



Staff Report

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Report To:	Planning and Development Committee		
Date of Meeting:	May 17, 2021	Report Number:	PDS-029-21
Submitted By:	Ryan Windle, Director of Planning and Development Services		
Reviewed By:	Andrew C. Allison, CAO	Resolution#:	
File Number:	COPA 2021-0001	By-law Number:	
Report Subject:	Recommendation Report for an Official Plan Amendment regarding Special Study Area 2		

Recommendations:

1. That Report PDS-029-21 be received;
2. That the Official Plan Amendment attached to Report PDS-029-21, as Attachment 3, be approved;
3. That the submissions made by the public with respect to this issue be directed to the Official Plan review process for further consideration;
4. That the Region of Durham be advised of Council's decision; and
5. That all interested parties listed in Report PDS-029-21 and any delegations be advised of Council's decision.

Report Overview

On the direction of Council, the Municipality initiated an Official Plan Amendment to consider deletion policies that request the Province to undertake a site specific science-based study before expanding the Greenbelt and that any expansion be for the protection of prime agricultural lands.

This report supports the deletion of those policies. The deletion does not change any current land use designation, nor any other policies related to prime agricultural lands.

1. Background

Proposal Details

- 1.1 Applicant: Municipality of Clarington
- 1.2 Proposal: Clarington Council is considering the deletion of the following policies from the Clarington Official Plan.
 - 13.3.12 The Municipality supports the expansion of the *Greenbelt Plan Area* to provide long term protection of *prime agricultural land*.
 - 17.3 Special Study Area 2 - Greenbelt Expansion
 - 17.3.1 Special Study Area 2 is all of the lands east of Highway 418 south and east of the Greenbelt boundary, north of Highway 401 and outside of the urban area boundaries in Clarington.
 - 17.3.2 In May 2015, Clarington Council requested that the Province undertake an appropriate science-based study of agricultural capability to identify high yielding agricultural lands to be added to the Greenbelt for permanent protection.
 - 17.3.3 The draft Greenbelt Plan (2016) identifies that the Government of Ontario will lead a process to identify potential areas to be added to the Protected Countryside of the Greenbelt. The Province will work with municipalities and others using a systems approach considering the connections with the Agricultural, Natural Heritage and Water Resource systems of the plan. Where it is determined that identified areas would benefit from Greenbelt protection, the Province may initiate amendments to the Greenbelt Plan.
 - 17.3.4 Special Study Area 2 identifies the lands which the Municipality considers appropriate as an area for the future Greenbelt expansion study.

- 1.3 Area: Figure 1 depicts the lands to which the above noted policies apply. It encompasses approximately 3800 hectares of land.

