelines

The MDS Guidelines and specifically Implementation Guideline #9 provides the following:

Policy Section	Policy	Compliance
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Implementation Guideline #9	<p>For a proposed severance of a residence surplus to a farming operation: 1. Where the existing dwelling to be severed and the nearby livestock facility or anaerobic digester are located on separate lots prior to the consent, an MDS I setback is not required for the consent application (or associated rezoning) unless otherwise required by a municipal official plan policy. This is because a potential odour conflict may already exist between those surrounding livestock facilities or anaerobic digesters and the existing dwelling. 2. An MDS I setback is always required for a proposed lot with an existing dwelling when prior to the consent, that dwelling is located on the same lot as an existing livestock facility or anaerobic digester and after the consent, the dwelling would be on a lot separate from that same existing livestock facility or anaerobic digester. This is because such a proposal could create a potential odour conflict as the dwelling and the livestock facility or anaerobic digester will be on separate conveyable lots if the severance is approved. This is the case regardless of how a municipality chooses to treat existing livestock facility on lots separate from the dwelling prior to the consent. 3. Where a new lot is proposed with an existing dwelling AND an existing livestock facility or anaerobic digester on it, an MDS I setback is not required for that livestock facility or anaerobic digester in accordance with Implementation Guideline #14. Refer to Figure 3 in Section 7 of this MDS Document for a drawing illustrating these three scenarios. NOTE: For severances of a residence surplus to a farming</p>	<ol style="list-style-type: none"><li>1. Acknowledged.</li><li>2. The dwelling is currently on the same lot as the barn but following the consent the dwelling will be on a separate lot. Acknowledged that MDS I is applicable.</li><li>3. Not applicable.</li></ol>
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		operation, an MDS I setback shall only be required for the newly created surplus dwelling lot and shall not be required for the remnant farm parcel nor for any associated rezonings of the severed or retained parcels.	
Guideline #43 Reducing MDS Setbacks		<p>MDS I setbacks should not be reduced except in limited site-specific circumstances that meet the intent of this MDS Document. Examples include circumstances that mitigate environmental or public health and safety impacts or avoid natural or human-made hazards.</p> <p>If deemed appropriate by a municipality, the processes by which a reduction to MDS I may be considered could include a minor variance to the local zoning by-law provisions, a site-specific zoning by-law amendment or an official plan amendment introducing a site-specific policy area.</p>	Council does have the ability to reduce MDS arcs via a minor variance or zoning by-law amendment.

The subject lands comprise an agricultural parcel with a lot area of 108.00 hectares. The lands are almost wholly agricultural lands with small portions of woodlands and a small watercourse. The owner operates a cow calf farming operation on the subject lands. The severed lands include an existing residence on site and a small amount of landscaped area surrounding the house and laneway. The overall merged lands include 2015 and 2057 Fairgrounds Road S which each include additional residences. The landowner resides at 2015 Fairgrounds Road S. The lands are surrounded by agricultural lands and are in close proximity to the Mad River Golf Course located just to the east of the subject lands. As noted above, the Amendment requests an MDS I reduction to 10 m based on the fact that the barn is not a critical livestock facility to the overall farming operation, is akin to a loafing barn with no water facilities and no manure storage, and that the barn is fenced with controlled gate access only for livestock and that the barn is only utilized by livestock on a limited basis during inclement weather.

**Conclusion: Consistency with the Provincial Planning Statement 2024 has been demonstrated.**

#### 4.3 County of Simcoe Official Plan

The subject lands are designated Agricultural and Greenlands. Section 3.6.7 (c) of the County Official Plan states the following:

“In the Agricultural designation lot creation is discouraged and may only be permitted for:



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(c) a residence surplus to a farming operation as a result of farm consolidation, provided that:

- i. the new lot will be limited to a minimum size needed to accommodate the residential use and appropriate sewage and water services, and should be an approximate size of 1 hectare; and
- ii. new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. To ensure that no new residential dwellings are permitted on the remnant parcel, municipalities may use approaches such as zoning to prohibit the development of a dwelling unit(s), and/or the municipality may enter into agreements imposed as a condition to the approval of lot creation and the agreements may be registered against the land to which it applies; or.....”

The consent proposes the creation of a surplus dwelling lot. The zoning bylaw amendment will implement the consent. The severed parcel meets the zone requirements for a surplus farm lot and in turn meets the County size requirements. The request for the MDSI is detailed above within the Provincial Planning Statement 2024 section.

