

STEPHENS & CO. GLENCAIRN LTD.  
5840 COUNTY ROAD 9  
TOWNSHIP OF CLEARVIEW

ZONING BY-LAW AMENDMENT  
APPLICATION

PLANNING JUSTIFICATION REPORT

DECEMBER 19, 2025



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## 1.0 OVERVIEW

Mountain Ridge Custom Homes Inc. was retained in April 2025 by Ed Stephens, Stephens & Co. Glencairn Ltd., to provide planning services and drawings for a proposed severance of a farm surplus dwelling lot from their farm property located at 5840 County Road 9 in the Township of Clearview.

Stephens & Co. Glencairn Ltd. have been farming in Clearview Township for approximately 75 years. Their farms are made up of 11 assessed properties in Clearview that have a total of 338.3 hectares (836 acres). A majority of the farmland is located south of County Road 9 and near the 3-4 Sideroad. They own another farm in Adjala-Tosorontio (just south of Clearview) being 44.5 hectares (110 acres).

We on behalf of Mr. Stephens had submitted a Pre-Consultation Application to the Township on August 17, 2025, regarding their proposal to rezone the proposed retained farmland lot to prohibit any residential uses as required by the Township of Clearview's Official Plan for the proposed farm consolidation and severance of a farm surplus dwelling lot from their farm located at 5840 County Road 9 in Clearview Township. The retained farmland lot is proposed to be consolidated with their farm located at 2976 3/4 Sideroad in Clearview Township.

On October 7, 2025, Township staff provided a response to their Pre-Consultation application that outlined the issues, applications, and requirements for Mr. Stephens should he wish to proceed with their proposal.

The Township's Pre-Consultation Response outlined that a Zoning By-law Amendment application and Consent application was required, and the following prescribed information is required for each application in order for it to be considered a complete application.

### **ZONING BY-LAW AMENDMENT APPLICATION** (to be submitted and approved prior to the Consent Application)

1. Zoning By-law Amendment application, fee and deposit, and if required a NVCA review fee.
2. Planning Justification Brief.
3. Draft Amending Zoning By-law.
4. Detailed Site Plan of the subject property and proposed and retained lots, buildings, and services.
5. MDS Calculations.

### **CONSENT APPLICATION** (to follow the amending Zoning By-law approval)

1. Consent Application, fee and deposit, and if required a NVCA review fee.
3. Planning Justification Brief.
4. Detailed Site Plan or Draft Plan of the subject property and proposed and retained lots, buildings, and services.
5. MDS Calculations.

Since then, we had contacted the Township staff and received confirmation that the MDS Calculations will not be required since there are no livestock facilities, etc. on the subject property.

The subject property is designated "Agricultural" and zoned "Agricultural (AG)", "Environmental Protection (EP)" and "Hazard Land (Overlay (FP))" in the northwestern portion on the property. The FP (Overlay) signifies

the Nottawasaga Valley Conservation Authority's regulated area. The proposed zoning would be to rezone the retained farmland lot where it is zoned "Agricultural (AG)" to "Agricultural – Residential Use Exceptions (AG-ER)" to prohibit any future residential uses on the vacant farmland.

This Planning Justification Report is provided in support of the required Zoning By-law Amendment (ZBA). It demonstrates how the proposal is consistent with provincial planning policy, conforms to the County of Simcoe and Township of Clearview official plans, meets the provisions of the Township of Clearview Zoning By-law, and represents good planning.

## 2.0 SUBJECT PROPERTY AND SURROUNDING USES

### 2.1 SUBJECT PROPERTY

The subject property is located at **5840 County Road 9 just west of New Lowell**. The property is legally described as Concession 4, North Part of Lot 6, former Sunnidale, has approximately 650.71 metres (2134.9 feet) of frontage, 844.9 metres (2771.9 feet) in depth, and an overall area of 43.64 hectares (107.9 acres). There is an existing dwelling in the southeast corner of the farm that was built in 2000 according to MPAC property profile. The dwelling is serviced by a drilled well and private septic system in the rear yard and an existing entrance onto County Road 9. There are another two (2) existing farm entrances onto County Road 9 for the retained farmland. The balance of the land is farmed except for the treed area in the northwest portion on the property. You can see in the air photo below the location of the existing dwelling, the farmland, and treed area.

The property is currently zoned "Agricultural (AG)", "Environmental Protection (EP)" and "Hazard Land (Overlay (FP))" in Township of Clearview Zoning By-law 06-54. The property is designated 'Agricultural' in the Township of Clearview Official Plan (2024).

**Figure 1**

**KEY MAP SHOWING THE LOCATION OF THE PROPERTY** (Source: Clearview Township Interactive Mapping)





Figure 2

AIR PHOTO OF THE SUBJECT PROPERTY (Source: Clearview Township Interactive Mapping)



## 2.2 SURROUNDING LAND USES

The lands are surrounded by the following uses:

- North – agricultural;
- West - agricultural and extractive industrial;
- East - treed vacant land; and
- South - agricultural.

