



CLEARVIEW

## COMMITTEE OF ADJUSTMENT

File Number: 25-B11 (2025-086)  
Meeting Date: April 8, 2026  
Report From: Nick Ainley, Community Planner  
Application: Consent (Boundary Adjustment) for 1065 Center Line Road & 5628 Concession 10 Sunnidale

### RECOMMENDATION:

Be it resolved, that Committee of Adjustment of the Township of Clearview hereby:  
Approve Consent 25-B11 for the purpose of a Boundary Adjustment pertaining to lands at 1065 Center Line Road & 5628 Concession 10 subject to the conditions as outlined in Appendix 'E' of this report.

### BACKGROUND:

#### Subject Lands

The subject lands are known municipally as 1065 Center Line Road & 5628 Concession 10 and are located outside of the Stayner Settlement Area. 1065 Centre Line Road is approximately 75.7 ha in size with approximately 1.17 km of frontage on Centre Line Road and approximately 300 m of frontage on to the unopen portion of the Concession 10 road right-of-way. The property contains a single detached dwelling, several accessory buildings and also supports existing agricultural activities (i.e. cash crop). The lands are also partially forested and contains a watercourse that bisects the centre of the property from east to west. 5628 Concession 10 is approximately 1.3 ha in size with approximately 90 m of frontage on to the unopened portion of the Concession 10 road right-of-way. The lands are entirely forested.

#### The Proposal

The existing lot located at 5628 Concession 10 is unable to be developed due to lack of frontage onto an open, assumed and yearly maintained municipal road way as well as its environmental constrained. The purpose of the application is to sever a portion of land from 1065 Centreline Road and merge it with the parcel of land located at 5628 Concession 10, as described within the following table:

| <b>Lot Details</b> | <b>Retained Land</b>    | <b>Severed Land</b>                               | <b>Receiving Land</b>  |
|--------------------|-------------------------|---|------------------------|
| Frontage           | 50 m (Centre Line Road) | 1123 m (Centre Line Road) & 392 m (Concession 10) | 91.3 m (Concession 10) |
| Area               | 0.6 ha                  | 75.1 ha   | 1.33 ha                |
| Existing Use       | Vacant                  | Dwelling, Barn & Shed                             | Vacant                 |

The effect of the application is to facilitate a boundary adjustment resulting in the reconfiguration of the two subject properties, allowing for the development of a dwelling on the retained lands.

## Existing Policy Framework

In considering an application for consent a review of the Provincial Planning Statement, County and Township Official Plan must be undertaken. The proposed consent must be assessed for consistency, conformity and compliance with the policies. The subject lands are designated 'Agricultural', 'Rural', 'Greenland – Hazard Land Area' and 'Greenland – Natural Heritage Area' in the Township of Clearview Official Plan (2024) and zoned 'Residential Large Lot', 'Agricultural' (AG)', Rural (RU)', 'Rural Exception (RU-21) and Environmental Protection (EP)' in the Township Zoning By-law. The subject lands are also regulated by the Nottawasaga Valley Conservation Authority (NVCA). Appendix 'B' outlines the policies framework.

## COMMENTS AND ANALYSIS:

### Planning Act, R.S.O. 1990, c. P.13

The Planning Act states in Section 3(5) that all decisions in respect of a planning matter shall:

- a) Be consistent with provincial policy statements, and;
- b) Conform with the provincial plans that are in effect on the date of the decision, or shall not conflict with them, as the case may be.

In considering an application for consent, a review of the Provincial Planning Statement (2024), County Official Plan, and Township Official Plan (2024) and Zoning By-law (06-54) must be undertaken. The proposed boundary adjustment must be assessed for consistency, conformity and compliance.

### Provincial Planning Statement

The Provincial Planning Statement (2024) provides policy direction on matters of provincial interest related to land use and development and has been reviewed with regard to the subject proposal. Municipal decisions on planning matters are required to be consistent with the PPS (2024).

The PPS provides direction on minor boundary adjustments, indicating that they are permitted for legal and technical reasons provided they do not result in the creation of a new lot. This

includes within prime agricultural areas in accordance with Section 4.3.3.2 of the PPS. No new lot is being created, and the current boundary adjustment will result in the retained and receiving lands encompassing total areas of approximately 0.6 ha and 76.4 ha, respectively.