**Conclusion: Conformity to the County of Simcoe Official Plan has been established.**

### 4.4 Township of Clearview Official Plan

The lands are designated Agricultural and Greenlands – Hazard Lands Area. The following are the relevant consent policies with regard to the proposal for a surplus dwelling lot. Due to the number of policies, we have created a chart for ease of reading.

#### Section 11.9.8 Lot Creation in the Agricultural Designation

The following are the relevant sections:

Policy Section	Policy	Conformance
11.9.8(9)	<b>Farm Consolidations &amp; Surplus Dwellings</b> 9. The creation of a new residential lot in the “Agricultural” designation shall only be permitted in circumstances where an existing residence has been or will be rendered surplus to a farm operation as the result of a farm consolidation.	The dwelling will be rendered surplus based on the current status of the owners’ landholdings which include 1943 Fairgrounds Road S, 2015 Fairgrounds Road S, 2057 Fairgrounds Road S plus CON 4 S PT LOT 17. Based on the inadvertent merged of these farm parcels – there are three residences on the overall agricultural landholding.
11.9.8(10)	10. The creation of a new lot for a surplus dwelling shall only be permitted if the surplus dwelling will comply with minimum distance separation (“MDS”) requirements, in circumstances where: (a) prior to the creation of the new lot, the surplus dwelling was located on the same lot as an existing livestock facility or anaerobic digester; and, (b) following the creation of the new lot, the surplus dwelling and the existing	In support of the MDS I reduction we provide the following details on the use of the barn and livestock operation:  - The owners’ overall farming operation utilizes the entirety of their landholding, which has a total of 108.00 hectares. - The main farm is considered to be 2015 Fairgrounds Road S and includes a barn. - The farming operation is a cow calf operation.



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	<p>livestock facility or anaerobic digester will be located on separate lots.</p>	<ul style="list-style-type: none"> <li>- The livestock utilizes the entirety of the site, and the pasture is primarily located in the lower lands in the east portion of 2015 Fairgrounds Road S.</li> <li>- The barn on 1943 Fairgrounds Road S has no water facilities for livestock (water systems are within the lower lands and barn at 2015 Fairgrounds Road S).</li> <li>- The barn on 1943 Fairgrounds Road S is fenced and access for livestock is controlled.</li> <li>- Historically, this barn has been used by livestock in times of inclement weather (a few times throughout winter season). The barn could be considered akin to a loafing facility, recognizing it is a barn structure and does not structurally meet the definition of a loafing barn.</li> <li>- With regard to livestock numbers – the operation typically has twenty-three (23) breeding cows, one (1) bull and ten (10) calves. There is a limited turnover a year, approximately two (2) cows leaving and calves leaving yearly.</li> <li>- We request a reduction of the MDS I arc from 130 metres to 10 metres which is measured to the rear lot line of the proposed surplus farm dwelling lot.</li> <li>- We request the reduction on the basis that the barn is not a critical livestock facility to the overall farming operation, is akin to a loafing barn with no water facilities and no manure storage, and that the barn is fenced with controlled gate access only for livestock and that the barn is only utilized by livestock on a limited basis during inclement weather.</li> </ul>
11.9.8(11)	<p>11. For the purposes of this section of the Official Plan: (a) the term “livestock facility” refers to all permanent buildings located on a lot that are intended for housing livestock and that are structurally sound and reasonably capable of housing livestock, along with all permanent storage that is structurally sound and reasonably capable of storing manure; (b) the term “existing livestock facility”</p>	<p>We concur the barn is considered a livestock facility. The barn is in good condition structurally. There is no manure storage. There is no water facility for livestock.</p>





