

**Municipality of Clarington  
Zoning By-Law Review  
Community Engagement Summary  
Report #1**



*Clarington*

## Table of Contents

<b>1.0</b>	<b>Introduction.....</b>	<b>2</b>
1.1	Overview .....	2
1.2	Approach .....	3
1.3	Purpose of Report.....	4
<b>2.0</b>	<b>Project Communications Program .....</b>	<b>5</b>
2.1	Project Branding.....	5
2.2	Project Webpage.....	5
2.3	Tracking of Interested Parties .....	6
2.4	Public Inquiries and Submissions.....	6
2.5	Information Sheets .....	7
<b>3.0</b>	<b>Draft Zoning By-law (Nov. 2018) Consultation Activities.....</b>	<b>7</b>
3.1	Public Notice .....	7
3.2	Public Access.....	8
3.4	Public Open Houses.....	9
3.5	Meetings with Stakeholders .....	10
<b>4.0</b>	<b>What We Heard.....</b>	<b>11</b>
4.1	Submissions.....	11
4.2	General Themes.....	12
4.3	Environmental Protection Zone .....	13
4.4	Notification .....	14
4.5	Desired Zoning.....	14
4.6	On-Farm Event Venue .....	15
4.7	Secondary Apartments .....	15
4.8	Other Agricultural .....	15
4.9	Urban Zoning-Related Submissions .....	16
4.10	Other Themes.....	16
<b>5.0</b>	<b>Summary and Next Steps .....</b>	<b>16</b>

# 1.0 Introduction

## 1.1 Overview

The Municipality of Clarington initiated Zone Clarington, a comprehensive zoning by-law review project, in 2017. Currently the Municipality has two zoning by-laws: By-law 2005-109 applying to lands within the Oak Ridges Moraine and By-law 84-63 applying to all other areas in Clarington. Zone Clarington seeks to review, consolidate and update (where appropriate) municipal zoning regulations.

The guiding principles of Zone Clarington are:

- To implement the Official Plan, helping Clarington to develop and thrive.
- To modernize and improve usability of the zoning by-law.
- To respect our unique mix of urban and rural communities.

The general work plan set out for Zone Clarington is shown in Figure 1. The work plan divides the review of rural area zoning and urban area zoning into separate phases, with the Rural Area Zoning Phase occurring first. As envisioned, the comprehensive review will result in a new, consolidated zoning by-law applicable to all of Clarington.

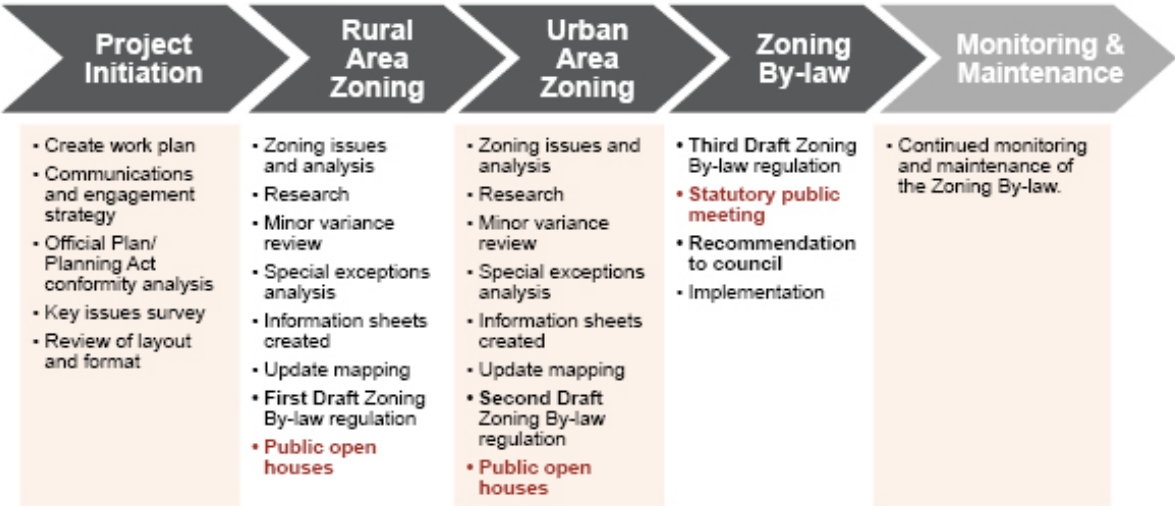


Figure 1: The Zone Clarington work plan.

As shown in Figure 2, the Rural Area Zoning Phase encompasses all lands within Clarington that are located outside of the urban areas of Bowmanville, Courtice, Newcastle Village and Orono.

