



CLEARVIEW

ZONING BY-LAW AMENDMENT NOTICE OF PASSING

The Decision:

In consideration of all written and oral submissions made relating to the subject Zoning By-law Amendment, the Township of Clearview Council has made a decision regarding an application to amend Comprehensive Zoning By-law 06-54. The amendment has been considered under the requirements of the *Planning Act RSO 1990 c.P.13* and applicable regulations. The purpose of this notice is to make you aware of Council's decision on the matter.

Date of Passing: Monday March 04, 2019

By-law No.: 19-09

Last Date of Appeal: Wednesday April 03, 2019

The Proposal:

Project No.: 2017-067

The Zoning By-law is a statutory document that sets out the specific permitted land uses and development standards that apply to properties in the Township of Clearview.

The Zoning By-law was passed in 2006 and is generally amended each year in order to make sure that it is as accurate and up-to-date as possible. The purpose of the proposed housekeeping amendment is to simplify wording and clarify the intent of ambiguous provisions and has the following effect:

General:

- Cleans up the Interpretation and General Provisions section to make the By-law more concise and defensible.
- Combines the encroachments section of the general provisions into one chart to make it more user friendly.
- Removes policy provisions that do not belong in a Zoning By-law.

Agricultural and Rural Zones:

- Allows Rural Zones over 2 hectares to have the same accessory building provisions as the Agricultural Zone.
- Reduces the side yard setback for accessory buildings under 10% lot coverage to 1.2 meters for lots under 2 hectares.

Residential Zones:

- Reduces the lot coverage provisions as they are not consistent with the surrounding municipalities and not consistent with the small town character of Clearview.
- Increases the side yard setback where it is 1.1 m to 1.2 m to be consistent with the Building Code that would otherwise require additional fire prevention construction.
- Adds dwelling unit area minimums, noting accessory dwelling unit area minimums are already in the By-law.
- Increases the front yard requirement for townhouses from 6 meters to 8 meters to reduce parking conflicts on these smaller frontages.

Commercial and Industrial Zones:

- Updates the Large Format Commercial zone with permitted uses commonly used in the By-law.
- Deletes the County Commercial (C6) zone as it is outdated and rezone the two affected properties appropriately.

Commercial Transition Zones:

- Updates the Commercial Transition Zones to permit the mixed use of residential, bed and breakfasts, home occupations and commercial uses with the intent to encourage the retention the existing and heritage dwellings to bookcase the downtowns of Stayner and Creemore to maintain their small town character, versus the demolition of these dwellings in favour of commercial plazas..



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Definitions:

- Cleans up the definitions within the By-law by ensuring consistent use of terms.
- Adds a Short Term Accommodation definition that is consistent with other municipalities.
- Updates the definition for commercial self-storage to ensure that this use is located within a building and not a portable storage container to ensure the fair application of development charges and taxation.

Miscellaneous

- Provides the use of portable moving containers (not shipping containers) for a legitimate moving company on a temporary basis, being no more than 5 days, at a residential location to enable to self packing of persons moving.

Site Specific Amendments proposed:

- Part of Lot 25, Concession 3, formerly Nottawasaga, from the Recreational Trail (RECT) Zone to the Development (DA) Zone as the RECT zone is being removed from the By-law and this is the only location in the Township where it is used.
- 3996 and 4002 County Road 124, formerly Nottawasaga, now in the Township of Clearview, from the Country Commercial (C6) Zone to the Residential Hamlet (RS) Zone as the Country Commercial (C6) Zone is being removed from the By-law and the RS zone is the zone of the surrounding properties.
- 5192 County Road 9, formerly Sunnidale, from the General Commercial (C1) Zone to the Residential Large Lot (RS1) Zone to remove the drafting error and permit the existing dwelling.
- West half of 9000 County Road 91, formerly Nottawasaga, from the Institutional (IN) Zone to the Residential Hamlet (RS) Zone to correct the drafting error and bring the whole of the lot into the correct zone.
- 2385 Riverside Drive, 2445 Riverside Drive, 2541 Riverside Drive and 2371 Concession 6, formerly Nottawasaga; 7123 36/37 Sideroad, formerly Nottawasaga, and 1836 County Road 7, formerly Sunnidale from the Environmental Protection (EP) Zone to the Rural (RU) Zone to legalize the existing legal non-conforming dwellings and accessory buildings.
- 1836 County Road 7, formerly Sunnidale, from the Environmental Protection (EP) Zone to the Rural (RU) Zone to recognize the existing dwelling.
- 2292 3/4 Side Road, Sunnidale from the Environmental Protection (EP) Zone to the Agricultural (AG) Zone to legalize the existing legal non-conforming barns.
- 9593 County Road 10, Sunnidale from the Environmental Protection (EP) Zone to the Rural (RU) Zone to largely recognize the previous zoning amendment that was not incorporated into Zoning By-law 06-54.

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The effect of the proposed amendment is to make the By-law more current, easier to understand, consistent and more defensible.

The subject application concerns all lands within the Township of Clearview.

There are no associated applications.



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Your Rights to Appeal:

A notice of appeal must:

- i. be filed with the clerk of the municipality,
- ii. set out the reasons for the appeal, and
- iii. be accompanied by the fee required by the Local Planning Appeal Tribunal.

Only individuals, corporations and public bodies may appeal a by-law to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

For more information on making an appeal, please visit: <http://elto.gov.on.ca>.

For More Information:

There are several ways to find more information about this application.

Visit our website:

www.clearview.ca

Contact the Planner assigned to this file:

Mara Burton, Director of Community Services
mburton@clearview.ca
705-428-6230 ext. 264

Visit or write to the Community Services Department at the Township of Clearview Administration Centre:

Box 200, 217 Gideon St., Stayner ON L0M 1S0
Monday to Friday 8:30 AM to 4:30 PM

If you have specific accessibility needs and would like another format or other accommodations the Township of Clearview will work to meet your needs. Please contact Human Resources at 705-428-6230 ext. 255.

Notice dated: 14 March 2019