



## Planning Services Report

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**Report To:** Planning and Development Committee

**Date of Meeting:** September 11, 2017

**Report Number:** PSD-060-17      **Resolution:** PD-163-17

**File Number:** PLN 40      **By-law Number:**

**Report Subject:** Zone Clarington - Comprehensive Zoning By-Law Review Project

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### **Recommendation:**

1. That Report PSD-060-17 be received for information.

## Report Overview

The Planning Services Department has initiated a comprehensive review of Clarington's zoning by-laws. The **ZONE Clarington** initiative will review and update our current zoning to implement the policies and goals of the revised Official Plan, update zoning regulations to reflect current progressive planning regulations and best practices, and modernize and improve its usability. The report provides an overview of the **ZONE Clarington** initiative, including its requirement under the Planning Act, the benefits of a conducting a comprehensive review, the review approach and current status, and consultation and engagement strategies.

### 1. Introduction

The purpose of this report is to provide information on Clarington's new comprehensive zoning by-law project, branded "**ZONE Clarington**", now underway. In addition to outlining the need for the review, it provides an overview of the review approach, including public consultation and engagement, current status and upcoming project milestones.

### 2. Background

An Official Plan is the main policy document that municipalities use to manage growth and development decisions today and into the future. A municipal zoning by-law implements the policies of the Official Plan for a specific area by regulating the use of the land (e.g. specific types of commercial or residential use) and the built form for each property (e.g. building mass and location).

In Clarington, two zoning by-laws are in place. Zoning By-law 84-63, as amended, regulates the development of land between Lake Ontario and the Oak Ridges Moraine. Zoning By-law 2005-109, as amended, applies to all lands that are located on the Oak Ridges Moraine. Collectively, nearly 1,200 zoning by-law amendments have been passed since their original adoption by Council.

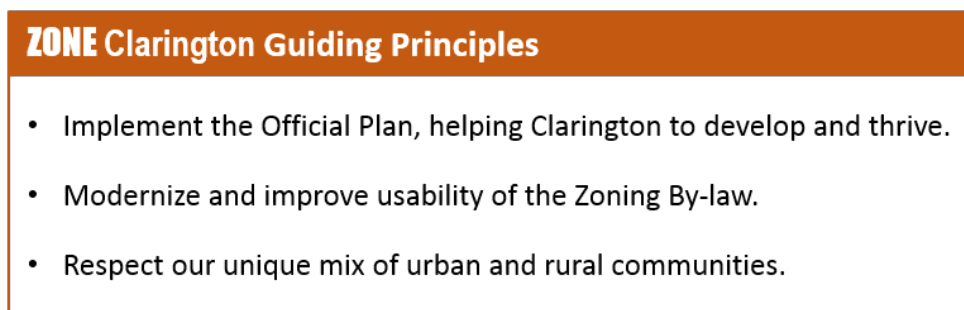
On June 19, 2017, the Region of Durham approved Official Plan Amendment No. 107, which updates the Clarington Official Plan to make sure it is relevant and complies with provincial and regional planning documents, and overarching community goals for growth and development. On July 1, 2017, new planning policy resulting from the Province's Co-ordinated Land Use Planning Review (i.e. 4-Plan Review) and contained in the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, and the Oak Ridges Moraine Conservation Plan came into effect.

### 3. Why Review Clarington’s Zoning By-laws?

As a result of the recent approval of Clarington Official Plan Amendment No. 107 and completion of the provincial 4-Plan Review, many provisions and zones within the current municipal zoning by-laws are in conflict and must be amended. In accordance with the Planning Act, the Municipality is required to update its zoning by-laws within three years of the revised Official Plan coming into effect. While our two existing zoning by-laws have been updated over time, a review to ensure Official Plan conformity also provides the opportunity to update zoning regulations to address emerging trends, to reflect current planning standards and best practices, and to make the document easier to use and understand.

### 4. The Review Process

The main purpose of **ZONE Clarington** is to review, consolidate, and update (where appropriate) the Municipality’s zoning by-laws into one comprehensive zoning by-law that conforms with and implements the Clarington Official Plan. A set of three guiding principles have been established (Figure 1) and will help to provide direction in decision making.



