

BY-LAW NUMBER 28-2016

OF

THE REGIONAL MUNICIPALITY OF DURHAM

Being a by-law to adopt Amendment #161 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 #161 to the Durham Regional Official Plan is exempt from approval of the Minister of Municipal Affairs and Housing by Ontario Regulation 525/97, as amended by Ontario Regulation 344/98, made pursuant to Section 17(9) of the Planning Act;

NOW, THEREFORE, BE IT ENACTED AND IT IS HEREBY ENACTED as a By-law of the Regional Municipality of Durham by the Council thereof as follows:

1. Amendment #161 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 8th day of June, 2016.

Roger Anderson, Regional Chair and CEO

Debi A. Wilcox, Regional Clerk

Amendment #161 to the Durham Regional Official Plan

- Purpose:** The purpose of this Amendment is to permit the severance of a residential dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels on lands designated “Prime Agricultural Areas” and “Waterfront Areas”, in the Municipality of Clarington.
- Location:** The subject property is located on the north side of Lakeshore Road, and is municipally known as 4548 Lakeshore Road. The property is legally described as Part of Lot 8, Broken Front Concession, in the former Township of Clarke, now in the Municipality of Clarington.
- Basis:** The subject property is proposed to be consolidated with the other non-abutting farm parcels. The transfer of title of the retained lands to Thornlea Holsteins Ltd. will be made a condition of the granting of the severance. The residential dwelling on the subject property is not required by, and will be surplus to the farm operation as a result of Thornlea Holsteins Ltd. acquiring this farm parcel. This application complies with the Durham Regional Official Plan, the Greenbelt Plan, and the Provincial Policy Statement.
- Amendment:** The Durham Regional Official Plan is hereby amended by adding the following subsection to Section 9A.3.2:
- “9A.3.2 nn) A surplus farm dwelling as severed from a parcel identified as Assessment No. 18-17-030-010-03300 located in Part of Lot 8, Broken Front Concession, former Township of Clarke, Municipality of Clarington, subject to the inclusion of provisions in the zoning by-law to prohibit further severances and the construction of a dwelling on the retained farm parcel.”*
- 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.