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	includes a livestock facility, or any portion of a livestock facility, for which a building permit has been issued under the Building Code Act, 1992; and (c) the term “anaerobic digester” includes vessels and components of an anaerobic digester that do not currently operate but that have operated in the past and that continue to be structurally sound and reasonably capable of operating.	
11.9.8(12)	12. A new lot may be created for a surplus dwelling, provided that: (a) the surplus dwelling is no less than 15 years old; (b) the lot created will be limited to the minimum size needed to accommodate the surplus dwelling and associated on-site services, generally no greater than one hectare in size, subject to No. 11.9.8.13 below; (c) the remnant parcel will be large enough to function as a farm unit, and in no case will be any less than 39 hectares, except as permitted under No. 11.9.8.15 below; and (d) the other farmlands to be consolidated with the remnant parcel: (i) are owned by the same farmer or farming corporation; and (ii) are located within the Township of Clearview and within a reasonable distance of the subject lands.	(a) The dwelling is more than 15 years old. (b) The proposed lot is limited to the minimum size needed to accommodate the surplus dwelling and associated services. (c) The retained lands a total lot area of 107.23 hectares. (d) The adjacent lands are owned by the same name and are adjacent and within the Township of Clearview.
11.9.8(13)	13. The lot created for a surplus dwelling may be larger than the minimum area referred to in No. 11.9.8.12(b) above in circumstances where creating a larger lot will facilitate the preservation of a cultural heritage resource (such as a heritage barn), will allow for residential amenities (including accessory buildings or structures) or natural heritage features associated with the surplus dwelling to remain on the same lot as the dwelling, or will otherwise support the achievement of this Official Plan's objectives.	The proposed lot has a lot area of 0.768 ha and a lot frontage of 52 metres onto Fairgrounds Road South.
11.9.8(14)	14. Policy No. 11.9.8.13 shall not apply to permit the creation of a	Acknowledged.



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	larger lot to accommodate both a surplus dwelling and an existing livestock facility or anaerobic digester on the same lot for the sole purpose of avoiding the application of MDS requirements to the proposed lot creation.	
11.9.8(15)	15. Notwithstanding No. 11.9.8.12(c), a remnant parcel that is to be merged with an abutting parcel of land as part of a farm consolidation may be less than 39 hectares in area, provided that the farm lot resulting from the merger will have an area of 39 hectares or greater.	The retained lot will have a total lot area of 107.23 hectares. There are two other residences on the overall landholding.
11.9.8(16)	16. For the purposes of No. 11.9.8.12(d) above, Council or the Committee of Adjustment, as the case may be, may choose to interpret the term "reasonable distance" as referring to any distance that provides for the efficient and effective management of the consolidated farm operation as a unit.	Acknowledged.
11.9.8(17)	17. The lot created for a surplus dwelling: (a) should be rectangular or as close to rectangular in shape as possible; and (b) should not be a "keyhole" lot (meaning a lot whose shape is such that access from the road to the portion containing the dwelling is provided over a strip of land that is much narrower than the portion of the lot that contains the dwelling).	The proposed lot is rectangular.
11.9.8(18)	18. Any consent given for the purpose of creating a new lot for a surplus dwelling shall be a provisional consent subject to the condition that a site-specific amendment to the Zoning By law be approved for the purpose of prohibiting any and all residential uses on the remnant parcel.	Acknowledged.
11.9.8(19)	19. To clarify, for the purposes of Policy No. 11.9.8.18, "residential use" includes a farm dwelling, an accessory dwelling, and accommodation for full-time farm	Acknowledged. Followup of (18)



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	labour or for temporary on farm workers.	
11.9.8(20)	20. A site-specific amendment to the Zoning By-law as described in Policy No. 11.9.8.18 may be made through the passing of a minor by-law.	Acknowledged. Followup of (18)
11.9.8(21)	21. The establishment of any new residential use on the lot created for a surplus dwelling, including the establishment of an additional residential unit or a garden suite, may be permitted but shall require an MDS I setback.	Acknowledged. Consistent with (10)
11.9.8(22)	22. No certificate under Subsection 53 (42) of the Planning Act shall be issued for a consent to create a new lot for a surplus dwelling until and unless the site-specific amendment to the Zoning By-law described in Policy No. 11.9.8.18 has been approved and is in force and effect.	Acknowledged. Repeat of (18)
11.9.8.(23)	23. The applicant for a consent to create a new lot for a surplus dwelling shall be required to provide such information and material as the Township deems necessary to facilitate the review of any existing buildings and structures on the subject lands associated with, or accessory to, an agricultural use, and: (a) where such buildings are capable of being used for agricultural purposes without generating significant conflict with the surplus dwelling, a consent should only be given on the condition that the buildings be included on the lot retained; (b) if it can be demonstrated that such buildings are no longer viable for agricultural uses, a consent may be given on the condition that the buildings be safely converted to an appropriate use or be demolished; or (c) where such buildings represent a significant agricultural resource and cannot be utilized without generating conflict with the proposed residential lot, the consent application may be denied.	Acknowledged. (a) The barn is retained by the farm on the retained parcel. (b) It is not the wish of the landowner to demolish as it is in good condition and is usable. Should the MDS reduction not be approved, the owner may accept a condition to have the barn re-zoned for storage. (c) Please see Subsection (10) with regard to details of MDS I request and barn use.