The retained lands (1065 Centre Line Road) will be located on the portion of the subject lands currently designated as 'Rural' in upper-tier and local planning documents and does not contain buildings or structures. The proposed boundary adjustment will enable rural-residential uses and development on the retained lands.

Once merged, the severed and receiving lands will contain the existing single detached dwelling and accessory buildings as well as associated agricultural and rural land and forested areas. No new development is proposed on the severed or receiving lands.

The proposal is consistent with the Provincial Planning Statement (2024) issued under the *Planning Act*.

## County of Simcoe Official Plan

The County of Simcoe Official Plan (SCOP) designates the lands as 'Agricultural', 'Rural' and 'Greenlands'. Similar to the policies of the PPS, Section 3.3.5 of the SCOP also permits boundary adjustments for the purpose of legal or technical reasons that will not result in the creation of a new lot.

The proposed boundary adjustment will not be creating a new lot and will result in the retained lands being reduce in size to 0.6 ha and located wholly on the portion of lands designated as 'Rural' within the SCOP. The proposal is consistent with the policies of Section 3.7.8 of the SCOP which in part states that rural-residential lots should be restricted to a maximum lot area of approximately one (1) ha in order to conserve lands in larger blocks for agricultural uses or environmental purposes. Section 3.7.8 of the SCOP also goes on to state that lot creation cannot result in strip development, which the SCOP defines as "*lot creation in the Rural Designation which is arranged in linear configurations of more than three non-farm lots within 200 metres of the proposed lot line as measured along the frontage of one side of the road*".

The retained lands will be located within 200 m of the three (3) existing rural-residential lots located directly to the south. However, as the proposal does not result in the creation of a new lot, the strip development policies of the SCOP do not technically apply to the current application. Additionally, staff opine that barring strip development concerns, having the reconfigured retained lands located in close proximity to the existing southern rural-residential lots will reduce the fragmentation of the larger adjacent farmlands by having the rural-residential properties grouped together.

The County has been circulated on the subject application and at the time of writing this report no comments have been received.

The proposal conforms to the County of Simcoe Official Plan.

## Clearview Township Official Plan

The subject lands are designated 'Agricultural', 'Rural', 'Greenland – Hazard Land Area' and 'Greenland – Natural Heritage Area' the Township of Clearview Official Plan (2024).

The retained lands are located wholly on the 'Rural' designated portion of the subject lands. The larger severed and receiving lands will contain the 'Agricultural', 'Rural', 'Greenland – Hazard Land Area' and 'Greenland – Natural Heritage Area' designated portions of the property.

Section 11.9.1.7 a) of the Township OP states that a consent may be given for the purpose of correcting a conveyance or for other legal and technical reasons, provided that the consent does not result in the creation of a new lot. The proposed application is for a boundary adjustment and will not result in the creation of a new lot. However, the proposal will allow for the development of a dwelling on the reconfigured retained parcel. Section 4.8.1 provides for permitted uses within the 'Rural' designation, indicating that residential uses, including limited non-agricultural residential development by consent are permitted.

The lot creation policies of the Township OP also generally limit the size of a new lot within the 'Rural' designation to a maximum of 1 ha and also prohibit the creation of a new lot that maintains frontage onto the County's grid road system, which also includes Provincial Highways, County Roads, and Township Arterial Roads. Although not directly applicable to the current boundary adjustment proposal, at a total area of 0.6 ha and maintaining frontage onto Centre Line Road (a collector road) the retained lands can be considered in compliance with above referenced Township OP policies.

Furthermore, and similar to the SCOP, the Township OP also prohibits the creation of new lots that result in strip development. While the retained lands will be located within 200 m of the three (3) existing rural-residential lots located directly to the south, the current application does not seek the creation of a new lot and as such strip development policies of the Township OP are also not technically applicable to the current proposal.

