

By-law Number 26-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 lands municipally known as 7535 Highway 26 and PIN 58239 - 0450, formerly Nottawasaga, now in the Township of Clearview.

(Zoning By-law Amendment – 7535 Highway 26 and PIN 58239 - 0450)

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

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

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

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

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

1. That Schedule 'B4' of Zoning By-law 06-54 is hereby amended by changing the zoning on the lands located at 7535 Highway 26 and PIN 58239 - 0450, formerly Nottawasaga, now in the Township of Clearview, from 'Development Area (DA)', 'Development Area Exception 2 (DA-2)', 'Environmental Protection (EP)', and 'Residential Large Lot (RS1)' to 'Residential Multiple Low Density Exception (RS3-XX)', 'Residential Multiple Low Density Exception Hold (RS3-XX(H))', 'Residential Multiple Low Density Exception (RS3-XXX)', 'Residential Multiple Medium Density Exception (RS5-XX)', 'Institutional Exception (IN-XX)', 'Stormwater Management Facilities (SM)', 'Environmental Protection (EP)', and 'Recreation Lands (REC)', as shown on Schedule '1' attached hereto and forming part of this By-law.

2. That Section 3.11.4 "Residential Multiple Low Density Zone Exceptions" be amended by the addition of the following zone exceptions:

"RS3-XX

Notwithstanding Subsections 3.11.1, 3.11.2, 3.11.3 and Section 2.0 General Provisions of By-law 06-54, the following applies to lands zoned RS3-XX,

PRIMARY USES

- Duplex dwelling;
- Single-detached dwelling;

- Semi-detached dwelling.

ACCESSORY USES

- Accessory dwelling unit in a single detached dwelling only;
- Bed and breakfast;
- Home occupation.

SINGLE-DETACHED AND SEMI-DETACHED DWELLING ZONE PROVISIONS

- a) Specific standards based on lot types (bold text represents provisions where site specific exceptions are required from the base zoning permission)

Lot Type	Single-Detached Lots	Single-Detached Lots (shallow lot)	Semi-Detached Lots
Minimum Lot Frontage	11.3 metres	12.5 metres	7.6 metres
Minimum Lot Area	335 square metres	260 square metres	230 square metres
Maximum Lot Coverage (including decks and accessory buildings over 10 square metres)	50 percent (corner lot)	50 percent (corner lot)	60 percent (corner lot)
	55 percent (interior lot)	55 percent (interior lot)	60 percent (interior lot)
Minimum Front Yard	4.5 metres to habitable portion of dwelling, 6 metres to garage, 0 metres to daylight triangle	4.0 metres to habitable portion of dwelling, 6 metres to garage, 0 metres to daylight triangle	5.5 metres to habitable portion of dwelling, 6 metres to garage, 0 metres to daylight triangle
Minimum Rear Yard	6 metres	4 metres	6.0 metres
Minimum Interior Side Yard	0.6 m on side adjacent garage, 1.2 m on other side	0.6 m on side adjacent garage, 1.2 m on other side	1.2 m on exterior walls and 0 m on shared walls
Minimum Exterior Side Yard	4.0 metres	4 metres	4.0 metres
Maximum Driveway Width	40 percent of lot frontage (corner	40 percent of lot frontage (corner	44 percent of lot frontage

	lots)	lots)	
	51 percent of lot frontage (interior lots)	40 percent of lot frontage (interior lots)	
Maximum Driveway Coverage	47 percent of front yard area (corner lots)	45 percent of front yard area (corner lots)	45 percent of front yard area
	52 percent of front yard area (interior lots)	45 percent of front yard area (interior lots)	
Minimum Driveway Setback to Interior Side or Rear Lot Line	0.6 metres	0.6 metres	1.0 metre, or 0 metres if driveways are shared
Minimum Driveway Setback to Intersection	4.0 metres (to start of daylight triangle)	4.0 metres (to start of daylight triangle)	4.0 metres (to start of daylight triangle)
Maximum Height of Principal Buildings and Structures	12.0 metres	12.0 metres	12.0 metres

3. That Section 3.13.3 “Residential Multiple Medium Density Zone Exceptions” be amended by the addition of the following zone exceptions:

“RS5-XX

Notwithstanding Subsections 3.13.1, 3.13.2, and Section 2.0 General Provisions of By-law 06-54, the following applies to lands zoned RS5-XX,

PRIMARY USES

- Townhouse of up to ten (10) units per building;
- Two storey apartment dwelling of up to ten (10) units per building.

ACCESSORY USES

- Home occupation.