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11.9.8.(24)	24. Where it has been determined that an existing building or structure is no longer viable for agricultural uses, as described in No. 11.9.8.23(b) above, and where the building or structure in question is, or could potentially be, of cultural heritage value or interest, the condition referred to in No. 11.9.8.23(b) shall require the conversion or preservation of that building or structure to the fullest practical extent.	Acknowledged. We agree that this barn should be preserved and that it would be a loss to demolish the barn. The barn is in good condition and is utilized by limited livestock during inclement weather. The barn has no water facilities and no manure storage. The barn is fenced/gated with controlled access to livestock.
11.9.8.(25)	25. The Township may require that the applicant for a consent to create a new lot for a surplus dwelling provide an agrologist's report, prepared by one or more qualified professionals, to ensure that the lot retained will be suitable for agricultural use and that the proposed lot creation will not have an adverse impact on agricultural operations in the surrounding area.	An agrology study has not been requested. The agricultural land holding is clearly an operating agricultural operation.
11.9.8.(26)	26. A consent to create a lot for a surplus dwelling will generally not be given if Council or the Committee of Adjustment, as the case may be, is of the opinion that: (a) the location of the surplus dwelling on the existing lot is such that the creation of a new lot would result in the fragmentation of the agricultural land base; (b) the creation of the new lot for the surplus dwelling would hinder or interfere with agricultural operations on the lot retained or on another property in the area, including the possible future establishment of or expansion of livestock facilities or other facilities that are required to comply with minimum distance separation formulae; or (c) the surplus dwelling is located on an existing small agricultural lot, as that term is defined in Policy No. 10.2.3.4 above, and the giving of the consent would therefore interfere with this Official Plan's goal of supporting and protecting the full range and variety of farm sizes.	Acknowledged. (a) The location of the new lot does not fragment the agricultural land base. (b) Please see Subsection (10). It remains our opinion that the new lot does not hinder agricultural operations and that the extent of use of the barn would not impede the enjoyment or use of the new lot and its amenity space. The barn has no water facilities, no manure storage and controlled access to livestock only during inclement weather times (winter). (c) The dwelling is surplus and is part of an overall large landholding.



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The Official Plan supports farm consolidations and surplus dwellings, based on an extensive number of criteria noted above. It is our opinion that the proposed consent and zoning by-law amendment conform to the Official Plan and specifically the policies related to MDSI.

**Conclusion: Conformity to the Township of Clearview Official Plan has been established.**

### 4.5 Township of Clearview Zoning By-law

The lands are zoned Agricultural (AG) and Environmental Protection (EP). The following is a zoning compliance chart with regard to the Agricultural (AG) zone as it relates to the severed, retained and amalgamated parcels.

Agricultural (AG)	Required	Severed	Retained
Minimum Lot Area	35 ha	NA	107.232 ha
Minimum Lot Frontage	100 m	NA	848 m
Minimum Front Yard	10 m	95 m	Existing
Minimum Interior Side Yard	7.5 m	15/22 m	Existing
Minimum Exterior Side Yard	10 m	NA	NA
Minimum Rear Yard	7.5 m	40 m	530 m
Maximum Lot Coverage	20%	1.9%	>1%
Maximum Height	13 m	Met/Existing	Met/Existing
Minimum Lot Area for Approved Surplus Dwelling Lot	0.3 ha	0.768 ha	NA
Minimum Lot Frontage for Approved Surplus Dwelling Lot	30 m	52 m	NA

Based on a review of the relevant provisions, the following is the proposed Amendment intent:

- To reduce the MDSI arc from a required 130 metres to 10 metres.

We would note that the Agricultural (AG-ER) zone is not necessary as the retained land includes two existing residences. Therefore, in our opinion the proposed ZBA would relate only to the reduction in MDS I while still maintaining consistency with the Provincial Planning Statement (2024), conformity with the relevant Official Plans and implementing the consent.

## 5 Conclusions

This Planning Letter has been prepared in support of applications for a Consent and Zoning By-law Amendment on the basis of a surplus dwelling lot. The Applications are in keeping with the Planning Act RSO 1990, are



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consistent with the Provincial Planning Statement, 2024, and conforms to the County of Simcoe Official Plan and Township of Clearview Official Plan and generally complies with the Township of Clearview Zoning By-law 06-54. Furthermore, it is our opinion that the applications represent good land use planning.