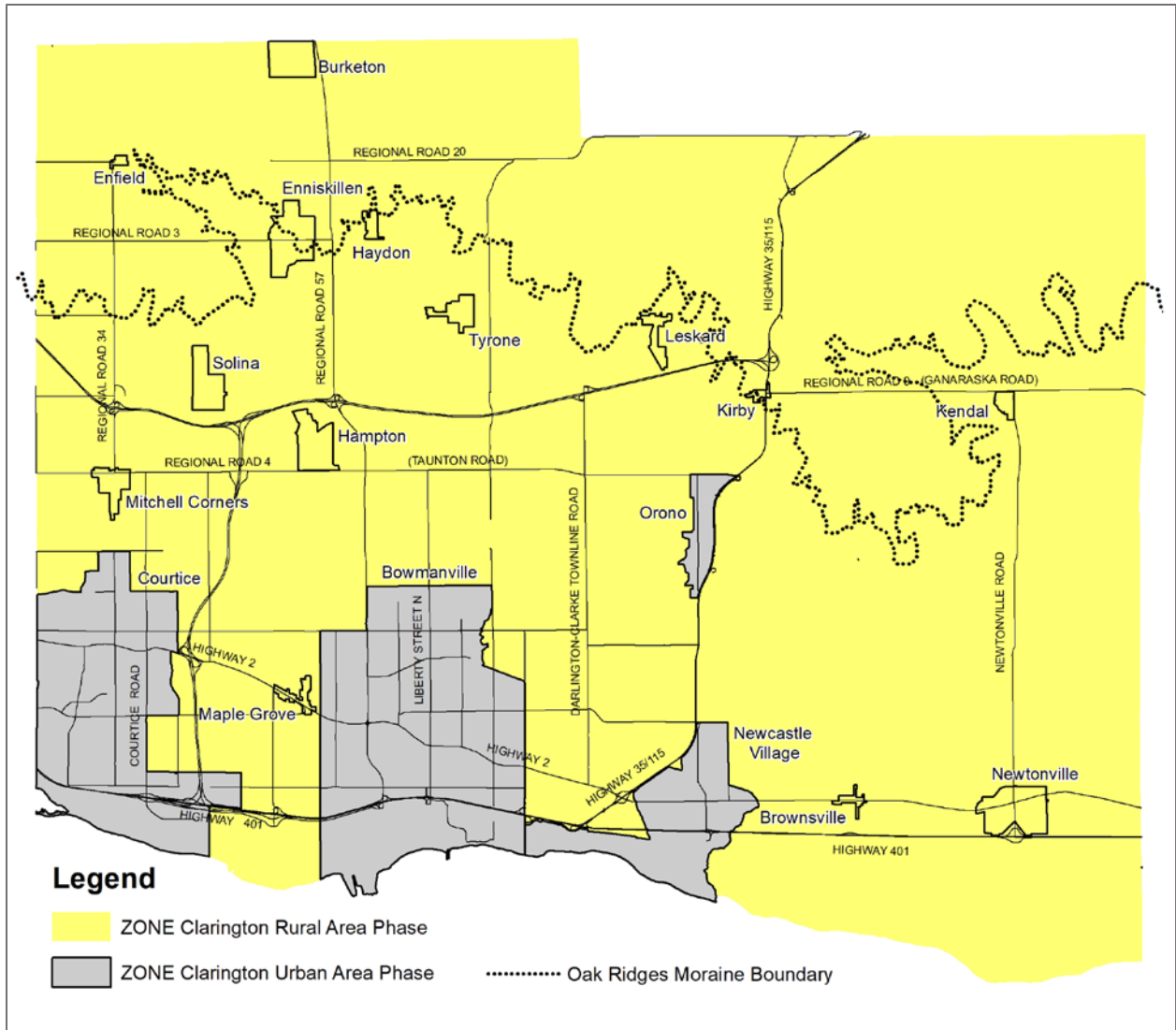


Figure 2: Lands subject to the Rural Area and Urban Area phases of Zone Clarington.

## 1.2 Approach

Communication and engagement will be delivered throughout the review process and will be tailored for each of the Rural Area Zoning and Urban Area Zoning phases. The communication and engagement program is designed to simultaneously share information with and seek feedback from the public about the zoning by-law review process and proposed changes to the zoning by-law. This includes engagement with Council, the public, agencies and stakeholder groups to obtain feedback and comments.

The Zone Clarington communication and engagement program includes the following components in its approach:

- Project branding,
- Project webpage ([www.clarington.net/zoneclarington](http://www.clarington.net/zoneclarington)),
- Social media updates,
- Information sheets on the zoning by-law review process and topics of interest,
- Interactive online mapping tool,
- News and notices in the Municipality's Planning eUpdate online newsletter,
- News releases,
- Public open houses,
- Public inquiries process,
- Meetings with agencies and stakeholder groups,
- Reporting to Council; and
- Consultation summary reporting.