## 3.0 PROPOSED SEVERANCE

Stephens & Co. Glencairn Ltd. own 11 assessed farms in Clearview Township totalling 338.3 hectares (836 acres) and in Adjala-Tosorontio, just south of Clearview, they own another farm being 44.5 hectares (110 acres). Their farming operations have a total land area of 382.8 hectares (946 acres). Their farming operations are crop production and livestock.

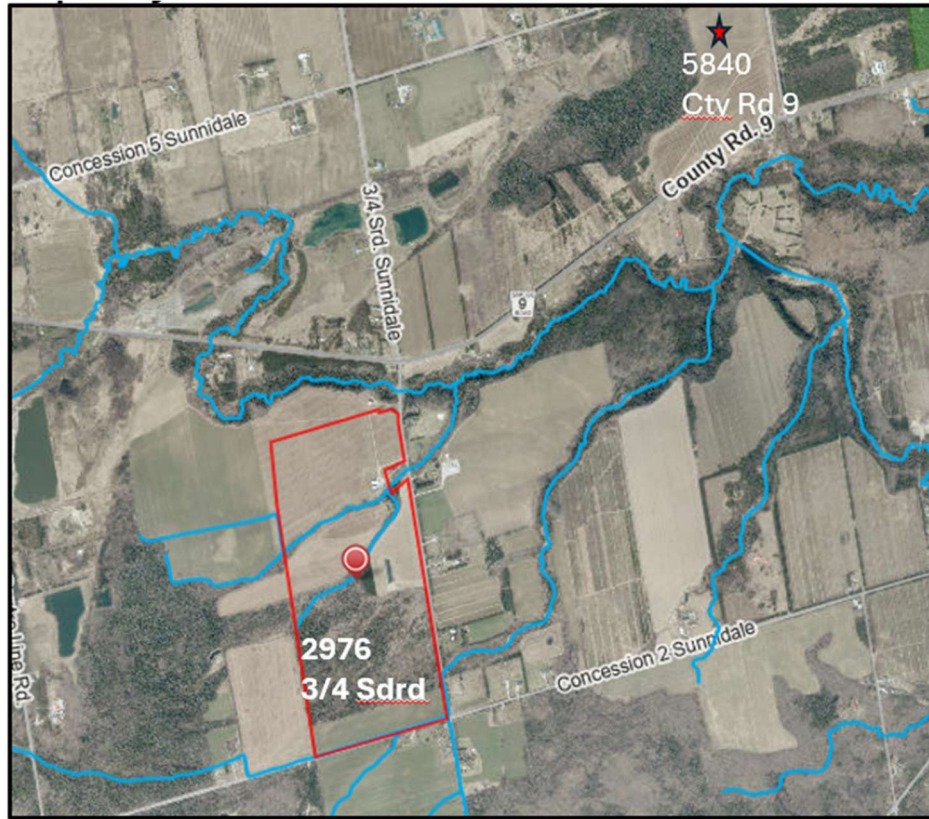
Stephens & Co. bought the subject farm on April 1, 2020, to consolidate it with their farm holdings. The existing dwelling is surplus to their farm operations, and they would like to proceed with a **consent to sever the farm surplus dwelling lot** from this farm. The retained vacant farmland lot would be consolidated with their farm located at 2976 3/4 Sideroad

in Clearview Township. This farm consists of 72.84 ha (180 acres) with farm buildings, farmland, and treed area on the southern portion. This farm is zoned “Rural (RU)”, “Environmental Protection (EP)”, and “Hazard Land (Overlay (FP))”. Figure 3 below illustrates the farm located at 2976 3/4 Sideroad and the location of the proposed retained farmland lot.

**Figure 3 – Farm Consolidation**

(Source: Clearview Interactive Mapping)

Retained Farmland Lot to be consolidated with Farm located at 2976 3/4 Sideroad in Clearview.



The proposed farm surplus dwelling lot would consist of 88 m (288.7 ft) of frontage by 60 m (196.8 ft) in depth, with an overall area of 0.55 ha (1.35 acres) with an existing dwelling built in the 2000 along with the drilled well, septic system, and driveway. The proposed use is residential.

The proposed retained farmland would consist of 562.71 m (1846.2 ft) of frontage by 844.9 m (2771.9 ft) in depth, with an overall area of 43.09 ha (106.5 acres) of vacant farmland. The proposed use is agricultural. There are two existing entrances into the retained parcel from County Road 9.

Figure 4 below is an Air Photo illustrating the subject property and the Proposed and Retained Lots.