Yours truly,

Kristine A. Loft BES BAA MCIP RPP  
Principal

Attached:

- Figure 1 – Location
- Figure 2 – Aerial
- Figure 3 – Consent Sketch
- Figure 4 – Official Plan
- Figure 5 – Zoning By-law

Appendix  
Draft By-law  
MDSI Calculation (AgriSuite)



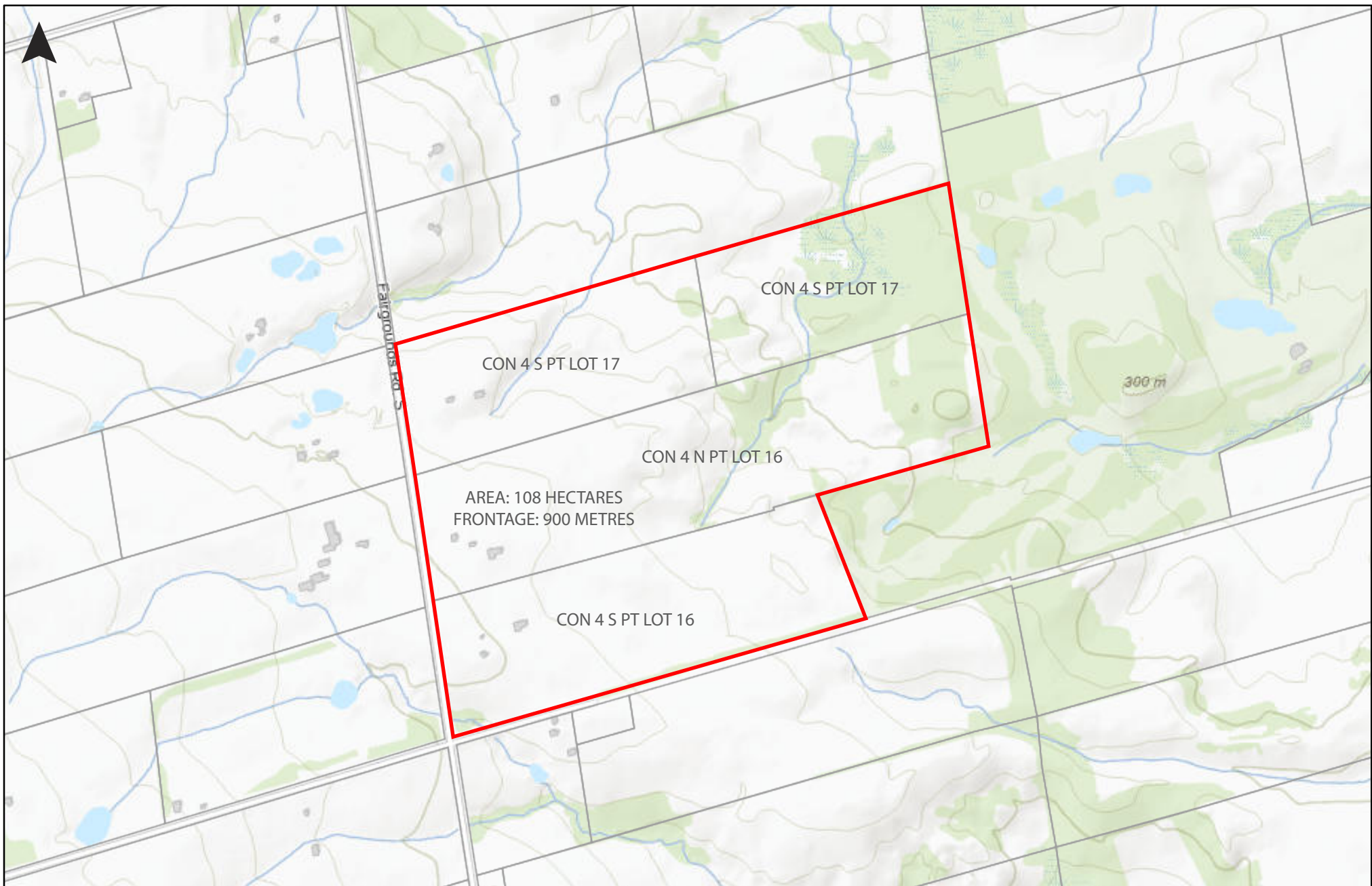


Figure 1  
Location  
1943 Fairgrounds Road S,  
2015 Fairgrounds Road S,  
2057 Fairground Road S,  
Township of Clearview

