

**By-law Number 26-2023**  
**of The Regional Municipality of Durham**

Being a by-law to adopt Amendment #190 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 #190 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 #190 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 26<sup>th</sup> day of April, 2023.

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J. Henry, Regional Chair and CEO

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A.Harras, Regional Clerk

## **Amendment #190 to the Regional Official Plan**

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- Purpose and Effect:** The purpose and effect 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 “Major Open Space Areas”.
- Location:** The subject site is located south of Taunton Road between Green Road and Maple Grove Road. The site is municipally known as 4382 Green Road and is legally described as Part of Lots 17 and 18, Concession 4, former Township of Darlington, in the Municipality of Clarington.
- Basis:** The subject site is proposed to be 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:** The Durham Regional Official Plan is hereby amended by adding the following policy exception to Section 9A.3.2:
- “9A.3.2 ddd) A surplus farm dwelling is severed from the parcel identified as Assessment No. 18-17-010-080-19900 located in Part of Lots 17 and 18, Concession 4, former Township of Darlington, in the Municipality of Clarington, subject to the inclusion of provisions in the zoning by-law to prohibit the establishment of any dwellings on the retained parcel. In accordance with Provincial and Regional policies, no further severance of the property is permitted. A 5-metre access easement on the severed parcel shall be granted in favour of the retained farm parcel to provide access to Green Road.”
- Implementation:** The provisions set forth in the Durham Regional Official Plan regarding the implementation of the Plan shall apply in regard to this 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.