TOWNHOUSE DWELLING ZONE PROVISIONS

- a) Specific standards based on lot types (bold text represents provisions where site specific exceptions are required from the base zoning permission)

Lot Type	Interior Unit Townhouse Lot	End Unit Townhouse Lot	Corner Unit Townhouse Lot
Minimum Lot Frontage	6.0 metres	6.1 metres	6.1 metres
Minimum Lot Area	178 square metres	200 square metres	200 square metres
Maximum Lot Coverage (including decks and accessory buildings over 10 square metres)	68 percent	53 percent	50 percent
Minimum Front Yard	5.0 metres to habitable portion of dwelling, 6.0 metres to garage	4.8 metres to habitable portion of dwelling, 6.0 metres to garage	5.0 metres to habitable portion of dwelling, 6.0 metres to garage, 0 metres to daylight triangle
Minimum Rear Yard	6 metres	6 metres	6 metres
Minimum Interior Side Yard	N/A	2.0 metres on exterior walls and 0 metres on shared walls	N/A
Minimum Exterior Side Yard	N/A	N/A	6.0 metres
Maximum Driveway Width	50 percent of lot frontage	50 percent of lot frontage	50 percent of lot frontage
Maximum Driveway Coverage	50 percent of front yard area	50 percent of front yard area	50 percent of front yard area
Minimum Driveway Setback to Interior Side Lot Line	0 metres	0 metres	0 metres
Minimum Driveway Setback to Intersection	N/A	N/A	6.0 metres (to start of daylight triangle)

Maximum Height of Principal Buildings or Structures	12.0 metres	12.0 metres	12.0 metres
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4. Notwithstanding Section 2.28 of By-law 06-54, no residential dwelling shall be located closer than 10.0 m from the top or toe of a slope having a grade of 3:1 or steeper. No accessory building or structure shall be located closer than 5.2 m from the top or toe of a slope having a grade of 3:1 or steeper.

5. That Section 2.0 General Provisions of By-law 06-54 is hereby amended to establish Table 2: General Provisions – Encroachments, for all lands zoned RS3-XX and RS5-XX within the subdivision plan:

Table 2: General Provisions: Encroachments (bold text represents provisions where site specific exceptions are required from the base zoning permission)

Feature	Minimum Setback or Maximum Projection
Architectural Elements (i.e. cornices, windowsills, bay or boxed out windows with or without foundations)	Maximum projection of 0.6 metres into any yard, but no closer than 0.3 metres to any interior side lot line
Steps, stairs and landings (sized maximum 1.2 metres in width and depth) used to access a building or an accessibility ramp	No closer than 0.6 metres to any front, exterior side or rear lot line, 0.3 metres to any interior side lot line
Steps to a porch or deck	No closer than 1.2 metres to any front, exterior side or rear lot line
Porches and decks less than 2.0 metres above the lowest grade	No closer than 2.2 metres to the front and exterior side lot line, 0.75 metres to the interior side yard lot line, and 2.0 metres to the rear lot line
Roof eaves and balconies higher than 2.0 metres above grade	No closer than 0.3 metres to any lot line
Mechanical Equipment	No closer than 4.0 metres to the front lot line, 3.0 metres to the exterior side lot line, 1.2 metres to the interior side lot line, and 3.0 metres to the rear lot line
Window or through wall air conditioner	No closer than 3.0 metres to the front, rear and exterior side lot line, and 0.6 metres to the interior side lot line

6. That the Removal of the Hold (H) Symbol for lands zoned RS3-XX(H) shall not be permitted until the following requirements have been met:

1. The lands are joined with the abutting lands to the north to form functional residential lots to the satisfaction of the Township.

7. "RS3-XXX

That the provisions of this By-law and the RS3-XX Zone also apply to lands zoned RS3-XXX, except that lands zoned RS3-XXX are additionally permitted a minimum exterior side yard setback of 3.5 metres.

8. That Section 3.16.3 "Institutional Zone Exceptions" be amended by the addition of the following zone exception:

"IN-XX

Notwithstanding Subsections 3.16.1, the following applies to lands zoned IN-XX,

PRIMARY USES

- Uses listed in Section 3.16.1; and,
- Uses permitted in the RS3-XX and RS5-XX Zones, in which case the zone standards of this By-law apply.

9. DEFINITIONS

"Shallow Lot" means any single-detached dwelling lot with a lot depth of 23 metres or less. Lot depth shall be measured along the shortest interior side lot line.

"Lot Frontage" means the horizontal distance between the side lot lines measured 8 metres back from the front lot line.

"Front Yard Area" means an area extending the full width of a lot, measured from the front lot line to a depth equal to the closest part of a building or structure.

"Lot Coverage" means the percentage of the lot covered by all buildings or structures, except that covered front porches attached to the principal building shall not count towards lot coverage.

"Daylight Triangle" means a triangular area within a street, which is adjacent to a corner lot, and formed by a straight line connecting a point along the front lot line and a point along the exterior side lot line, each point a prescribed distance from the projected point of intersection of the lot lines.

The prescribed distance shall be informed by the Township of Clearview Engineering Standards.

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For the purpose of zoning interpretation, the lot line created by way of a daylight triangle shall be deemed to form part of the front lot line but is not a front lot line in itself.

Where the front and exterior side lot lines meet on a curve rather than intersect at a point, the curved lot line shall be considered a daylight triangle.

10. That all other provisions of By-law 06-54, as amended, shall continue to apply.

11. 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 26-XX read a first, second and third time and finally passed this ____ day of 2026.

Douglas Measures, Mayor

Sasha Helmkey, Director of Legislative Services/Clerk