

Zoning By-law Review Project



FREQUENTLY ASKED QUESTIONS

Why are we reviewing Clarington's Zoning By-laws?

The Planning Act, which sets out the ground rules for land use planning in Ontario, requires that municipalities review and update their municipal Zoning By-law(s) to conform to their Official Plan no later than three years after the Official Plan comes into effect. After a comprehensive review, an amendment to the Clarington Official Plan was adopted by Council on November 1, 2016 and approved by the Region of Durham on June 19, 2017.

New zoning will likely be adopted in some places to meet the land uses described in the updated Official Plan. With Clarington's two existing Zoning By-laws, the opportunity to consolidate Zoning By-laws 84-63 and 2005-109 into one comprehensive Zoning By-law will help to avoid redundancy, improve consistency and will allow for easier use.

What does the ZONE Clarington work plan include?

The entirety of both by-laws will be reviewed, including:

- Definitions
- General and special provisions
- Zone categories and site-specific exceptions
- Zoning By-law layout and design

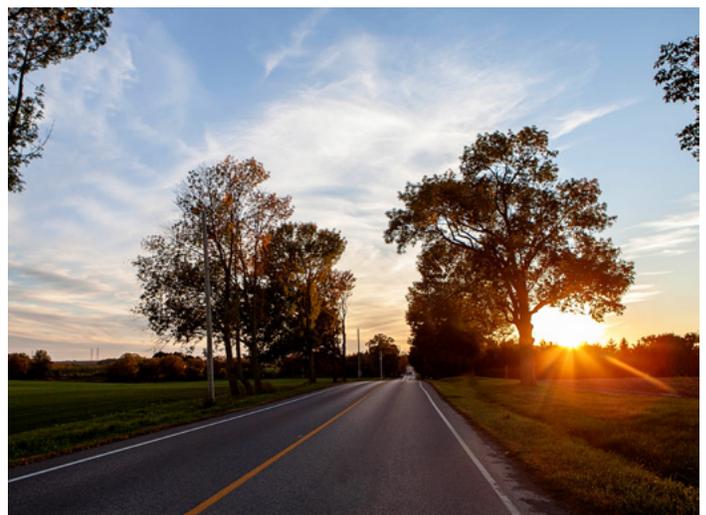
The review will be conducted in two stages that will address Clarington's rural areas (including lands within the Oak Ridges Moraine) and urban areas (including Bowmanville, Courtice, Newcastle and Orono). Following the review of each stage, the public will be invited to open house sessions to learn about the proposed changes and provide their feedback. To help us plan for communities in Clarington, we encourage public participation in ZONE Clarington. Interested parties can subscribe for project updates, including notices of open house sessions, at www.clarington.net/ZoneClarington.

How does the Zoning By-law review affect me?

The Zoning By-law defines permitted uses for lands and specifies regulations for buildings and structures on this land. If you are considering changing the use of your property or constructing new buildings and/or additions to existing buildings, you will need to consult the Zoning By-law to see what is permitted. The by-law review may change what was previously permitted on your property to allow more flexibility or, possibly, to be more restrictive, depending on how your property is designated in the Official Plan.

What if my property does not comply with the new zoning?

When new zoning is established, the new regulations and provisions cannot eliminate structures and/or uses that already exist. Existing buildings and structures that are lawfully used for such a purpose on the date of passing of the by-law will become 'legal non-conforming' so long as they continue to be used for that purpose. Therefore, permission to exist 'as-is' will not be lost when zoning changes permit otherwise moving forward.



What happens if my property zoning changes and is deemed 'legal non-conforming'?

When the proposed zoning comes into effect, there will be no change to the requirements imposed upon your property. You can continue living in your home and/or operating your business without any implications - provided the uses continue 'as-is.'

Once a use or structure is removed, the legal non-conforming status stops. To make changes to a legal non-conforming use and/or structure, permissions may be required through a Zoning By-law amendment or minor variance if the proposed changes do not comply with the new zoning of the property.

What if I do not want the new zoning to apply to my property?

We encourage the community to participate in the ZONE Clarington consultation process so that we can consider your concerns at every stage of the project. Public meeting dates will be advertised at least two weeks in advance of their scheduled times. Stay informed on project updates, including notices of open house sessions, by subscribing to updates at www.clarington.net/ZoneClarington.

Once the Zoning By-law has been approved by Council, you may be able to appeal it to the Local Planning Appeal Tribunal. The Municipality must give notice of the new by-law's passing within 15 days of its approval. You will then have 20 days after the notice of passing of the by-law to file a notice of appeal with the Municipal Clerk.



How will the new Zoning By-law be implemented?

Zoning establishes a set of rules so that the community has a common understanding of how property will be used. The Municipality enforces the Zoning By-law to protect the rights of all its residents. When an individual applies for a building permit, municipal staff are required to ensure that the proposed use, building or structure complies with the Zoning By-law. If the proposed use, building or structure does not comply, the building permit cannot be issued.

If a building permit was not required and there is a violation of the Zoning By-law, Municipal By-law Enforcement will meet with the property owner to discuss what is needed to make the property comply with current zoning. If the owner does not take steps to correct the problem, the Municipality may lay charges against the property owner.

How will changes to the Zoning By-law affect my property taxes?

Property taxes are calculated by multiplying the assessed value of your property by the property-class tax-rate of your land. The assessed value of property is determined by the Municipal Property Assessment Corporation (MPAC), not the Municipality of Clarington. MPAC uses several factors to assess land values. More information on how MPAC assesses properties is available www.mpac.ca.



www.clarington.net/ZoneClarington

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