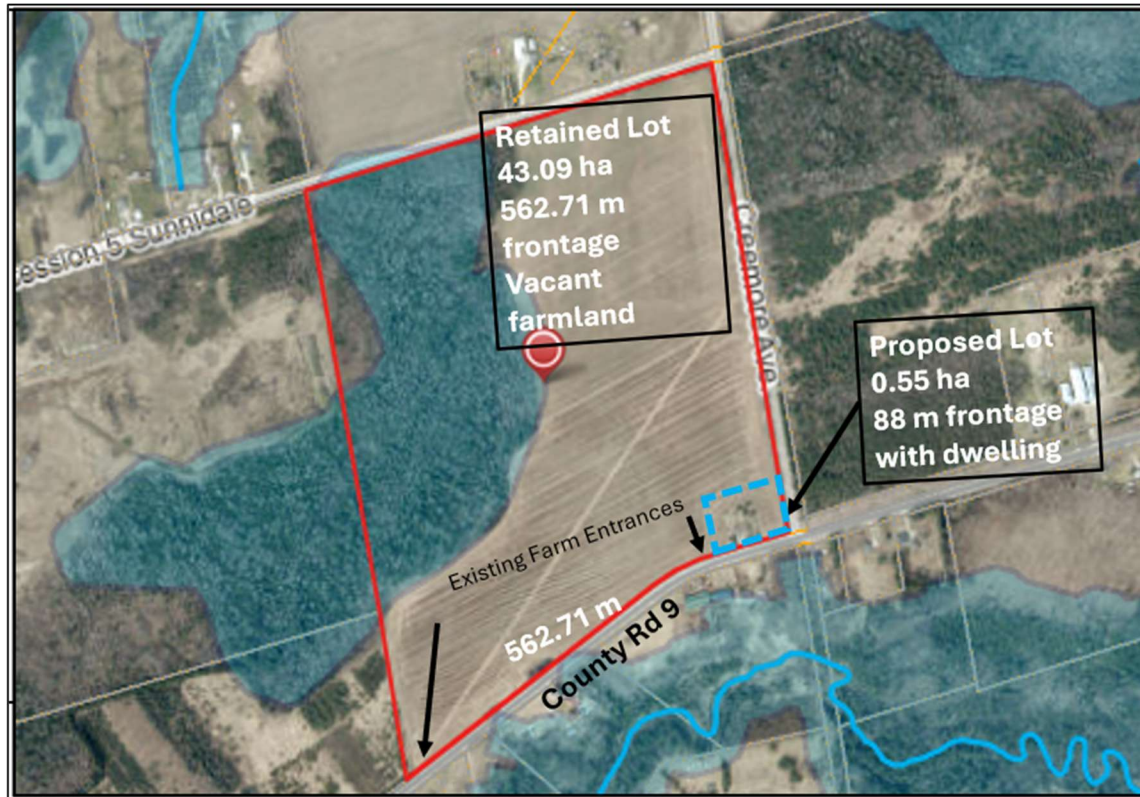
Severance drawings have been prepared by Big League Blueprints dated December 19, 2025, which are drawn to scale and have been provide with the Zoning By-law Amendment application.

Figure 5 below is the detailed severance sketch of the proposed surplus dwelling lot illustrating the dwelling, the services, the driveway, and the setbacks.



