



# Clarington

Mayor Adrian Foster

September 17, 2019

Honourable Steve Clark  
Minister of Municipal Affairs and Housing  
Ministry of Municipal Affairs and Housing  
17<sup>th</sup> Floor – 777 Bay Street  
Toronto, ON M5G 2E5

Dear Minister Clark,

Re: Proposed Amendments to Provincial Policy Statement

I am writing in follow-up to a recent discussion that I have been made aware of between our respective staff in response to the comprehensive review of the Municipality of Clarington's zoning by-laws that is now underway.

In accordance with the Planning Act, the Municipality of Clarington is currently conducting a review of our zoning by-laws to implement updated provincial policy and the policies and goals of our recently revised Official Plan. After a comprehensive review, an amendment to the Clarington Official Plan was adopted by Council in November 2016 and approved by the Region of Durham in June 2017. An appeal to the Official Plan Amendment was submitted by the Ministry of Municipal Affairs and Housing that was specific to a proposed urban area expansion area and a matter relating to dwelling types where second units would be permitted. The policies dealing with the Natural Heritage System were not identified as a concern.

Similar to the approach taken for the Clarington Official Plan Review, our zoning by-law review project involves a comprehensive public consultation program that goes well beyond the requirements of the Planning Act. The first draft of the new zoning by-law, which focuses on updating zoning for our extensive rural area, was released in November 2018. Clarington's rural area comprises nearly 54,000 hectares land and approximately 6,400 property owners. Since its release, strong opposition to the implementation of policies that protect Clarington's natural heritage system have been

heard from a local landowners association. Staff have worked diligently to speak and meet with rural property owners to answer their questions and explain the provincial, regional and local policy direction that is being implemented, and to dispel misinformation.

A primary element of the requests being made by the landowners group is to revisit the Clarington Official Plan and repeal natural heritage policies that implement the Provincial Policy Statement (PPS), Greenbelt Plan and Oak Ridges Moraine Plan. In addition, in light of the recent announcement of the PPS Review, the landowners group is requesting that Clarington's zoning by-law review be put on hold. At a community meeting hosted by this landowners group on July 31, opposition to current provincial policy and ceasing work on the zoning by-law review was also encouraged by David Piccini, MPP (Northumberland – Peterborough South), who was in attendance.

Council and Staff are aware of your letter from February of this year advising of the Ministry's review of the Planning Act and Provincial Policy Statement, and advising of the consideration of an interim pause on major planning decisions or reviews. The comprehensive public consultation program designed for the zoning by-law review project will involve the release of a second draft for public comment and series of public open houses prior to initiating the statutory consultation program prescribed by the Planning Act. As such, I can assure you that a draft zoning by-law will not be brought forward for a decision of Council for more than a year.

Clarington staff have been working towards to bringing our Zoning By-law into conformity with the Official Plan within the 3 year timeframe outlined in the Planning Act, Section 26 (9). However, pausing on the review will mean that the timeframe will need to be extended beyond the 3 years.

This fall, Clarington Council will receive a report from Staff providing comment on the proposed changes to the PPS released on July 22, 2019. It is my understanding that a key principle of the proposed policy changes is to continue to protect the environment. This will be achieved through enhanced direction relating to climate change matters and soil reuse, while maintaining policies to protect the local natural heritage system and the Greenbelt. On this basis, I do not anticipate that Staff's report will be advising of potential significant changes that may be needed to our Official Plan policies respecting environmental protection as a result of the proposed PPS policy changes.

The Municipality will continue to monitor and participate in the on-going PPS Review and will respond to any updates that may be needed to our planning documents subject to the release of the final changes.

Given the concerns expressed by some landowners relating to zoning to protect Clarington's Natural Heritage System, I would respectfully request that you clarify whether your Ministry has identified concerns with the Natural Heritage System policies of the Clarington Official Plan and the Municipality's goal to implement the policies through a new zoning by-law.

Sincerely,



Adrian Foster  
Mayor

cc: Lindsey Park, MPP (Durham)  
David Piccini, MPP (Northumberland – Peterborough South)  
Members of Council