

By-law Number 2024-008
of The Regional Municipality of Durham

Being a by-law to adopt Amendment #197 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 #197 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 #197 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 27th day of March, 2024.

J. Henry, Regional Chair and CEO

A.Harras, Regional Clerk

Amendment #197 to the Regional Official Plan

Purpose and Effect: The purpose of this Amendment is to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels on lands designated as “Prime Agricultural Areas.”

Location: The subject site is located at the northeast corner of Concession Road 6 and Clemens Road, approximately 870 metres south of the Hamlet of Tyrone and approximately 600 meters north of Highway 407. The property is municipally known as 2774 Concession Road 6 and is located in Part of Lots 7 and 8, Concession 6, former Township of Darlington, in the Municipality of Clarington.

Basis: The subject farm property has been consolidated with the other non-abutting farm parcels owned by the applicant. The residential dwelling on the subject site is not required by, and is surplus to, the farm operation. This amendment conforms with the Durham Regional Official Plan, the Greenbelt Plan, and the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement.

Amendment (current Regional Official Plan – 2020 Consolidation):

The Durham Regional Official Plan is hereby amended by adding the following policy exception to Section 9A.3.2:

“9A.3.2 hhh) A surplus farm dwelling rendered surplus from the parcel identified as Assessment No.18-17-010-110-06100 located in Part of Lots 7 and 8, Concession 6, former Township of Darlington, in the Municipality of Clarington, subject to the inclusion of the provisions in the zoning by-law to prohibit the construction of any new dwelling on the retained parcel; and the use of the existing barn for housing livestock. In accordance with Provincial and Regional policies, no further severances of the property are permitted.”

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

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