**Figure 1 – Zone Clarington Guiding Principles**

**ZONE Clarington** will involve a thorough review of both of the existing zoning by-laws in their entirety (i.e. definitions, zone categories and regulations - general provisions, permitted uses, development standards, etc.), comparing the content to determine what to keep, modify, delete and add. Existing zoning permissions for properties throughout Clarington, including site specific zoning by-law amendments and minor variance approvals, will be reviewed to determine the best approach for recognizing these permissions moving forward. In addition, the layout, format and structure of the zoning by-law, as well as the zoning methods used (traditional, form-based, etc.) will also be evaluated.

The general work program for **ZONE Clarington** is shown in Figure 2. In addition to a project initiation phase (now complete), the review is divided into two phases. The first, currently underway, focuses on Clarington’s rural areas, including lands within the Oak Ridges Moraine. A subsequent phase will consider Clarington’s urban areas, including Bowmanville, Courtice, Newcastle Village and Orono. Communication and public engagement will occur throughout all phases of the project.



**Figure 2 – General Work Program**

Coinciding with this phased approach, the new Municipal zoning by-law will be released in two phases. Upon completion of the Rural Area phase, Council approval will be sought for a new zoning by-law for Clarington that initially includes updated general regulations that ultimately will apply to the entire Municipality and regulations specific to Clarington’s rural areas (i.e. all areas other than the properties within the urban boundaries of Bowmanville, Courtice, Newcastle Village and Orono). Urban regulations will be added, by amendment, to create a new, consolidated zoning by-law for Clarington, subject to completion of the Urban Areas phase and Council approval. The repeal of the respective portions of Zoning By-laws 2005-109 and 84-63 will coincide with the completion of the Rural Area phase and Urban Areas phase.

**ZONE Clarington** is led by the Planning Services Department with Project Management jointly provided by Senior Planners, Tracey Webster and Amy Burke. A Planning Staff Project Team has been established, as well as an Internal Advisory Committee consisting of representatives from Engineering Services and Building Services Division, Clerks, and By-Law Enforcement. In addition, the Municipal Solicitor will continue to be consulted on the drafting of the new by-law. Advisory committees of Council (i.e. Accessibility, Agricultural, Committee of Adjustment and Heritage) and external agencies (e.g. Conservation Authorities) will be called upon to provide input, where necessary.

## 5. Communication and Engagement

Communication and engagement will occur throughout the review process, and will be customized for each of the Rural Area and Urban Areas phases. Strategies will seek to share information about the process and subject matters being reviewed, and will engage Council, the public and stakeholders to obtain feedback and comments.

Project branding has been undertaken to support communication and engagement activities. The **ZONE Clarington** logo is shown in Figure 3. A project webpage ([www.clarington.net/zoneclarington](http://www.clarington.net/zoneclarington)) has been created and will be available on September 6, 2017. The webpage provides an opportunity for individuals, businesses and organizations to subscribe for direct notification of upcoming open houses, public meetings, project updates, and information. Interested parties may also subscribe by email ([zoneclarington@clarington.net](mailto:zoneclarington@clarington.net)) or by phone (905-623-3379 extension 2415).