0 600  
Metres



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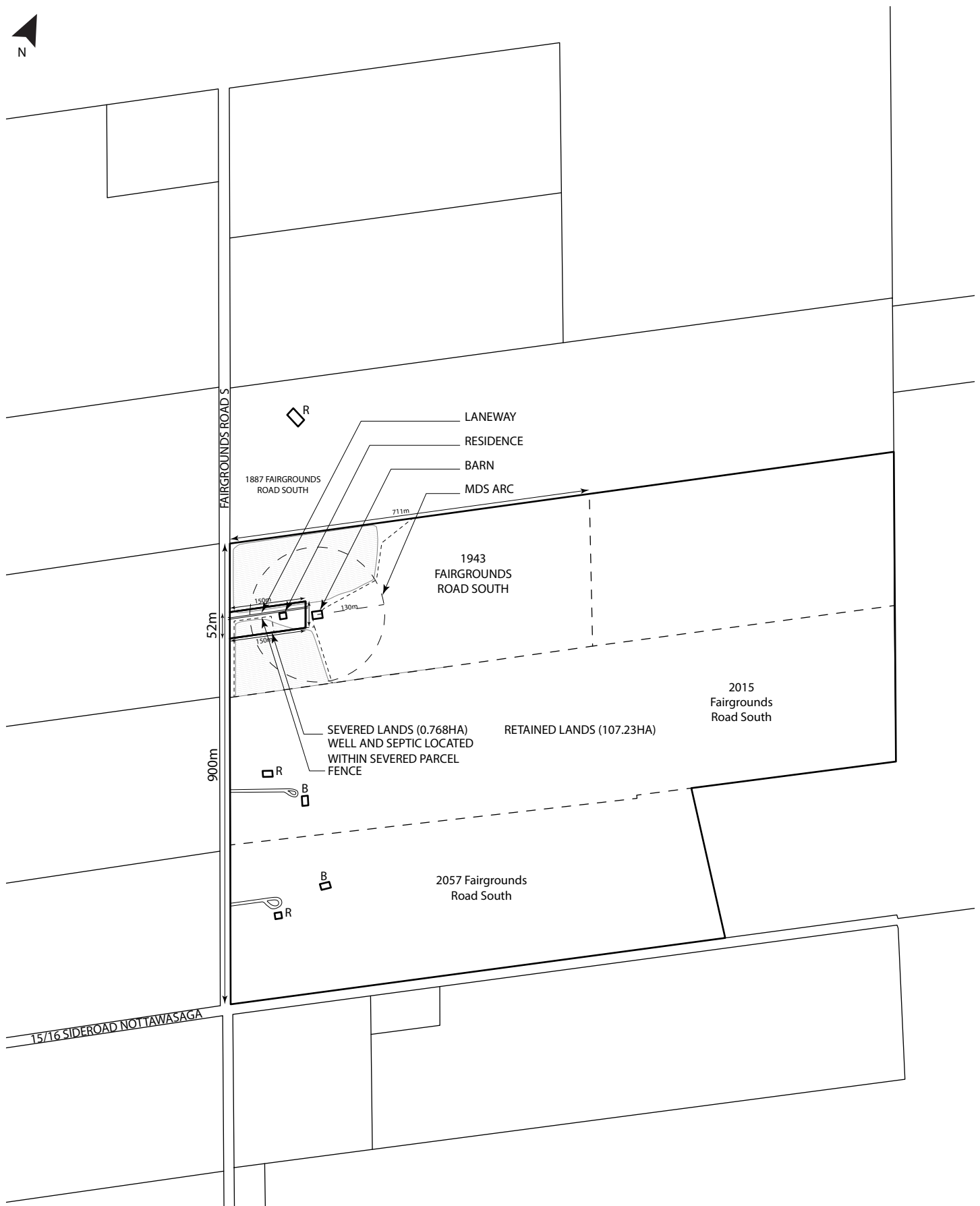


Figure 2  
Aerial  
1943 Fairgrounds Road S,  
2015 Fairgrounds Road S,  
2057 Fairgrounds Road S,  
Township of Clearview

