

**By-law Number 47-2022**  
**of The Regional Municipality of Durham**

Being a by-law to adopt Amendment #189 to the Durham Regional Official Plan.

Whereas the Planning Act, R.S.O. 1990, c.P.13, as amended, authorizes the Regional Municipality of Durham to pass by-laws for the adoption or repeal of Official Plans and amendments thereto; and

Whereas Amendment #189 to the Durham Regional Official Plan is exempt from approval of the Minister of Municipal Affairs by Ontario Regulation 525/97, as amended by Ontario Regulation 344/98, made pursuant to Section 17(9) of the Planning Act;

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. Amendment #189 to the Durham Regional Official Plan is hereby adopted.
2. The Clerk of the Regional Municipality of Durham is hereby authorized and directed to give Notice of Adoption of the aforementioned Amendment to the Durham Regional Official Plan in accordance with the procedure adopted by Council for exempt amendments.
3. This By-law shall come into force and take effect on the day of final passing thereof.

This By-law Read and Passed on the 28<sup>th</sup> day of September 2022.

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J. Henry, Regional Chair and CEO

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A. Harras, Regional Clerk

## Amendment #189 to the Regional Official Plan

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- Purpose and Effect:** The purpose and effect of this Amendment is to permit soil remediation and processing uses, including soil screening, sampling, crushing and treatment within an existing industrial building on lands designated “Oak Ridges Moraine – Countryside Areas”, in the Township of Uxbridge.
- Location:** The subject site is located at 102 Prouse Road, in the Township of Uxbridge. The property is legally described as Part of Lots 16 and 17, Concession 1 in the Township of Uxbridge.
- Basis:** The subject site is within the Provincial Agricultural System; however, the site is currently designated for industrial purposes and the amendment does not propose any new physical development. This amendment conforms to the Durham Regional Official Plan, the Oak Ridges Moraine Conservation Plan, and the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement.
- Amendment:** The Durham Regional Official Plan is hereby amended by adding the following policy exception to Section 9A.3.20:
- “Notwithstanding any other provision of this Plan, a new landfill site for soil remediation and processing uses, including soil screening, sampling, crushing and treatment is permitted within existing buildings on the lands located on the north side of Prouse Road and the east side of York Durham Line, north of Regional Highway 47, identified as Assessment 18-29-010-002-02000 in Part of Lots 16 and 17, Concession 1, in the Township of Uxbridge. The uses shall be subject to the fulfillment of the following conditions to the satisfaction of the approval authorities:
- a) The establishment of a site-specific baseline and surveillance monitoring program funded by the proponent to the satisfaction of the Region of Durham, the Township of Uxbridge, and the Lake Simcoe Region Conservation Authority. The baseline program should be established before the site is used for soil treatment purposes. Both water levels and water quality samples will be collected that reflect the contaminants of concern to be treated. The surveillance monitoring and reporting program shall include surface water from the two on-site drainage ponds, groundwater, and 2-year stormwater event runoff, water quality sampling and water level measurement analysis. The surveillance monitoring and reporting program shall be undertaken by a Qualified Person and begin before the soil remediation use begins, and continue for the duration of the soil remediation operations on the site;
  - b) Before the soil remediation use begins, the locations of all of the storage and processing facilities for the proposed use will be checked in the field to verify that they are outside the ten-year time of travel of the Wellhead Protection Area as identified in Schedule ‘B’ – Map ‘B2’ of the Durham Regional Official Plan;

- c) An upgrade of the existing sewage system be completed prior to the commencement of the proposed uses; and
- d) An Environmental Compliance Approval for the proposed soil remediation and processing activities shall be obtained from the Ministry of the Environment, Conservation and Parks prior to commencement of the facility and the ECA's conditions and requirements shall be implemented.”

Implementation: The provisions set forth in the Durham Regional Official Plan regarding the implementation of the Plan shall apply in regards to the Amendment.

Interpretation: The provisions set forth in the Durham Regional Official Plan regarding the interpretation of the Plan shall apply in regards to this Amendment.