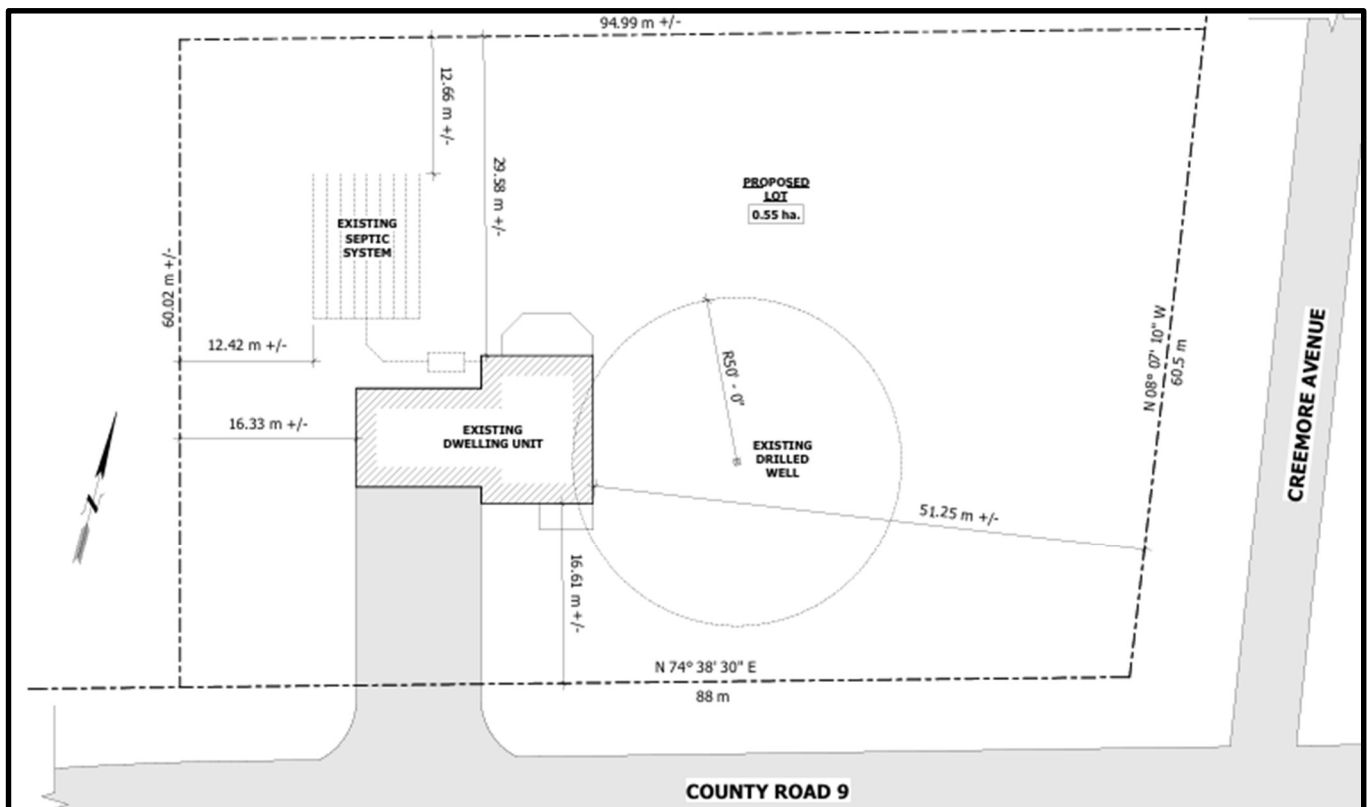
**Figure 4 – Proposed Farm Surplus Dwelling Lot and Retained Farmland Lot**

(Source: Clearview Interactive Mapping)



**Figure 5 – Severance Sketch of Proposed Farm Surplus Dwelling Lot**

(Source: Big League Blueprints prepared by Klayton Weston dated December 19, 2025)



## 4.0 ZONING BY-LAW AMENDMENT

The subject property is zoned “**Agricultural (AG)**”, “**Environmental Protection (EP)**”, and “**Hazard Land (Overlay (FP))**” which signifies the areas that are within the Nottawasaga Valley Conservation Authority’s (NVCA) regulated area in the Township of Clearview Zoning By-law 06-54 (Consolidated April 2025).

According to provincial, county, and local planning policies through a farm consolidation, where a residence is surplus to an agricultural operation, the resident is permitted to be severed from the farm what is referred to as a farm surplus dwelling lot, conditional on the retained farmland being prohibited any new dwellings and additional residential units.

According to the Township of Clearview Official Plan (2024), Section 11.9.1.11 it states as follows:

*“11. Where the giving of a consent requires an amendment to the Zoning By-law or the passing of a minor by-law, Council or the Committee of Adjustment, as the case may be:*

*(a) may direct the applicant to make an application requesting an amendment to the Zoning By-law or the passing of a minor by-law, as the case may be, and to obtain approval for that application before it will further consider the application for the consent; or*

*(b) may give a provisional consent with conditions imposed requiring the approval of the necessary amendment to the Zoning By-law or minor by-law, as the case may be.”*

Mr. Stephens was advised by the Township through the Pre-Consultation process that his proposed consent to sever a farm surplus dwelling lot would require the retained farmland to be rezoned prohibit any new residential uses.

**The Zoning By-law Amendment application has been submitted to the Township of Clearview to rezone the retained farmland lot, where it is zoned “Agricultural (AG)” to “Agricultural – Residential Use Exceptions (AG-ER)”. The “Environmental Protection (EP)” zone and “Hazard Land (Overlay (FP))” will remain unchanged.** A draft amending Zoning By-law is in Appendix A of this report.

