

DURHAM LANDOWNERS UPSET 50% OF CLARINGTON RURAL LANDS TO BECOME ENVIRONMENTAL PROTECTION (EP)



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was held on Thursday May 16, 2019.

“Clarington property owners should be concerned that tens of thousands of acres in our community are about to be rezoned to EP (Environmental Protected). This move by the municipality is unwarranted and in the long run will reduce property values, add financial pressures onto many property owners looking to mortgage, refinance or sell their property. The proposed revisions to the Zoning By-law will affect thousands of properties in Clarington, not just farmers. It will restrict the land use of both rural and urban property owners alike.”

The Municipality of Clarington is undertaking a comprehensive review of its zoning by-laws. Clarington's zoning by-laws specify how property owners can use their lands through permissions, permits and regulations defined within the zoning by-law.

The Municipality of Clarington has held several public sessions asking residents and stakeholders to provide input on the first draft of its new Zoning By-law. The meeting between Clarington Planning Staff and the Durham Landowners Group helps to achieve the guiding principles for Municipal service delivery found within Section 270 of the Ontario Municipal Act.

In 2010, the then Clarington Council approved Transparency and Accountability Corporate Policy No. F-11. This policy states:

Accountability includes the principle that the Municipality of Clarington is responsible to its stakeholders for decisions made and policies implemented, as well as its actions or inactions.

Transparency includes the principle that the Municipality of Clarington actively encourages and fosters stakeholder participation, clarity and openness in the decision making processes.

Notwithstanding the open and transparent process that has taken place to date on this issue, the Durham Landowners Group is not satisfied. They are determined to fight the proposed expansion of EP lands in Clarington.

Chairman Robinson further stated: “In my opinion, the previous Council dropped the ball on this one. How can the municipality claim they have been transparent when they did not inform thousands of property owners they may experience negative consequences to these proposed revisions of the zoning by-law. Fortunately it may not be too late for the current Council to correct a bad situation.”

Currently, the Municipality has two zoning by-laws: Zoning By-law 84-63 and Zoning By-law 2005-109 Oak Ridges Moraine. Zone Clarington (the name assigned to the undertaking to revise the zoning by-law) will consolidate the two existing zoning by-laws while addressing current trends and planning best practices.

The Municipality website offers property owners the ability to review an interactive mapping tool that en-

ables anyone to quickly and easily compare the current zoning of their property with proposed draft zoning, right down to specific land parcels within the municipality (see how to access this interactive tool at end of article).

If you compare the current zoning map to the proposed draft zoning map, it is easy to understand why the Durham Landowners Group is upset.

The Municipality of Clarington encompasses a total of 151,000 acres. Lands designated EP in the Current Zoning By-law represent less than 20% of the total number of acres in the municipality. The Proposed Draft Zoning By-law Map shows designated EP lands will increase to approximately 50% of all rural lands, to more than 60,000 acres.

The Durham Landowners Group expressed a long list of concerns which will be triggered if the proposed revisions are approved. Once lands are designated to the EP classification, property owners may encounter a number of challenges in the years ahead. These challenges include:

- The assessed value of these newly designated properties will be reduced based on EP lands being valued at approximately \$2,500 per acres.
- Agricultural land values vary from \$8,000-20,000 per acre depending on the productivity of the land.
- Lower assessed values on these lands will result in reduced municipal property tax revenues, which in turn must be absorbed by all other property owners in Clarington.
- The fair market value of property designated EP is generally lower than property with any other designation. This is a result of the restrictive nature of land use within EP designated areas.
- EP designated lands have the lowest assessed value of any other designation (of lands) within the municipality. This means reduced future resale values for these newly designated EP lands, and loss of equity for the property owner.
- Banks and lending institutions often reduce the amount of mortgage funding available on EP designated property. Mortgage funding is based on appraised value. Lands designated EP generally appraise at lower values than non-EP designated lands.
- Small businesses and farmers may experience reduced borrowing limits on lines of credit and mortgage financing when purchasing new equipment or keeping their business afloat.
- Current land uses may no longer be permitted. Restricted land uses reduce resale values.
- The EP designation is the most restrictive with respect to permitted land uses.
- Expanding existing structures or building new structures on EP designated property will require Conservation Authority approvals, and costly consultant reports including Environmental

Assessments which can take up to 12 months (4 seasons) to complete properly.

