



Planning Services Report

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Report To:	Joint General Government and Planning and Development Committee		
Date of Meeting:	December 10, 2018		
Report Number:	PSD-082-18	Resolution:	
File Number:	PLN 40	By-law Number:	
Report Subject:	Release of a Proposed Draft Zoning By-law for Clarington		

Recommendation:

1. That Report PSD-082-18 be received for information.

Report Overview

The Planning Services Department is undertaking a comprehensive review of Clarington's two zoning by-laws to implement the policies and goals of the revised Official Plan. This comprehensive review will result in a new, consolidated zoning by-law applicable to the entire Municipality. This report provides an update on the zoning by-law review process, a summary of key features addressed in a first draft of the proposed new zoning by-law released for public comment on November 14, 2018. It also announces the related Public Open House Session dates and locations occurring in early 2019, and introduces the next phase of ZONE Clarington focused on urban area zoning.

1. Introduction

- 1.1 The purpose of this report is to announce the recent release of the first draft of a proposed new Clarington Zoning By-law and the related Public Open House Sessions in early 2019. The release of the first draft represents an important milestone for the ZONE Clarington initiative.
- 1.2 In Clarington, two zoning by-laws are in place today. 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.
- 1.3 While Clarington's two zoning by-laws have been updated over time, a comprehensive review is necessary to implement policies and goals of the Clarington Official Plan in accordance with the Planning Act. A comprehensive review also provides the opportunity to update our zoning regulations to reflect current best practices, address new and emerging issues, and to modernize and improve its usability.
- 1.4 ZONE Clarington is a Municipal initiative led by the Planning Services Department with support provided by other Departments and external agencies (e.g. Conservation Authorities). ZONE Clarington seeks to review, consolidate and update (where appropriate) municipal zoning regulation into one, new, comprehensive zoning by-law that conforms with and implements the Clarington Official Plan.

2. Zoning By-law Review Process

- 2.1 Report PSD-060-17 presented a general work program for ZONE Clarington. In addition to a project initiation phase, the phasing of the review was divided to examine zoning for Clarington's rural areas separately from zoning for Clarington's urban areas. While the work program presented in Report PSD-060-17 planned for separate recommendations to Council for rural areas zoning and urban areas zoning, this approach has since been revised.

- 2.2 Figure 1 presents a revised ZONE Clarington general work program. As shown, a new comprehensive zoning by-law for Clarington will be recommended to Council during Phase 4 of the project. This revised approach should allow for Official Plan appeals to be addressed and any resulting zoning by-law implementation requirements to be incorporated prior to the recommendation of a final draft new Clarington Zoning By-law to Council.

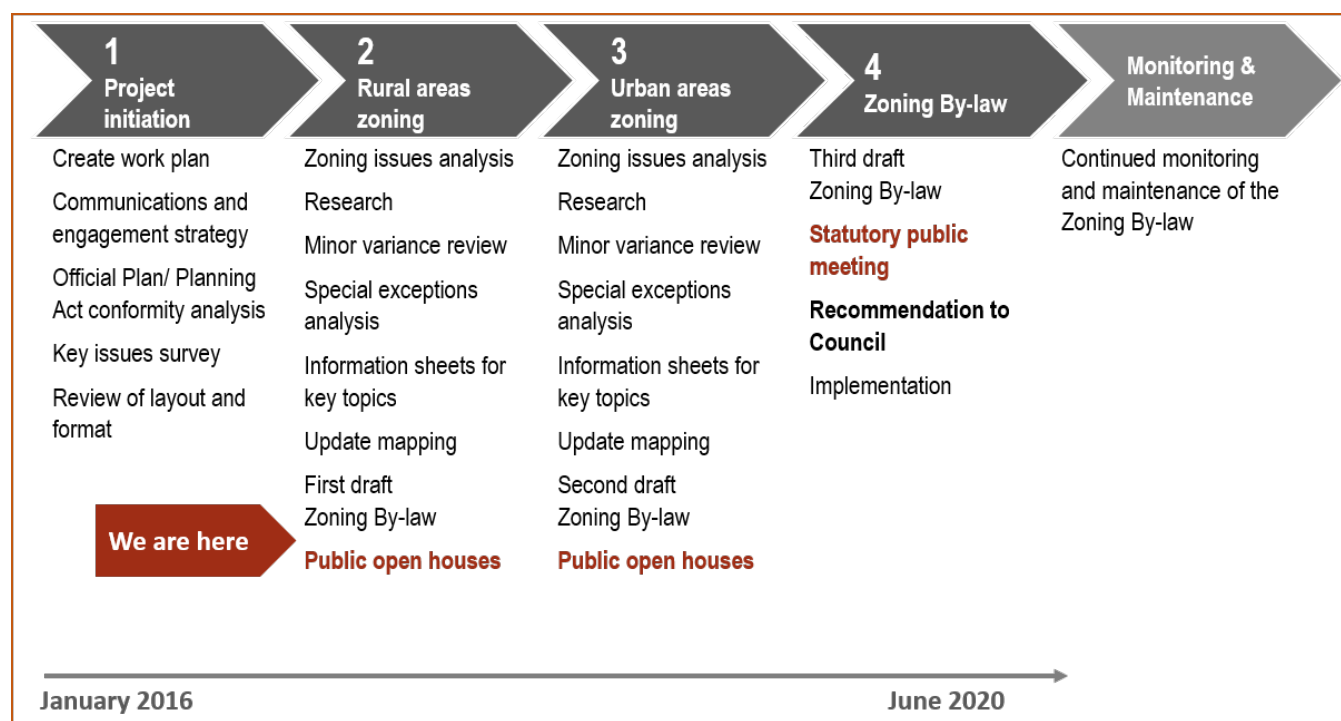


Figure 1: Revised ZONE Clarington General Work Program

- 2.3 Figure 1 also indicates the current status of ZONE Clarington. The recent release of the first draft zoning by-law (see Section 3) and initiation of public consultation on the first draft (see Section 4) represents the final stage of the Rural Areas Phase.