The AG-ER zone, Section 3.1.3, states that,

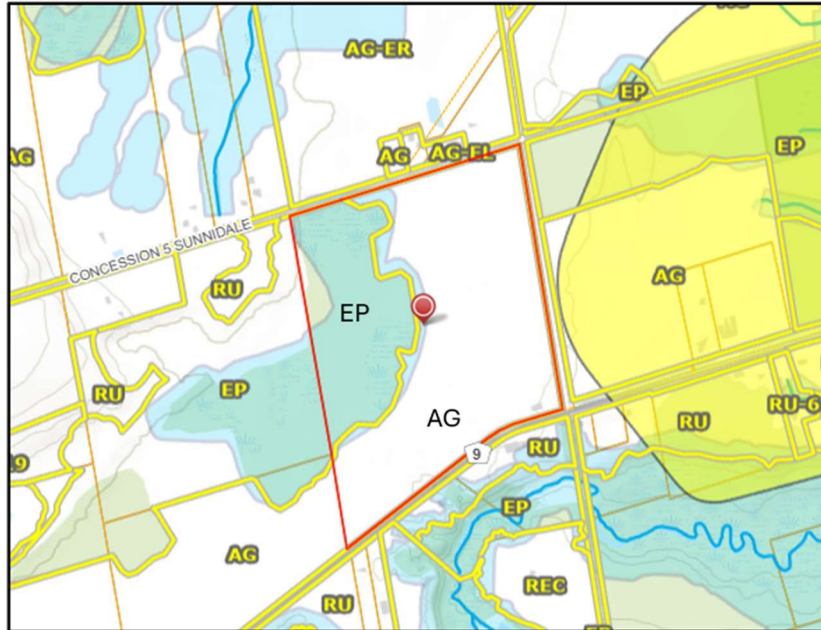
*“Notwithstanding the permitted uses of the Agricultural Zone, a single detached dwelling, farm help accommodation, an accessory dwelling unit, an accessory bed and breakfast, a garden suite, a home occupation and a home industry are prohibited uses on the following properties as identified by the symbol AG-ER on the schedules to this By-law or amendments thereto.”*

**Figure 6 below, a map illustrating the zoning on the subject property and surrounding properties.**



**Figure 6****Map of the Subject Property and Zoning***(Source: Township of Clearview Interactive Mapping)*

The property is outlined in red. The property is zoned AG – Agricultural, EP – Environmental Protection in the northwest portion of the property. The light blue highlighted areas signify these lands are within NVCA's regulated area.



The proposed lot and retained lots comply with the Zoning By-law AG zone provisions. The retained farmland lot is to be rezoned to prohibit any residential uses. The proposed lot with a dwelling will remain zoned AG which permits a single detached dwelling. The retained lot will be zoned AG-ER which permits all uses in the AG zone and just prohibits any residential uses.

Below is a Zoning Analysis setting out the AG zone provisions and confirms the compliance of the proposed and retained lots meeting the minimum lot area, frontage, and required setbacks for the dwelling.

<b>Zone Provisions – Agricultural (AG) Section 3.1.2</b>	<b>Minimum Required</b>	<b>Existing/Proposed</b>	<b>Complies Yes/No</b>
Lot Area – Retained Lot	35 ha	42.86 ha	Yes
Lot Frontage – Retained Lot	100 m	561.5 m	Yes
Lot Area – Surplus Dwelling Lot	0.3 ha	0.55 ha	Yes
Lot Frontage – Surplus Dwelling Lot	30 m	88 m	Yes
Front Yard Setback	10 m	16.61 m	Yes
Side Yard Setback	7.5 m	16.33 m W	Yes
Exterior Side Yard Setback	10 m	51.25 m E	
Rear Yard Setback	7.5 m	29.58 m	Yes
Max. Lot Coverage	20%	0.02 %	Yes – Dwelling GFA 134 sq. metres

Max. Height for Non-Agricultural Building	13 m	7 m	Yes
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## 5.0 PLANNING POLICY AND ANALYSIS

The following considers all relevant provincial, county, and municipal planning policy applicable to the proposed Consent Application and proposed Zoning By-law Amendment Application on the subject property.

### **5.1 Provincial Policy Statement (2024) (PPS)**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Its aim is to enable appropriate forms of development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

Section 3 of the Planning Act requires all decisions affecting planning matters “to be consistent with” the PPS and other policy statements issued under the Act.

The subject property is designated “Agricultural” and “Greenlands” on the County of Simcoe Official Plan Schedule 5.1, Land Use Designations. There is no development proposed on the lands in the “Greenlands” designation. The proposed consent is on lands in the “Agricultural” designation; therefore, it is the “Agricultural” policies of the PPS that are relevant to this proposed rezoning and consent.

**PPS Section 4.3.1, General Policies for Agriculture**, states,

*“1. Planning authorities are required to use an agricultural system approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the agri-food network.”*

**PPS Section 4.3.2, Permitted Uses**, states,

*“2. In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.”*

*“4. A principal dwelling associated with an agricultural operation shall be permitted in prime agricultural areas as an agricultural use, in accordance with provincial guidance, except where prohibited in accordance with policy 4.3.3.1.c).”*

**Section 4.3.3, Lot Creation and Lot Adjustments**, states

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

*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;"*

The proposal is to sever a farm surplus dwelling, that is surplus to the Stephens farm operations needs, and to consolidate the retained farmland with their farmland located at 2976 3/4 Sideroad. This proposed consent is permitted by the PPS policies. This proposed Zoning By-law Amendment application is to rezone the remnant parcel of farmland created by the severance to prohibit any new dwellings and additional residential units or uses as required by the PPS policies.