The components outlined above are aligned with and exceed the requirements that the Municipality must adhere to in accordance with the Planning Act. Sections 16 and 34 of the Planning Act and section 23.2.1 of the Clarington Official Plan outline that prior to the passing of a new zoning by-law, the Municipality shall ensure that adequate information about the new zoning by-law is made available to the public. The Planning Act also requires that the Municipality hold one open house information session for the public and one public meeting prior to the passing of a new zoning by-law. Section 5 of Ontario Regulation 545/06 instructs the parameters by which the Municipality must provide notice of the new zoning by-law.

### 1.3 Purpose of Report

The purpose of this report is to provide information about the Zone Clarington community engagement program and to outline how public and stakeholder feedback are addressed through this program. This report discusses the tools established for project communications, information sharing and receipt of questions and comments from the public. The report provides information about the methods used upon the release of a first draft of a proposed new zoning by-law in November 2018 to solicit public feedback. The report also summarizes the comments received on the first draft, to be considered in the preparation of a second draft. A second draft zoning by-law will be presented to Council in November 2021.

This is the first of a series of community engagement summaries planned to be documented for the project. A separate community engagement summary report will be compiled following the public comment period held for a second draft of the proposed new zoning by-law.

## 2.0 Project Communications Program

This section provides an overview of the communication and engagement methods established to share information about the zoning by-law review project. These communication and engagement methods were established at the outset of the project and will continue to be used through to project completion.

### 2.1 Project Branding

Branding for the Zone Clarington project has been established to support communication and engagement methods and to support continuity between project documents. All project-related notices, letters, web pages, information sheets, forms, open house and public meeting materials, advertisements and templates display the Zone Clarington logo and colour scheme. The logo is in silhouette style containing three picture panels with the project name “ZONE Clarington” offset below the picture panels (Figure 3). The three panels reflect some of the diversity in geography and uses in Clarington:

- the first panel is an image of a river and trees: reflective of Clarington’s diverse natural heritage areas and landforms,
- the second panel is an image of a barn next to a silo: reflective of Clarington’s rich agricultural community,
- the third panel is an image of a house next to an apartment building: reflective of Clarington’s growing urban areas.



Figure 3: The Zone Clarington logo.

### 2.2 Project Webpage

The webpage ([www.clarington.net/zoneclarington](http://www.clarington.net/zoneclarington)) is a central location for all information related to the project. It provides updates on the current status of the project, has links to the current zoning by-laws, and hosts a variety of project documents including staff reports, information sheets and public meeting presentations and recordings.

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. It also provides a feedback form for submitting questions and comments on the project, and contact information for reaching out to the Project Team by email or phone.

### 2.3 Tracking of Interested Parties

All individuals, consultants, and organizations who request to be kept informed about the project or submit comments in relation to the project are considered an Interested Party. The requests and comments may be received verbally or in writing, either in person or via email, hard copy correspondence, or by phone. Individuals can also register as interested parties by subscribing through the Zone Clarington webpage. Interested Parties are provided with acknowledgement of their subscription, information about who to contact regarding the project and notices, and instruction on how to unsubscribe as interested parties.

At the outset of the Rural Area Zoning Phase letters were mailed to a preliminary list of potential stakeholders to inform them of the commencement of the project and to inform them of how they can register as an interested party. The potential stakeholders included:

- Association of Ontario Land Surveyors;
- Durham Region Federation of Agriculture;
- Durham Region Association of Realtors;
- Greenbelt Foundation;
- Oak Ridges Moraine Foundation;
- Ontario Stone, Sand and Gravel Association;
- Durham Farm Fresh;
- Niblett Environmental Associates;
- Oakridge Environmental Ltd.;
- Ontario Ministry of Agriculture, Food and Rural Affairs;
- Building Industry and Land Development Association;
- Durham Region Home Builders Association;
- Agricultural Advisory Committee of Clarington; and
- Municipality of Clarington Committee of Adjustment.

### 2.4 Public Inquiries and Submissions

Members of the public, agencies and stakeholder groups have been encouraged to submit questions and comments in relation to the project via the webpage, in person, or in writing since the project was publicly launched in 2017. Communications with the public are received and filed as either inquiries or submissions. Those communications that contain only questions about the project are filed as inquiries and those

communications that contain comments about the project are filed as submissions. As of November 1, 2021, 356 public submissions have been received.

## 2.5 Information Sheets

Information sheets are created to provide information on specific key topics of interest. A zoning by-law is a regulatory document often written in technical and/or legal language. In contrast, the information sheets are intended to be accessible as they are written to be easy-to-read and to include explanatory visuals.