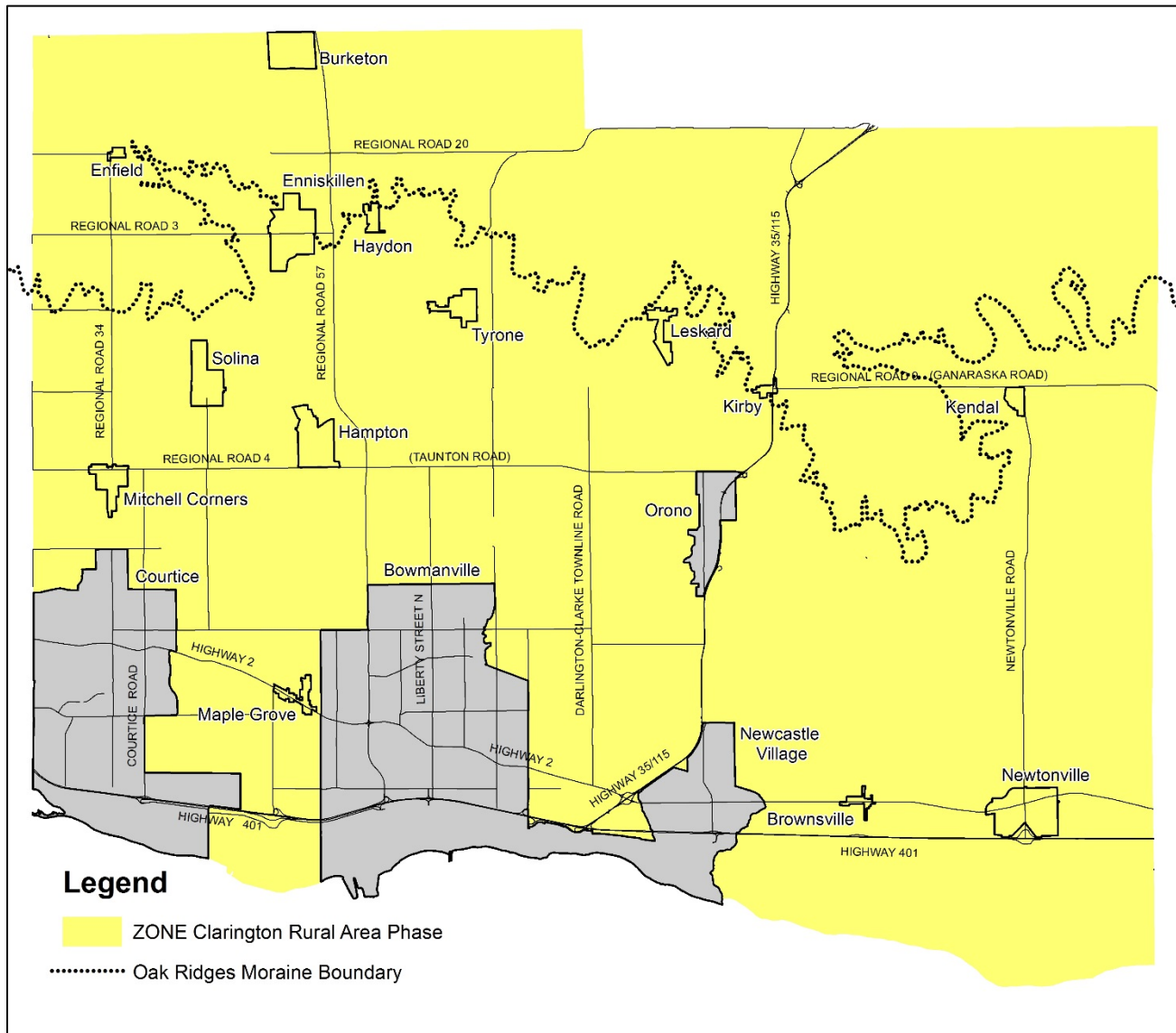
Figure 3 – Zone Clarington Logo

In addition to the strategies outlined above, communication and engagement will include the following components:

- Social media updates;
- Information brochures on the zoning by-law review process and key zoning issues;
- Interactive online mapping tool to assist in understanding the zoning changes proposed for individual properties;
- Meetings with specific stakeholder groups and interested parties;
- Information updates to Council;
- Public open houses; and
- Statutory public meetings.

## 6. Zone Clarington- Rural Area Phase

As shown on Figure 4, the Rural Area phase of **ZONE Clarington** encompasses all lands within Clarington that are located outside of the urban areas of Bowmanville, Courtice, Newcastle Village and Orono.



**Figure 4 – Lands Subject to the Rural Area Phase of Zone Clarington**

This phase involves the examination of a range of issues and their related policies. Key issues being considered include, but are not limited to, the following:

- Environmental Protection
  - Updating mapping to correspond with the Environmental Protection Area designation in the Official Plan, and implementation of new policies protecting Clarington’s Natural Heritage System.
- Accessory Apartments
  - Implementing the new Official Plan policies permitting accessory apartments in the Rural Area within a detached dwelling or detached garage.