0 600 Metres



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CONSENT SKETCH  
1:5000  
1943 FAIRGROUNDS ROAD S  
2015 FAIRGROUNDS ROAD S,  
2057 FAIRGROUNDS ROAD S,  
TOWNSHIP OF CLEARVIEW  
JULY 10, 2025



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# CONSENT SKETCH

1:5000

1943 FAIRGROUNDS ROAD S,  
2015 FAIRGROUNDS ROAD S,  
2057 FAIRGROUNDS ROAD S,  
TOWNSHIP OF CLEARVIEW  
JULY 10, 2025



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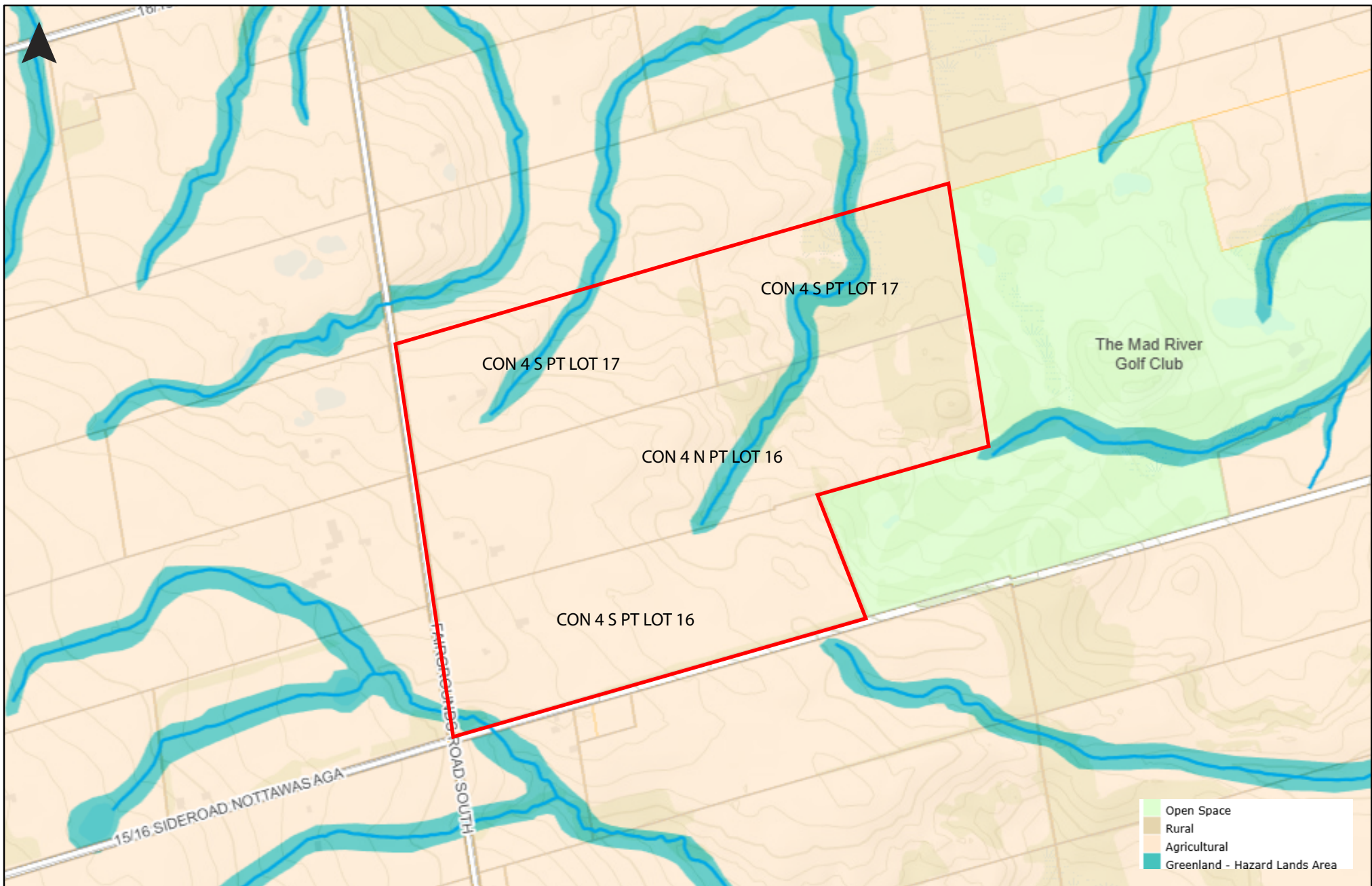