In my professional opinion the proposed zoning by-law amendment is consistent with the PPS policies as the policies permit the severance of a farm surplus dwelling lot from the subject property providing the retained farmland parcel is prohibited any residential uses.

## **5.2 County of Simcoe Official Plan (Consolidated February 2023)**

The policies of the County of Simcoe Official Plan provide a policy context for land use planning taking into consideration the economic, social, and environmental impacts of land use and development decisions. The Plan applies to the sixteen Towns and Townships, the local municipalities, within the County of which Clearview Township is included. A zoning by-law amendment must conform to the policies of the County Plan.

The subject property is designated "Agricultural" and "Greenlands" on the County OP Schedule 5.1. As mentioned above, there is no development proposed on the lands in the "Greenlands" designation, therefore the "Agricultural" policies are the relevant policies to be reviewed for conformity with the County OP.

**County OP Section 3.6, Agricultural**, states the objectives are,

***"3.6.2 To enable the agricultural industry to function effectively in prime agricultural areas by minimizing conflicting and competing uses while accommodating uses and facilities which support the agricultural economy in accordance with the Planning Act and the Farm Practices Protection Act and its successors.***

***"3.6.3 To ensure the availability and sustainability of prime agricultural areas for long-term use for agriculture and support a diversified agricultural economy."***

***"3.6.4 To promote a sustainable local food system that enhances opportunities for food, agriculture and agriculture-related businesses and/or producers to deliver products locally."***

***"3.6.6 Permitted uses within the Agricultural designation are agricultural uses, agriculture related uses (PPS 2014), processing of agricultural products, on-farm diversified uses, natural heritage conservation and forestry, mineral aggregate operations subject to Section 4.4, and agricultural produce sales outlets generally marketing production from the local area."***

***"3.6.7 In the Agricultural designation lot creation is discouraged and may only be permitted for:***

***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.”*

The County of Simcoe Official Plan “Agricultural” policies are very similar to the PPS “Agricultural” policies. They both permit the severance of a residence surplus to a farming operation as a result of farm consolidation providing the remnant parcel of farmland is prohibited any dwelling units. The County policies also require the surplus dwelling lot to be limited in size to approximately 1 hectare.

The County of Simcoe Official Plan objectives is to protect and enable the agricultural industry to function effectively and to ensure the availability and sustainability of the prime agricultural areas for long-term use.

The policies permit and promote the continued growth of the agricultural industries. The policies intend to assist farmers to do this by permitting them to sever off a dwelling surplus to their needs and retain the farmland to expand their farming operations. It then allows the farmland to continue to be productive without any additional residential dwelling units being created in the prime agricultural areas.

It is in my professional opinion the proposed consent to sever a residence surplus to a farming operation as a result of farm consolidation is permitted according to the policies in the County of Simcoe’s Official Plan. The proposed ZBA to rezone the remnant parcel of farmland to prohibit any dwelling units conforms with the County OP as the policies require it to allow for the consent.

### **5.3 Township of Clearview Official Plan (2024)**

The subject property is designated “Agricultural”, in the Township of Clearview Official Plan.