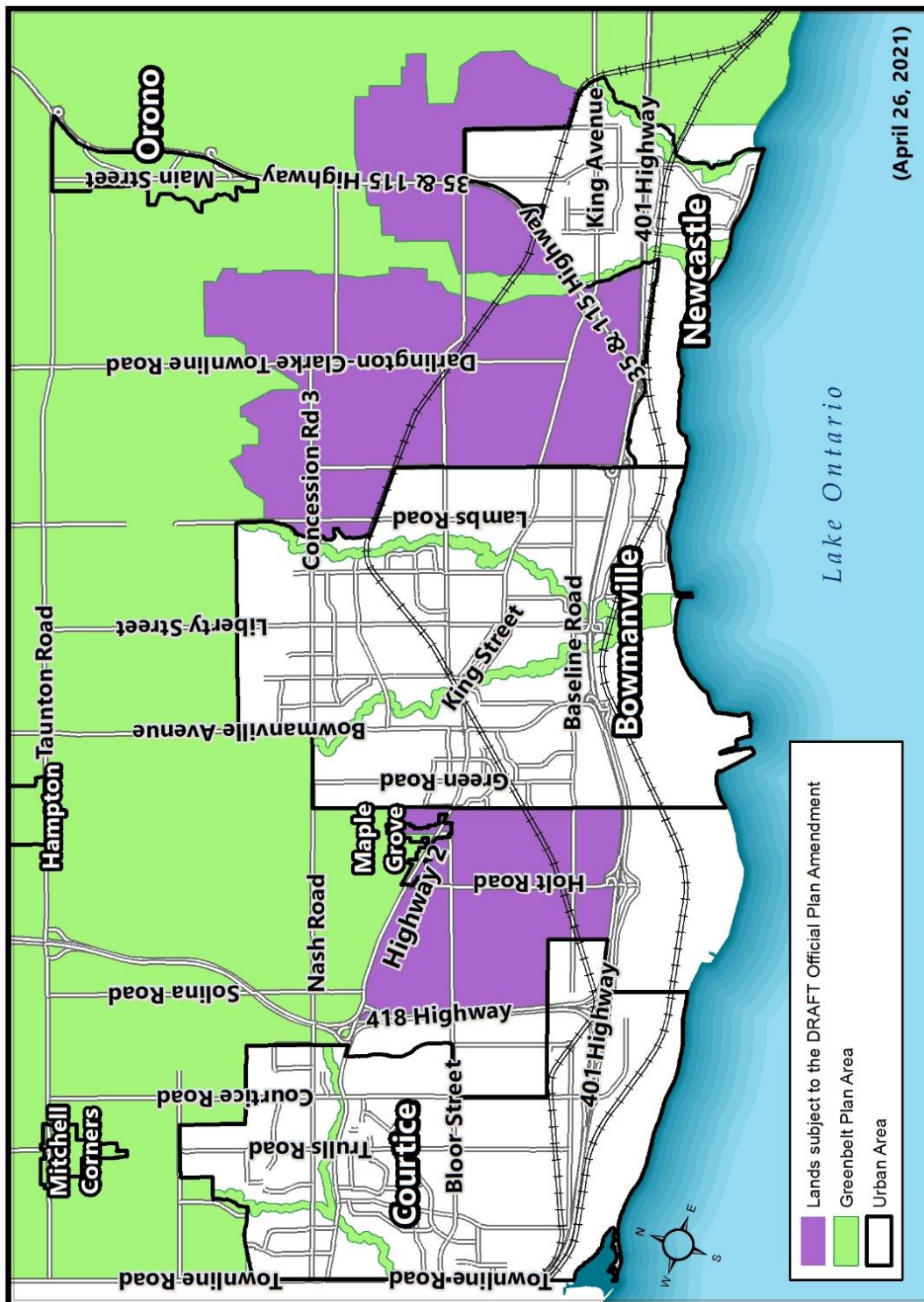


Figure 1: Lands Subject to the Draft Official Plan Amendment

- 1.4 Planning and Development Committee held the statutory public meeting on April 26, 2021 and considered Staff Report [PDS-024-021](#). At this meeting, the Committee passed Resolution# PD-137-21, directing staff to prepare a Recommendation Report for consideration of Council's Planning and Development Committee at its meeting on May 17, 2021.

2. Official Plan Discussion

- 2.1 The Clarington Official Plan is the Municipality's key planning policy document to guide future land use development. It provides a land use framework to steer the physical, economic and community growth of our Municipality. The Official Plan is intended to be both a strategic and a regulatory planning document to help guide the Municipality's decisions today and into the future. In this case, the policies in Section 17.3 and Policy 13.3.12 are being considered for deletion.
- 2.2 As outlined in the Public Meeting Staff Report, the land use designations in the Official Plan are the rules that guide what types of development may or may not occur on a property. In this case, the Rural, Prime Agricultural, and Environmental Protection Area land use designations determine the land uses that are permitted.
- 2.3 The intent of policy 13.3.12 is to provide support for expansion of the Greenbelt Plan area to provide long term protection of prime agricultural land. Section 17.3 also relates to the protection of high yielding agricultural lands. The main difference being that policy 17.3.2 describes a historical request for a scientific-based study and that 'studying' the land prior to including lands is appropriate. These policies do not grant land use rights, nor do they remove land use rights, they are strategic in nature.

3. Provincial Policy

- 3.1 As outlined in both the Region of Durham and the Central Lake Ontario Conservation Authority (CLOCA) comments, and agreed to by Clarington staff, the proposed amendment does not propose land use designation changes and as such are in conformity to the Regional Official Plan and is consistent with the policy directions of the Provincial Policy Statement (PPS).
- 3.2 Similarly, as the proposed amendment to delete the policies in the Official Plan would not change land use designations, permissions or propose development or site alteration, the policies of the Growth Plan related to natural heritage system features and functions would not be affected by the proposed OPA.
- 3.3 The Province has identified an Agricultural System for the Greater Golden Horseshoe (2018). Within the Greenbelt Plan Area, the Agricultural system mapping has been in effect since it's release. All land use planning decisions within the Greenbelt Plan Area are to conform to the Agricultural System Mapping.

- 3.4 In accordance with the A Place to Grow, outside of the Greenbelt Plan Area, the Agriculture Systems mapping does not apply until it has been implemented in the upper-tier (Region of Durham) Official Plan. Until implemented in the Region of Durham Official Plan, the Provincial Agricultural Systems Mapping does not apply.
- 3.5 As provided in the Region of Durham's Agriculture and Rural Systems policy paper issued as part of the Municipal Comprehensive Official Plan review, the Province's Agricultural System will be evaluated and refined. However, until the Region of Durham's has completed their evaluation, staff are not in a position to speculate as to how it may affect the Clarington Official Plan.

4. Public Notice

- 4.1 The Statutory Public Meeting Report ([PDS-024-21](#)) outlined the Public Notice process for the DRAFT OPA. Public Notice was provided in accordance with the *Planning Act* and Council procedures and all property owners in the subject area were notified of the Public Meeting.
- 4.2 Notice of this Recommendation Report was also sent to all the landowners within Special Study Area 2 – Greenbelt Expansion (SSA2) as well as to the people on the interested parties list. The Notice was posted on the project webpage and was emailed to the Agricultural Advisory Committee of Clarington. The project webpage identifies that submissions were to be received by May 10, 2021.