Information sheets will be developed on an as needed basis over the course the project. To date, eight information sheets have been released. Four of the information sheets are currently unavailable to the public as they either require updates following the next draft zoning by-law release or have been rendered obsolete at this stage of the project. Copies of the following information sheets are provided in Appendix A.

- Zone Clarington – Introduction
- Secondary Apartments – *unavailable: requires updates*
- Agricultural and Related Land Uses
- Environmental Protection and Buffers – *unavailable: requires updates*
- Rural Residential Lots
- Site Plan Control – *unavailable: requires updates*
- Site-specific Zoning Review Process – *unavailable: rendered obsolete as site-specific reviews have been cancelled*
- Frequently Asked Questions – *incorporated into project webpage*

## 3.0 Draft Zoning By-law (Nov. 2018) Consultation Activities

In November 2018, a first draft of the proposed new zoning by-law was released for public comment. The first draft contained general regulations and definitions that apply to both urban and rural areas in Clarington. It also presented proposed zone categories and mapping that pertains only to the rural areas (Figure 2). Zone categories and mapping for Clarington's urban areas of Bowmanville, Courtice, Newcastle Village and Orono, will be part of a future phase of the project. This section describes the consultation activities that were undertaken for the release of the first draft zoning by-law.

### 3.1 Public Notice

Release of the first draft of the zoning by-law for public comment was advertised using the following mechanisms:

- Memorandum to Council (Nov. 12, 2018);
- Advertisement in Clarington This Week (Nov. 14, 21 and 28, 2018);
- Advertisement in Orono Weekly Times (Nov. 14, 21,28, and Dec. 5, 2018);



- News Release (Nov. 21, 2018);
- Notice in the Planning eUpdate online newsletter (Nov. 22, 2018);
- Social media - Facebook and Twitter (November 22, 2018);
- Direct notice to interested parties and key rural stakeholders (November 14, 2018); and
- Direct notice to Advisory Committees of Council (November 15, 2018).

### 3.2 Public Access

The first draft zoning by-law was made available for review through several platforms upon its release. The project webpage was updated to include the first draft zoning by law in its entirety: regulations, schedules and mapping for the rural areas of Clarington. Copies of the first draft zoning by-law document were circulated to the various agencies typically involved in the review of land use development applications submitted to the Municipality. Hard copies of the full document were also made available at each of Clarington's Public Libraries.

In addition to the first draft zoning by-law documents being released, an interactive mapping tool was developed to help people quickly identify the proposed zoning for their property using a searchable tool rather than going through all of the schedules themselves. The interactive mapping tool was made available on the Zone Clarington website in December 2018. The tool enables an intuitive visual comparison of current zoning with the proposed draft zoning for individual properties. The mapping for the new draft zoning by-law was split into four layers within the e-map to facilitate ease of use, as follows:

- Current Zoning Map: This map provided the current zoning information for all rural and urban areas in Clarington.
- Proposed Rural Map (Schedule E): This map provided the proposed zoning information for all rural areas in Clarington.
- Proposed Urban Map: This map was left blank during phase 3 of the project, as the urban zoning was planned for release during phase four of the project.
- Proposed Additional Overlay Map (Schedule F): This map included overlays that denote additional regulations to the proposed zoning maps.

The interactive mapping tool can be seen in Figure 4 is currently unavailable to the public as the Project Team prepares the revised mapping for the next draft zoning by-law release.