3. Release of First Draft Zoning By-Law

- 3.1 On November 14, 2018, the first draft of Clarington's proposed new zoning by-law was released for public comment. The first draft of the proposed draft zoning by-law contains general regulations and definitions that apply to all of Clarington – both the rural and urban areas. The first draft also presents proposed zone categories and mapping for Clarington's rural area. The next phase of the project, Phase 3 Urban Areas Zoning (Figure 1), will determine the regulations, zone categories and mapping for Courtice, Bowmanville, Newcastle Village and Orono.

- 3.2 The preparation of the first draft zoning by-law represents a significant undertaking involving a review of both existing zoning by-laws in their entirety (i.e. definitions, zone categories, and regulations – general provisions, permitted uses, development standards, etc.). Aspects that work well from the existing zoning by-laws provided a basis to formulate the new proposed zoning by-law. Key features of the new proposed zoning by-law include the following:
- Improved layout, organization, clarity and accessibility of the document as compared to the current zoning by-laws;
 - Implementation of strengthened Official Plan policy to ensure the protection of significant natural heritage and hydrological features, including the mapping of associated development setbacks in the rural area (outside of settlement areas);
 - Permission for secondary apartments within the Rural Residential and Agricultural zones, subject to regulations, supporting housing diversity and affordability;
 - Regulations to clarify what primary agricultural uses are, along with what and where agriculture-related uses are permitted;
 - Regulations that permit a wider range of secondary on-farm uses than allowed as-of-right today which are considered compatible with and appropriate in agricultural areas;
 - Creation of a rural residential zone for lots of less than 2 hectares located outside of a rural settlement area, reflecting their permitted use for a residential purpose, rather than the application of an agricultural zone;
 - Regulations to limit new development on lands that could be unsafe for development or alteration due to naturally occurring hazards (e.g. flood susceptibility, erosion, steep slopes);
 - Introduction of definitions to eliminate duplication, address interpretation issues, and reflect new regulations and trends.
- 3.3 The first draft zoning by-law is available on the ZONE Clarington webpage at www.clarington.net/ZoneClarington. An interactive mapping tool has also been developed that enables users to quickly and easily compare current zoning with proposed draft zoning. Copies of the first draft zoning by-law are also available to the public in all Clarington Library branches. The public is encouraged to provide comments.

4. Public Consultation

- 4.1 The release of the first draft of the new proposed zoning by-law for Clarington will be followed by four Public Open House Sessions. The sessions are scheduled as follows:
- Tuesday January 29, 2018 - Tyrone Hall, 2716 Concession Road 7
 - Wednesday January 30, 2018 – Kendal Community Centre, 6742 Newtonville Road
 - Tuesday February 5, Solina Community Centre, 1964 Concession Road 6
 - Wednesday February 6, 2018 – Garnet B. Rickard Recreation Complex, 2440 Highway 2.
- 4.2 All meetings are scheduled for 4:30 p.m. to 8:30 p.m. Staff from the Municipality and local conservation authority representatives will be available to answer questions.
- 4.3 Notice of the public consultation sessions will involve:
- Advertisement on the ZONE Clarington webpage;
 - Advertisement in Clarington This Week and the Orono Times;
 - Advertisement through the Municipality's social media;
 - Direct notice sent to all interested parties; and
 - Posting on information boards at Municipal facilities and at local community centres, halls and other public gathering places.
- 4.4 The public may also provide feedback on the first draft zoning by-law through the project website, by email (sent to zoneclarington@clarington.net), or by letter sent to the Municipality (send to the attention of ZONE Clarington or Planning Services Department).
- 4.5 Initial consultation with the Agricultural Advisory Committee of Clarington occurred during the early stages of the Rural Areas Phase for the project. Consultation with the Committee continued in November 2018 in preparation for the release of the first draft, and more is planned for early 2019. Further, discussions with interested stakeholder groups (e.g. Building and Land Development Industry – Durham Chapter) are being planned.

5. Next Steps

- 5.1 Zoning issue analysis, research, minor variance and special exception reviews for the Urban Areas Zoning Phase (Phase 3) of ZONE Clarington are now underway. In addition to the consideration urban area zoning, Planning Staff will consider comments received during the current public consultation period in preparing the second draft zoning by-law for public comment. Urban Areas Zoning will also be informed by the

outcomes and recommendations of the various new Secondary Plans and Secondary Plan updates, currently underway.

- 5.2 Currently, two studies have been identified to be undertaken during the Urban Areas Zoning phase. This includes a Neighbourhood Character Study for the neighbourhood areas in Bowmanville, PSD-078-18 that are currently subject to Interim Control By-law 2018-083, and a parking study to address current parking demands, municipal best practices in parking standards, new transportation and mobility trends, and sustainability. In addition, a collaboration with the University of Waterloo School of Planning will assist ZONE Clarington to better understand the policy and legislative context, challenges and opportunities associated with the emerging trend of smaller dwelling units or “tiny home” development in Canada.

6. Concurrence

Not Applicable.

7. Conclusion

ZONE Clarington has reached an important milestone with the recent release of a first draft zoning by-law for public comment. Open house sessions being held in early 2019 and other consultation activities over the next few months provide an important opportunity to gather public input and inform the next draft of the new draft zoning by-law. A second draft zoning by-law that covers the entirety of the Municipality will be released following the completion of a comprehensive review of urban area zoning, regulations and mapping.

8. Strategic Plan Application

Not applicable.

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List of interested parties to be notified of Council's decision is on file in the Planning Services Department.

AB/tg