- Some farming practices may not be permitted on EP designated lands.

Chairman Robinson stated: “The Municipal Act gives the Municipality the right to pass by-laws. However, whether the by-law being passed is lawful and / or Constitutional is another question. The draft of the proposed Zoning By-law is now complete on rural Clarington lands. We do not accept it. The review of the zoning by-law as it pertains to Urban (in-town) properties is up next for review. The municipality has left it up to each individual property owner to understand how these land use changes will affect them. I encourage everyone to participate in this process. Better you know now if you are one of the hundreds of property owners affected by this proposed Zoning By-law.”

HERE IS THE LINK TO INTERACTIVE MAPPING TOOL:

<https://clarington.maps.arcgis.com/apps/MapSeries/index.html?appid=f7b3e5298e544c2f89893e40bede-7aef>

Trouble connecting to the Link?

Visit: www.Clarington.net

1. Once in the website, click on: Do Business – Official Plan and Zoning
2. Click on Zone Clarington (the listed on the left side of your screen)
3. Then scroll close to the bottom of the page and click on “First Draft Zoning By-law”
4. Then scroll down and click on “View Interactive eMap”
5. Follow the tutorial and find your property.

Contact for the Durham Landowners Group:
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Contact for Municipality of Clarington:

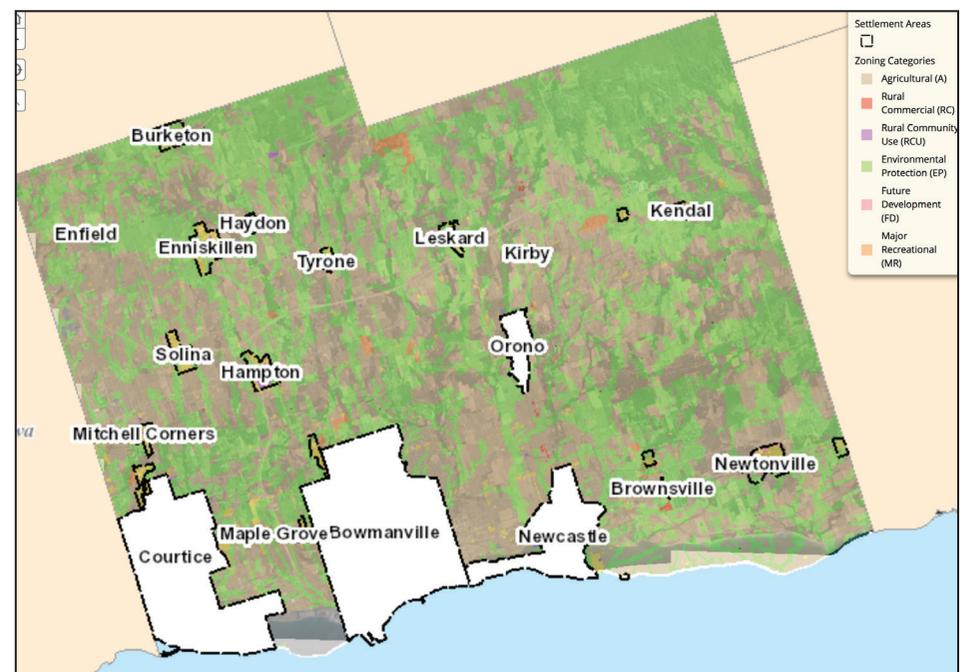
ZoneClarington

Clarington.net

905-623-3379



Gord Robinson



Proposed draft rezoning map.