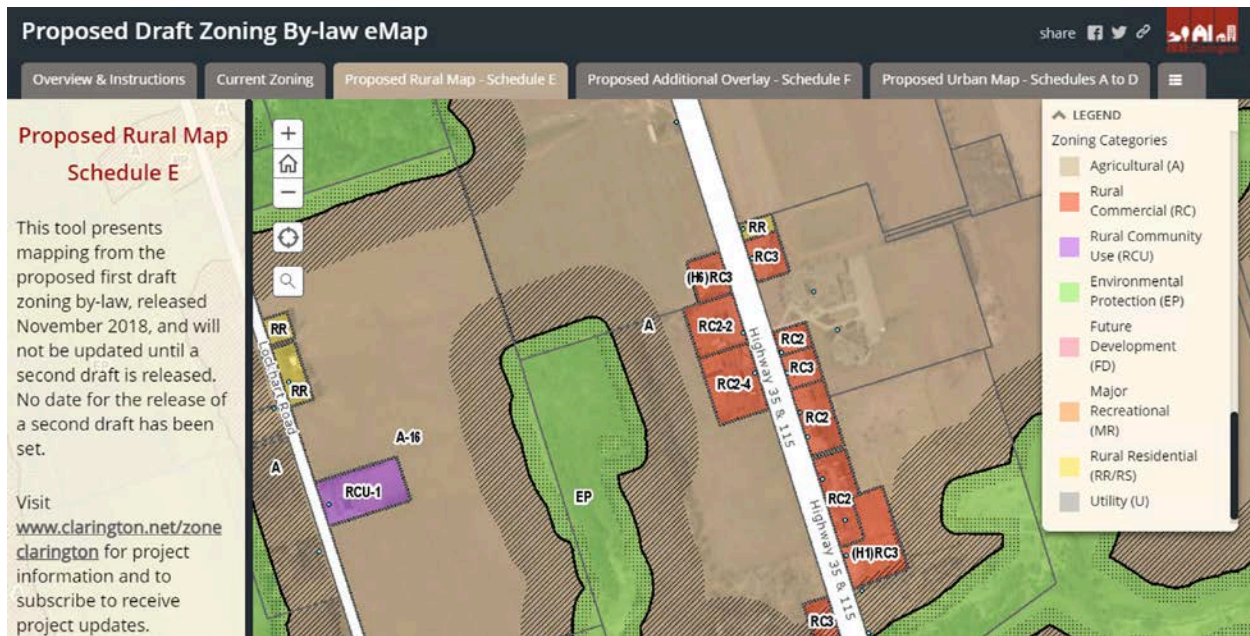


Figure 4: The Zone Clarington interactive e-map tool

### 3.4 Public Open Houses

To provide the public with an opportunity to learn about, ask questions and provide feedback on the first draft zoning by-law, four open house sessions were held on January 29, 2019, January 30, 2019, February 5, 2019, and March 4, 2019. Interested parties and members of the public were encouraged to attend the sessions to view the information panels, speak with staff, sign up for project updates, and to submit comments.

Notice of the public open houses was advertised using the following mechanisms:

- Report to Planning and Development Committee of Council ([Report PSD-082-18](#), dated Dec. 10, 2018);
- News release (Dec. 13, 2018);
- Advertisement in Clarington This Week (Jan. 9, 16, 23, 30 and Feb. 20, 27, 2019);
- Advertisement in Orono Weekly Times (Jan. 9, 16, 23, 30, and Feb. 20, 27 2019);
- Notice in the Planning eUpdate online newsletter (Jan. 4, 24, Feb. 15, 2019);
- Social media;
- Advertisement on Community Facility information screens;
- Direct notice to interested parties; and
- Direct notice to Advisory Committees of Council.

Over the course of the four open houses, 175 people attended. A breakdown of attendance by location is provided in Table 1.

Venue	Attendance
Garnet B. Rickard Recreation Complex, Bowmanville	42
Kendal Community Centre	36
Solina Community Hall	45
Tyrone Community Centre	52
<b>Total</b>	<b>175</b>

Table 1: First Draft Zoning By-law Open House Attendance.

The open houses included a series of display boards that provided information about the regulations proposed in the first draft zoning by-law. Attendees could walk through and review the display boards at their own pace. Project Team members and representatives from the appropriate Conservation Authority were present to discuss the proposal with attendees, address questions and listen to feedback. Project Team members were also available to print maps for individual properties displaying current zoning and proposed zoning for a property. Information sheets were available as handouts. Attendees were encouraged to provide comments via a feedback form.

### 3.5 Meetings with Stakeholders

In addition to the public open houses, Staff met to present on and discuss the first draft zoning by-law with individual landowners, stakeholders groups, organizations and agencies, by request. Staff met with the following stakeholders groups, agencies and organizations:

- Region of Durham Planning Staff;
- Ganaraska Region and Central Lake Ontario Conservation Authority Staff;
- Building Industry and Land Development Association – Durham Chapter;
- Durham Region Association of Realtors;

- Appraisal Institute of Canada – Durham Chapter;
- Durham Landowners Association;
- Rezoning Clarington Citizens Group; and
- Local residents group respecting on-farm special event venues.

Presentations and discussions also took place with the Agricultural Advisory Committee of Clarington and the Committee of Adjustment.

## 4.0 What We Heard

This section provides a summary of the comments received on the first draft zoning by-law. It considers written comments submitted to the Planning and Development Services Department, as well as delegations made to Council in response to the first draft zoning by-law. All comments received will be considered in preparing future draft zoning.

### 4.1 Submissions

As of November 1, 2021, the Zone Clarington project has 1,014 registered interested parties and 39 agencies who are circulated project updates and notices. The Planning and Development Services Department has received 14 submissions from agencies and 337 submissions from interested parties since the release of the first draft in November of 2018, some of which were restatements of comments previously submitted.