- Home Occupations and Home Industries
  - Updating current regulations, including an examination of best practices for permitted uses and development requirements (e.g. size, setbacks, storage, parking).
- Emerging agricultural uses (e.g. on-farm diversified uses, greenhouses)
  - Updating required to respond to new policies and emerging development trends.

As indicated in Figure 4, to date, Staff have completed the background research, analysis and evaluation, by-law harmonization, minor variance and site specific exceptions reviews, and preliminary zone mapping for the Rural Area. In addition, early consultation with the Agricultural Advisory Committee of Clarington with special focus on on-farm diversified uses, has occurred. Preparation of a first draft of a new zoning by-law for Clarington applying initially to only the rural area is now underway. Planned communication and engagement for the Rural Areas phase is depicted in Figure 5.

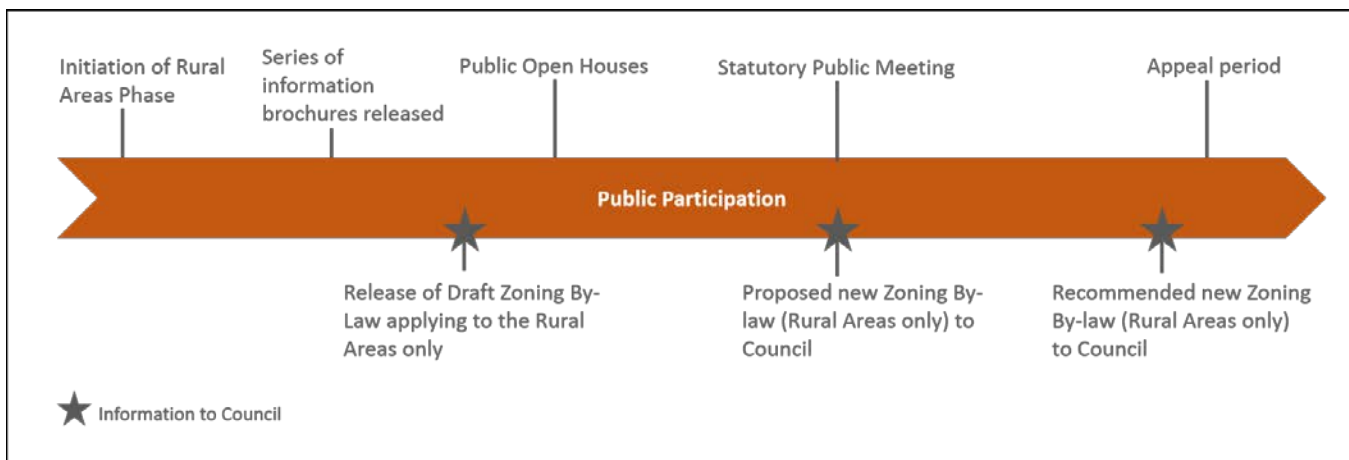


Figure 5 – Rural Area Phase Communication and Engagement Plan Overview

## 7. Financial Considerations

**ZONE Clarington** is a multi-year project that will require a significant amount of time and resources to complete. As indicated in Section 4, Project Management will be complemented by other Planning Services Department Staff, in addition to being supported by representatives from other departments that work closely with the Municipal zoning by-laws. Funds for this project have been provided for in the Departmental budget for staff resources and the retention of expert consultants to advise and assist with specific complex issues. The use of external consultants is being minimized, but there may be a need for further budget allocation in future years.

## 8. Concurrence

Not Applicable.

## 9. Conclusion

The comprehensive review of Zoning By-laws 84-63 and 2005-109 has been initiated and will now be moving to the public phase with the completion of the Official Plan Review. This review process will:

- Ensure conformity with the Clarington Official Plan;
- Improve clarity and usability;
- Address emerging issues; and
- Reflect current planning standards and best practices.

**ZONE Clarington** involves a multi-year, multi-phase approach requiring significant staff effort and input from other departments and external agencies, Council, other stakeholders, and the public. The Rural Area phase of **ZONE Clarington** is currently underway. Next steps include the release of information brochures on Rural Area review topics this fall, with the release of a draft Rural Area zoning regulations targeted to occur in early 2018.

## 10. Strategic Plan Application

Not applicable.



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There are no interested parties to be notified of Council's decision.