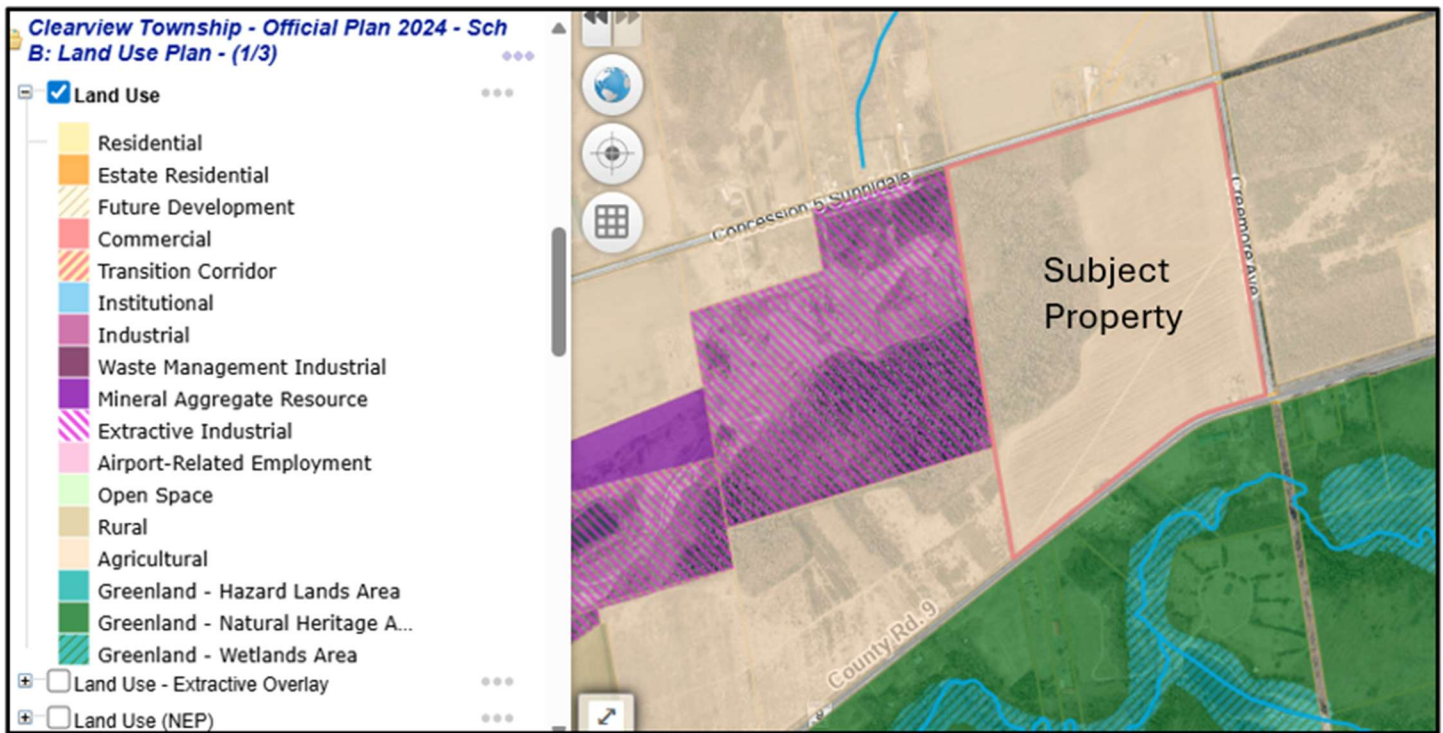


**Figure 7**

**Township of Clearview Official Plan Schedule B Land Use Plan**

Subject Property is Designated Agricultural

(Source: Township of Clearview Interactive Mapping)



**Section 3.1, Rural & Agricultural Lands, Goals & Principles, states,**

- "1. Ensure agriculture remains the core component of the Township's economy and a prominent feature of the rural landscape.*
- 2. Support the continuation of agricultural uses and uses related to agriculture while protecting prime agricultural areas from encroachment by incompatible land uses.*
- 3. Maintain the continuity of agricultural lands and avoid fragmentation of the rural land base.*
- 4. Promote and provide for a full range of sizes and scales for farm operations.*
- 6. Promote the diversity and viability of rural economic activities while preserving and maintaining the predominantly agricultural character of the countryside."*

**Section 3.3.1, Agricultural Uses (Primary Uses), states,**

- "1. This Official Plan intends for agricultural uses to be and remain the predominant land uses within the "Agricultural" designation, and intends for agricultural uses of all types, sizes, and intensities, and all normal farm practices, to be promoted and protected in that designation."*

**Section 3.3.6, Lot Creation, states,**

- "One main goal of the policies in this section of the Official Plan is to **maintain and preserve agriculturally viable farm units operating within the Township's historical agricultural community.** For this reason, the*

creation of new lots in the “Agricultural” designation, including new lots for agricultural and agricultural-related uses, will be discouraged as a general principle.”

**“4. The creation of a new residential lot in the “Agricultural” designation:**

**(a) shall only be permitted in circumstances where an existing residence has been rendered surplus to a farm operation as the result of a farm consolidation; and**

**(b) shall only occur in accordance with the applicable policies in Section 11.9.8 of this Official Plan.”**

**Section 11.9.8, Lot Creation in the “Agricultural” Designation, states,**

**“Lot creation in the “Agricultural” designation is generally discouraged and shall only be permitted in accordance with the policies in this section of the Official Plan.”**

#### **Farm Consolidations & Surplus Dwellings**

**“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.”**

**“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 livestock facility or anaerobic digester will be located on separate lots.”**

**“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.”**

**“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.”**

**“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).”

“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.**”

“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 labour or for temporary on farm workers.”

“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.”

“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.**”

“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:**”

“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.”

The Stephens proposed consent is permitted by the Clearview OP policies since the **existing farm dwelling** on the subject farm is surplus to their farm operation needs. The **remnant parcel of farmland will be consolidated (registered into the same name) with their farm located at 2976 3/4 Sideroad. The remnant parcel of farmland is being rezoned to prohibit any residential uses.**

The proposed farm surplus dwelling lot has an **existing dwelling that was built in 2000** and meets the policy for **the dwelling to be more than 15 years old**. A copy of the property information from MPAC indicates the dwelling was built in 2000. This information was provided to the Township with the ZBA application.