As can be seen in Figure 5, submissions to the project first spiked following the public open houses from November 2018 to April 2019. Submissions spiked again following discussions at Council relating to proposed Environmental Protection zoning in May of 2019. The final spike in submissions to the project occurred in December of 2020, when Council lifted the rural portion of the project from the table and provided direction to staff relating to the preparation of a revised proposed zoning by-law amendment.

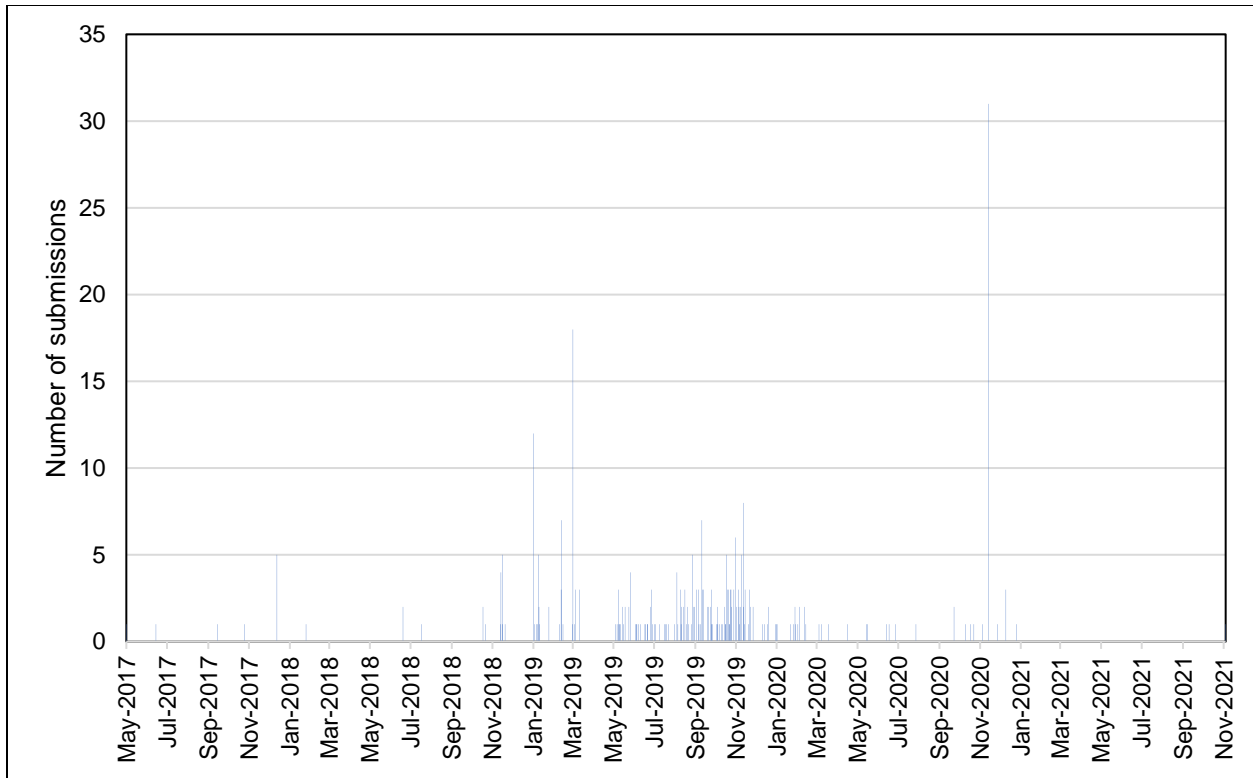


Figure 5: Number of submissions on the draft zoning by-law (Nov. 2018) by month

#### 4.2 General Themes

A variety of themes can be observed in the public submissions received in response to the first draft zoning by-law. The most prominent themes of the comments submitted relate to the proposed approach for Environmental Protection zoning (62 percent) and to comments surrounding project notifications (18 percent). A visual representation of the number of public submissions sorted by theme can be seen in Figure 6.