Figure 4  
 Official Plan  
 1943 Fairgrounds Road S,  
 2015 Fairgrounds Road S,  
 2057 Fairgrounds Road S,  
 Township of Clearview



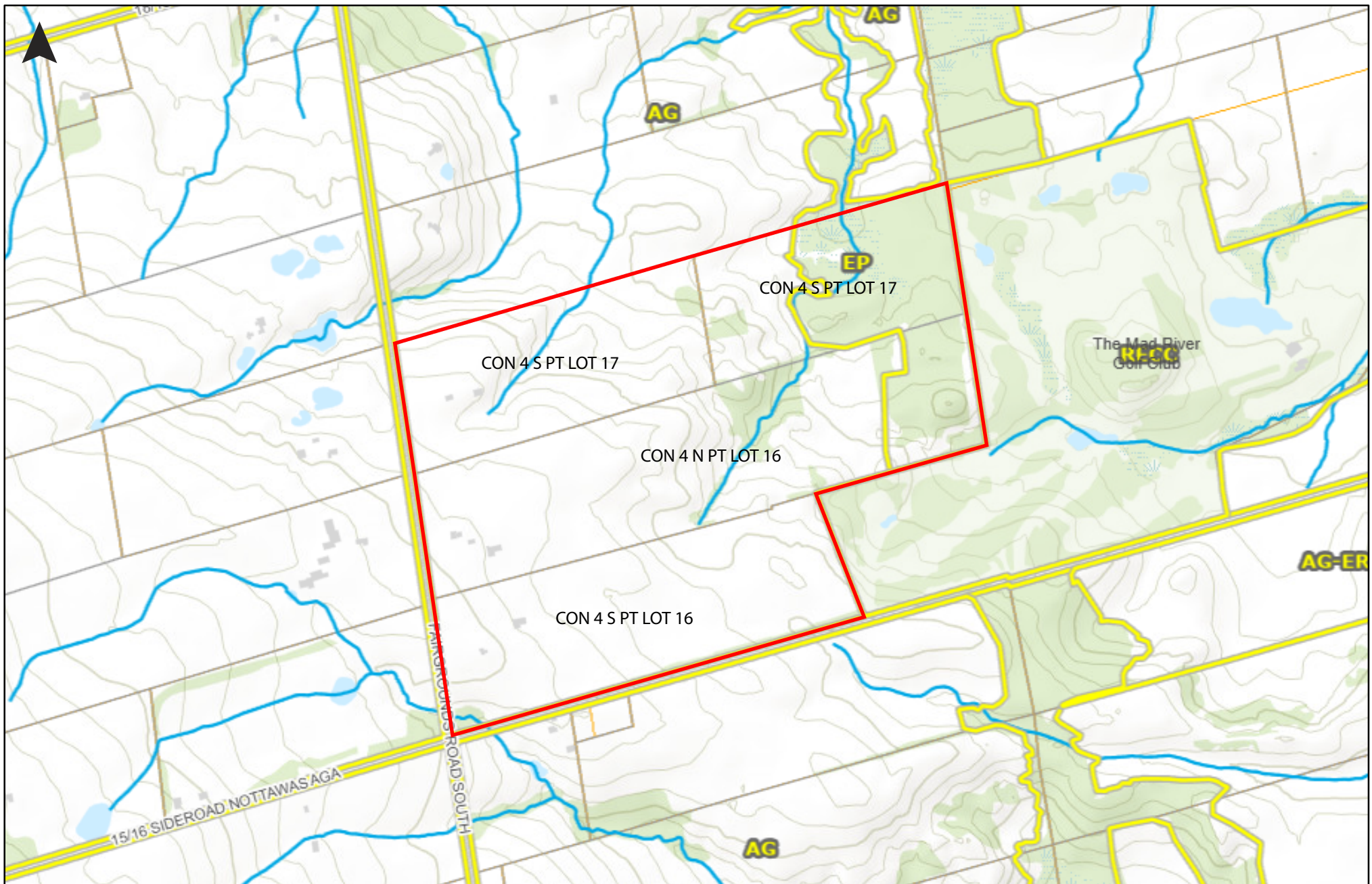


Figure 5  
 Zoning Bylaw  
 1943 Fairgrounds Road S,  
 2015 Fairgrounds Road S,  
 2057 Fairgrounds Road S,  
 Township of Clearview

0 600  
 Metres



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