The lot has been kept to a minimum and includes all of the services, ie. drilled well, septic system, driveway. **The lot is proposed to be 0.55 hectare in size and conforms with the policies for it to be limited to 1 hectare and it is rectangular in shape.**

The MDS1 is only required for a surplus dwelling lot severance if a new situation is being created between a residential use and a livestock facility anaerobic digester on the farm. This is noted in the Official Plan policies, in Clearview's Zoning By-law, and in the MDS Guidelines. There are no livestock facilities or anaerobic digester on the subject farm **so no MDS1 Calculation is required for this proposed consent.**

The proposed **retained farmland lot is proposed to be 43.09 hectares in size** and conforms to the size criteria to be **no less than 39 hectares.**

**The proposed retained farmland lot is to be consolidated with the Stephens farm located at 2976 3/4 Sideroad which is within Clearview Township and within reasonable distance to the retained lot.**

The policies require **the other farmland to be consolidated with the remnant parcel to be located in Clearview Township and within a reasonable distance of the subject lands.** The Stephens have been farming in Clearview Township for over 75 years. They currently own 11 farms in Clearview Township as part of the farm operations for crop production. Many of the farms are located in Clearview south of County Road 9 and near the 3/4 Sideroad.

It is in my professional opinion the proposed consent to sever a surplus farm dwelling lot from the subject property and for the retained farmland lot to be consolidated (registered into the same name) as the farm located at 2976 3/4 Sideroad complies with the Clearview Official Plan policies. The ZBA application to rezoning the remnant farmland lot from Agricultural (AG) to Agricultural – Residential Use Exceptions (AG-ER) which permits all agricultural uses and prohibits residential uses will implement and conform to the OP policies.

## 6.0 CONCLUSION

One main goal of the Agricultural policies in the Clearview Official Plan is to maintain and preserve agriculturally viable farm units operating within the Township's historical agricultural community. The Agricultural policies have continued to support the farmers needs to continue to grow their farm operations to be sustainable and viable farms and to allow the farmer through farm consolidations to sever off the surplus dwelling on a separated lot. One of Clearview's largest industries is agricultural.

The Stephens have been farming in Clearview Township for approximately 75 years. Their farm operations include livestock farms and crop production. They have continued to grow their operation to sustain its viability. They currently own 11 farms in Clearview Township and another farm in Adjala-Tosorontio just south of Clearview. Many of their farms are located south of County Road 9 near the 3/4 Sideroad in Clearview.

The proposed consent will sever the surplus dwelling and its services on a 0.55 hectare lot and the retained farmland lot will be 43.09 hectares. It is my professional opinion that the proposed consent is consistent with the PPS, and conforms to the County and Clearview Official Plan policies as outlined above in this report. The policies state a surplus dwelling lot severance shall be conditional on the retained farmland being prohibited any residential uses.



The proposed Zoning By-law Amendment is implementing the planning policies to prohibit any residential uses on the retained farmland lot. The retained farmland zoning will change from Agricultural (AG) to Agricultural – Residential Use Exceptions (AG-ER) to prohibit a single detached dwelling, farm help accommodation, an accessory dwelling unit, an accessory bed and breakfast, a garden suite, a home occupation, and a home industry.

The proposed applications represent good planning as the development will protect prime agricultural areas for agricultural production and enable viable farm operations to continue to grow.

On behalf of the Owners, we respectfully request the Council of the Township of Clearview to look favourably on their request.

Respectfully,

*Marie Leroux*

Marie Leroux, MCIP RPP  
Land Use Planner  
Mountain Ridge Custom Homes Inc.  
705-718-4313 cell

## APPENDIX “A”

### Draft Amending Zoning By-law

By-law Number 25-XX

The Corporation of the Township of Clearview

Being a By-law to regulate the use of land and the character, location and use of buildings and structures on the retained lot on lands municipally known as 5840 County Road 9, and legally described as CON 4 N PT LOT 6, formerly Sunnidale Township, now in the Township of Clearview

(Zoning By-law Amendment – 5840 County Road 9)

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**Whereas** pursuant to Section 34 of the Planning Act R.S.O., 1990, c.P.13, as amended, Council of the Corporation of the Township of Clearview has passed By-law 06-54 being the comprehensive Zoning By-law for the Township of Clearview;

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

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

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

1. That Schedule 'A2' of Zoning By-law 06-54 is hereby amended by changing the zoning on the retained lot on lands located at 5840 County Road 9, being CON 4 N PT LOT 6, formerly Sunnidale, now in the Township of Clearview, from Agricultural (AG) Zone to the Agricultural – Residential Use Exceptions (AG-ER) as shown on Schedule “1” attached to this by-law.
2. That all other provisions of By-law 06-54, as amended, which are not inconsistent with the provisions of this By-law, shall continue to apply when the By-law comes into effect.
3. This By-law shall come into force and take effect in accordance with the provisions of the Planning Act R.S.O, 1990 c. P.13.

By-law Number 25-XX read a first, second and third time and finally passed this    day of  
 , 2025.

## APPENDIX "B"

### Picture of the Existing Dwelling looking north