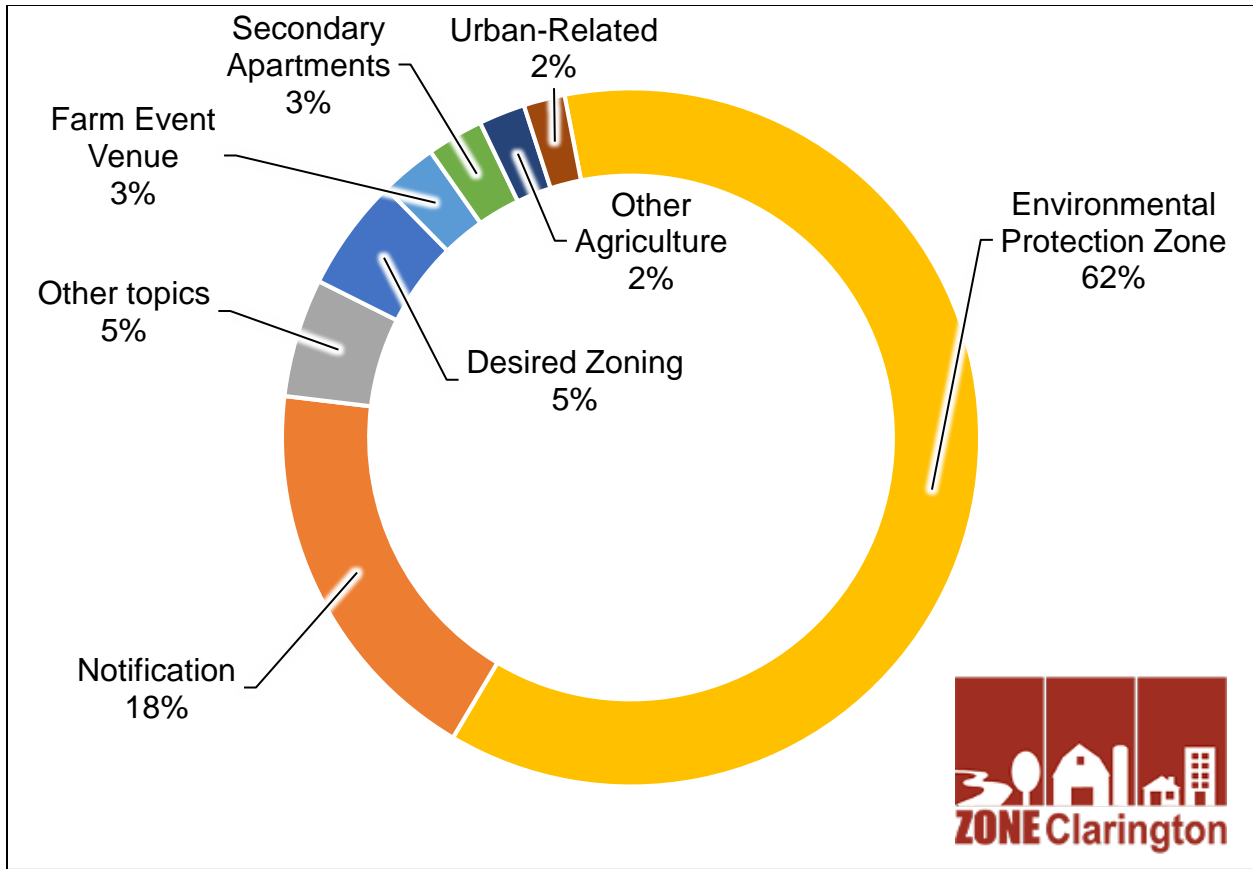


Figure 6: Percentage of comments submitted to the project by theme.

### 4.3 Environmental Protection Zone

62 per cent of the public comments are related to the proposed Environmental Protection (EP) zone. Residents commented on a range of EP zone-related matters, as follows:

#### Property Value Related

The Environmental Protection Zone...

- ...will negatively impact my property's value.
- ...will limit my ability to sell my property.
- ...will negatively impact my taxes.
- ...will negatively impact my retirement/succession plans.

#### Mapping Accuracy Related

The Environmental Protection Zone mapping...

- ...is not based on good science/the mapping is flawed.

- ...data should be shared with the public.
- ...should not include my house or other structures/crops/septic bed/man-made pond/drainage ditch.
- ...is based on environmental features that are not there or do not exist.
- ...is not being applied evenly from one property to the next.
- ...should be ground-truthed by someone from the Municipality.

### **Limit use of property**

The Environmental Protection Zone...

- ...will limit my ability to build/farm/develop my land.
- ...has buffers which are too restrictive and too big.
- ...will limit my ability to perform upkeep (trimming trees, etc.) on my property.
- ...will give the conservation authority too much control over what I do with my land.
- ...will limit my ability to sever my property.

### **In support**

The Environmental Protection Zone...

- ...is necessary to protect the environment but is proposed to expand too much.
- ...is currently not adequate to protect the environment.

## **4.4 Notification**

Comments on how residents are being notified of the project were present in 18 per cent of all submissions. These comments included:

- I would like to be directly notified of changes to the zoning for my property.
- I support full and comprehensive notification to property owners to ensure transparency and accountability.
- Why wasn't I notified about proposed changes to the zoning for my property?

## **4.5 Desired Zoning**

Five per cent of comments were received from property owners that included specific requests or changes to the proposed zoning for their property. In some instances, the property owner would comment on a proposed change in the zoning for their property, stating that they wished to retain the former zoning and permissions for the former zoning's uses and zoning standards. In the majority of these submissions the proposed zoning maintained or broadened, rather than restricted, the approved permitted uses and zoning standards of the previous zone.

