

**By-law Number 61-2023**  
**of The Regional Municipality of Durham**

Being a by-law to delegate Regional Council's Land Division responsibilities and authority to grant consents under the Planning Act to each of the Region's Area Municipalities.

Whereas Council of The Regional Municipality of Durham has all authority under section 50(1)(a) of the Planning Act to give consents in respect of land located within the geographical boundaries of the Regional Municipality of Durham.

And Whereas Council of The Regional Municipality of Durham has the authority to, and has previously delegated to the Durham Land Division Committee its authority to deal with applications for consent under By-law 20-73 and By-law 19-2020 as authorized by section s.54(1) of the Planning Act.

And whereas Council of The Regional Municipality of Durham may, by by-law, withdraw any such delegated authority.

And whereas Council of The Regional Municipality of Durham may, in accordance with the provisions of s.54(1) of the Planning Act, delegate consent authority for the land situated within an Area Municipality to the Council of that Area Municipality.

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

1. Definitions

In this by-law:

- a. "Area Municipality" shall mean the Town of Ajax, the Township of Brock, the Municipality of Clarington, the City of Oshawa, the City of Pickering, the Township of Scugog, the Town of Whitby, and the Township of Uxbridge;
- b. "Council" shall mean the council of the Region;
- c. "Planning Act" shall mean the Planning Act, R.S.O. 1990, c.P.13, as amended;
- d. "the Region" shall mean The Regional Municipality of Durham.

2. That subject to section 4, By-laws 20-73 and 19-2020 of the Region are hereby revoked effective December 31, 2023.

3. That subject to section 4, all authority of Council of the Region to grant consents and all other jurisdiction pursuant to section 50(1)(a) of the Planning Act, is hereby delegated to the council of each Area Municipality within the Region for lands situated within their local area municipal boundaries effective January 1, 2024.

4. Any application for consent received by the Durham Land Division Committee after 4:30pm October 20, 2023 will be forwarded to the applicable Area Municipal Council after passage of the by-law for processing.

5. As of January 1, 2024 the delegation powers as described herein shall apply in a

retroactive fashion any application where the Region's Land Division Committee has not granted provisional consent.

6. As of January 1, 2024 the Commissioner of Planning and Economic Development or their designate shall retain s. 53(42) authority to grant a certificate for all applications for which the Regional Land Division Committee has granted provisional consent.
7. This By-law shall come into force and effect on the date of passage.

This By-law Read and Passed on the 25<sup>th</sup> day of October, 2023.

---

J. Henry, Regional Chair and CEO

---

A. Harras, Regional Clerk