The general consent policies outlined under Section 11.9.1.2 also state that where municipal services are not available, a Consent shall not be given unless private services capable of supporting the proposed use of the lot are available. Although the proposed boundary adjustment will not result in a new lot, at total area of 0.6 ha, the area available on the retained lands to accommodate private services will be limited. To ensure there are no conflicts at the time of building permit issuance for the retained lands, approval of the current proposal has been made conditional on the completion a hydrogeological study. The study shall confirm that the retained lands are capable of supporting private services to the satisfaction of the Township.

Section 11.9.9.5 states that a consent may be given in the 'Greenlands' designation for legal and technical reasons, provided that the consent does not result in the creation of a new lot, or the re-creation of a merged lot. The proposed application is for a boundary adjustment and will not create a new lot or recreate previously merged lots. The proposal will also result in the merger of the 'Greenland – Natural Heritage Area' designated portions of the subject lands into single parcel, improving their existing fragmentation, and reducing the impacts to the environmental features.

The proposal conforms to the Township Official Plan (2024).

## Clearview Zoning By-law

The subject lands are zoned 'Residential Large Lot (RS1)', 'Agricultural' (AG)', Rural (RU)', 'Rural Exception (RU-21)' and 'Environmental Protection (EP)' in the Township Zoning By-law (06-54, as amended). In accordance with Section 1.1.1 of the Township ZB, where a property

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 also apply.

The changes to the configuration of each lot from the proposed boundary adjustment do not result in any deficiencies in zone requirements or provisions of the Township ZB. The retained and receiving lands will continue to comply with the minimum lot frontage and area requirements of the specific Zone(s) having application to each parcel as outlined within the in the tables below:

Retained Lands (1065 Centre Line Road)

| <b>Rural (RU) Zone Requirements</b> | <b>Required</b> | <b>Proposed</b> |
|-------------------------------------|-----------------|-----------------|
| <b>Frontage</b>                     | 45 m            | 50 m            |
| <b>Area</b>                         | 0.4 ha          | 0.6 ha          |

Receiving Lands (5628 Concession 10 Sunnidale)

| <b>Agricultural (AG) Zone Requirements</b> | <b>Required</b> | <b>Proposed</b>   |
|--|-----------------|---|
| <b>Frontage</b>                            | 100 m           | 1123 (Centre Line Road) & 483 m (Concession 10 Sunnidale) |
| <b>Area</b>                                | 35 ha           | 75.2 ha   |

Furthermore, in accordance with Section 2.23 of the Township OP, all development outside a Settlement Area must meet Minimum Distance Separation (MDS). The proposed reconfiguration of the retained lands will limit where a dwelling can be placed on property. MDS I calculations were provided in support of the application to ensure that no MDS conflicts will exist at the time of building permit issuance for the retained lands. Compliance with MDS I setback requirements has been confirmed.

The proposal conforms to the general intent and purpose of the Township’s Zoning By-law.

## Public & Agency Comments

Notice of this application has been circulated to the public, various review agencies and Township staff, and a public notice sign posted on the lands. The Committee shall have regard for any comments received after the preparation of this report. At the time of the preparation of this report, the Township has received the following comments of no objection or concern:

- Ministry of Transportation
- NVCA (Source Water Protection)
- Township Building Department
- Township Public Works & Engineering Department
- NVCA (Planning)
- Bell Canada

- Hydro One

Comments can be found attached to this report as Appendix 'D'.

## COMMUNICATION PLAN:

The Notice of Decision regarding this application will be distributed in accordance with the requirements of the Planning Act.

## FINANCIAL IMPACT:

Potential financial and legal implications should the decision of the Committee be appealed to the Ontario Land Tribunal (OLT) and Council chooses to defend the Committee's decision.

## REPORT SCHEDULES:

- Appendix A: Orthophoto
- Appendix B: Policy Framework
- Appendix C: Consent Sketch - Boundary Adjustment
- Appendix D: Comments Received
- Appendix E: Conditions of Approval

## PREPARED BY:

Nick Ainley, B.U.R.PI  
Community Planner, Policy and Approvals

## REVIEWED BY:

Rossalyn Workman, MURP, Dipl.MM, MCIP, RPP  
Manager of Planning  
Derek Abbotts, MCIP, RPP, PLE  
Director of Planning and Building