5. Public Submissions

- 5.1 At the time of writing this report:
- 64 written submissions have been received.
 - 26 verbal inquiries have been received.
 - 7 delegations spoke at the Statutory Public Meeting.
 - 316 unique visitors have spent approximately five minutes on the project's webpage.
- 5.2 All submissions received (verbal, written) at the time of writing of this report have been summarized in tabular form in **Attachment 1A** to this report. A copy of each of the submissions received is available on the [project webpage](#).
- 5.3 When the Planning and Development Committee Agenda is updated on Friday May 14, 2021 an additional Summary Table of Comments received after the May 10, 2021 comment deadline will be provided as **Attachment 1B**. Should additional comments be received after the Agenda update, an additional summary Table of Comments, will be provided on Monday May 17, 2021 as **Attachment 1C**.

5.4 Reasons offered in support of keeping the policies include the following:

- There are many benefits to urban sprawl however there is also great benefit to maintaining the agricultural lands that separate said sprawl.
- All lands in 'purple' should be located within the Greenbelt and all farming in these areas should be done so in an environmentally responsible way.
- It is important for the Municipality to be part of the process with the Province so a science-based study can be conducted prior to the addition of lands to the Greenbelt. These policies were included in Clarington's Official Plan and therefore deemed important to protect prime agricultural and natural heritage and water systems.
- With climate changes, farmland is negatively impacted anywhere in the world and we should start thinking how to feed us and future generations without counting on export products that may not be available or that could be very expensive in the future.
- The Whitebelt lands should be protected from development and alterations that do not respect Natural Heritage, Environmental, Hydrological and Community Values.

5.5 Reasons offered in support of deleting the policies include the following:

- Bowmanville is bordered by Greenbelt to the North and Lake Ontario to the South. If this greenbelt is expanded to include the area as shown in purple on the map, how does any further development or expansion of either Bowmanville, Courtice or Newcastle occur? The only way to expand would then be up and my understanding is that there are limitations in the Official Plan on building heights and obstructions of view.
- A special Greenbelt study is not required.
- Clarington does not need more Greenbelt.
- Deletion of the policies is needed to keep the value of the land. Keeping the policies will constrain growth and development of the area.

5.6 Some submissions did not provide a definitive position regarding the policies. As well, some submissions offered that there is a distinct difference between the subject lands located between Courtice and Bowmanville, designated Rural in the Official Plan and those located between Bowmanville and Newcastle designate Prime Agriculture and that the policies should remain for those lands east of Bowmanville.

5.7 It is staff's understanding that the Agricultural Advisory Committee of Clarington will be further discussing the DRAFT OPA at their May 13, 2021 meeting.

6. Agency Submissions

- 6.1 As provided for in the Public Meeting Report ([PDS 024-21](#)), comments regarding the DRAFT OPA were requested of 20 agencies. No additional agency comments have been received since reported in the Public Meeting Report.
- 6.2 Of the five agency comments received, only the Central Lake Ontario Conservation Authority (CLOCA) and Region of Durham provided detailed comments. Both of these agencies indicated that deleting the policies will not affect the underlying land use designations or affect any of the existing land use permissions and as such, they do not offer objections should Clarington Council decide to delete the subject policies from the Official Plan.
- 6.3 Both Agency comments are provided in **Attachment 2** to this report.

7. Next Steps

- 7.1 As noted during this public process, a number of community wide issues have been raised including urban boundary expansions, protection of agricultural and environmentally sensitive lands, climate change and major infrastructure investments such as the GO train.
- 7.2 The evaluation and the balancing of each of these issues is best suited to the overall review of the Official Plan, scheduled to begin later this year. As such it would be appropriate to continue the discussion of these issues in the context of the upcoming Clarington Official Plan review, as well as through Envision Durham, the Region of Durham's Municipal Comprehensive Official Plan Review process currently underway.

8. Concurrence

Not Applicable.

9. Conclusion

- 9.1 Major infrastructure investment, an ever-growing population, land value and other factors have been provided by the public as reasons to delete Section 17.3 and policy 13.3.12 from the OP.
- 9.2 Protection of the natural environment and agricultural lands, climate change, curbing urban sprawl and other factors have been provided by the public as reasons to keep Section 17.3 and policy 13.3.12 in the Official Plan.

- 9.3 The existing land use designations provided in both the Region of Durham's and Clarington's Official Plans adequately address the issues raised by the community that support keeping or deleting the subject policies in the Official Plan. At the same time, staff note that the issues raised by the community, particularly population growth and urban expansions, are more suitable during the review process of the Clarington and Regional Official Plans.
- 9.4 In conclusion, staff do not object to the deletion of Section 17.3 and policy 13.3.12 from the Official Plan as provided for in **Attachment 3**, Official Plan Amendment 127.
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Staff Contact: Lisa Backus, Principal Planner, 905-63-3379 extension 2413 or lbackus@clarington.net.

Attachments:

Attachment 1A– Public Submissions Summary Table to May 10, 2021
Attachment 1B- Public Submissions Summary Table to May 14, 2021
Attachment 1C- Public Submission Summary Table to May 17, 2021
Attachment 2 – Agency Comments (CLOCA and Region of Durham)
Attachment 3 – Recommended Official Plan Amendment 127

Interested Parties:

List of Interested Parties available from Department.