In other cases, property owners indicated that they were hoping their property would be proposed to become a certain type of zoning, despite it being different than the previous



zoning. For example, a landowner who owns a property currently zoned residential would express their desire for the property to be zoned commercial.

#### 4.6 On-Farm Event Venue

The first draft of the zoning by-law does not permit a farm event venue as of right; a zoning by-law amendment is required. The comments represent three per cent of total comments made and were related to farm event venue were varied. Comments received include:

- Concern about the amount of noise and traffic as a result of these events,
- That they should be located where they do not impact neighbours in terms of noise, privacy, property values, liability, and general quality of life,
- More clear and firm regulations and requirements could make the approval process for a wedding/event business much more straightforward,
- Policies should be consistent with the Provincial Policy Statement, Greenbelt Plan, and Ontario Ministry of Agriculture, Food, and Rural Affairs, to avoid confusion regarding on-farm diversified uses,
- Large reoccurring events should be discouraged,
- My property should be deemed appropriate for diversified uses,
- Event venues need to be secondary to the principal agricultural uses,
- Farm event venue is most commonly used for weddings; and
- Farm event venues should be permitted as-of-right.

#### 4.7 Secondary Apartments

The first draft zoning by-law updated existing rules to permit and provide regulatory parameters for secondary apartments within specific zone categories in Clarington's rural area. Three per cent of submissions received provided comments on this proposed change, all of them in support of the addition of the secondary apartments policies.

#### 4.8 Other Agricultural

Two per cent of comments focused on the Agriculture Zone and related uses, regulations and related definitions. Included in these comments were the following:

- Farm produce outlet should include plants/flowers grown on farm to be included in farm produce outlet definition;
- Uses of the farm produce outlet should be defined better;
- Fur farms and riding and boarding stables should be maintained as permitted uses in the Agricultural Zone;
- Present 5% lot coverage for greenhouse structure is restrictive; and
- On-farm diversified uses should not exceed two percent of total acreage.



## 4.9 Urban Zoning-Related Submissions

Although the first draft zoning by-law focused on the rural areas of Clarington, two per cent of the comments relate to the urban area zoning. These submissions focused on the following urban area topics:

- Two advocate for backyard hens to be permitted in urban areas;
- One suggests that parking in driveways and pool water diversion be more strictly regulated;
- One requests that their land be removed from the Provincially Significant Employment Zone;
- One requests that current outside storage area regulations be retained in the light industrial zone; and
- One comments on an array of topics which mainly affect urban landowners. These topics include apartments in mixed-use buildings, definitions of dwelling types and zoning standards and parking space requirements in suburban areas.

These comments will be considered during the Urban Area Zoning Phase of Zone Clarington.

## 4.10 Other Themes

Residents wrote in with submissions related to several topics not listed in the above subsections. Five per cent of submissions contain comments that are unrelated to the themes listed above. Topics among these submissions include but are not limited to the following themes:

- Accessory buildings
- Tiny homes
- Shoreline hazards, landform conservation areas, areas of special studies
- Commercial zoning
- Lot creation
- Lots fronting on unopened roads

## 5.0 Summary and Next Steps

Zone Clarington has established a comprehensive communication and engagement program that extends beyond the minimum requirements set out in the Planning Act. The communication approach established for the project includes project branding, a project webpage, news and notices, informational resources, tracking of interested parties, mechanisms for public inquiries and comments, agency and stakeholder consultation, and updating and reporting to Council.

Upon release of a first draft of a proposed new zoning by-law for Clarington in November 2018, notices were posted in several different formats including newspapers,

the corporate website, and via the Planning and Building Services newsletter to encourage the review and submission of feedback by the Public. An interactive e-map and a series of nine information sheets were created to provide stakeholders with tools that would help to facilitate learning about the project and proposed changes. A series of four public open houses were held, providing the public with several opportunities to engage with Staff about the Project and to provide input.

Staff met with many individuals, community groups, industry associations, agencies and Advisory Committees of Council and to date, have received over 300 written submissions throughout the process.

Feedback received in response to the first draft zoning by-law informs preparation of the next draft of proposed rural zoning, as well as future communication and engagement activities. At the direction of Council given in December 2020, Staff will bring forward a report, including a second draft zoning by-law for Council's consideration in November 2021, Subject to Council's approval, the next phase of Zone Clarington will include additional communication and engagement with the public on a proposed new zoning by-law for Clarington.

For more information about this project, visit [www.clarington.net/zoneclarington](http://www.clarington.net/zoneclarington).