

BY-LAW NUMBER 44-2016
OF
THE REGIONAL MUNICIPALITY OF DURHAM

Being a by-law to adopt Amendment #165 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 #165 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 #165 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 14th day of September, 2016.

R. Anderson, Regional Chair and CEO

D. Wilcox, Regional Clerk

Amendment #165 to the Durham Regional Official Plan

- Purpose:** The purpose of this Amendment to the Durham Regional Official Plan is to permit the development of a 18-hole golf course and associated buildings.
- Location:** The subject site is located in Part of Lots 31 and 32, Concession 5 in the Town of Whitby.
- Basis:** The Durham Regional Official Plan allows for the development of a golf course in the Major Open Space Areas designation subject to a number of criteria. Through the review of technical reports and the peer review process it was demonstrated that the proposed golf course would not adversely impact the surrounding natural heritage or hydrogeological features. Accordingly, it was determined that the proposed golf course meets all applicable Official Plan policies and Provincial policies.
- Amendment:** The Durham Regional Official Plan is hereby amended by adding the following in Section 10A (Major Open Space Areas) of the Regional Official Plan:
- 10A.2.10 k) “an 18-hole golf course with a driving range, clubhouse and maintenance building, on a site located at Highway 7 and Coronation Road, identified as Assessment Nos. 18-09-010-036-32800-00, 18-09-010-036-07600-00, 18-09-010-036-08700-00, 18-09-010-036-07500-00, and 18-09-010-036-07305-00 in Part of Lots 31 and 32, Concession 5 in the Town of Whitby. The development of such lands shall be subject to the fulfillment of the following conditions to the satisfaction of the approval authorities:
- a) Submission of a site plan application to implement the golf course uses to the satisfaction of the Town of Whitby;
 - b) The establishment of a program to monitor and report on the quality and quantity of groundwater for a minimum of 5 years following the construction to the satisfaction of the Region of Durham, Town of Whitby, and Central Lake Ontario Conservation Authority (CLOCA);
 - c) The establishment of a Well Interference Procedure to the satisfaction of the Town of Whitby;
 - d) A letter of credit shall be provided to the Town of Whitby, renewable for three years, to remedy any potential well interference with surrounding landowners;
 - e) A reference plan delineating the lands to be conveyed to CLOCA;
 - f) Submission of plans covering grading, water conservation, tree preservation, forest edge

management, vegetation enhancement and planting, vegetation protection zones, erosion hazards and slope stability to the satisfaction of the Region of Durham, Town of Whitby and CLOCA;

- g) Authorization by the Ministry of Natural Resources and Forestry under the Endangered Species Act regarding the crossing of redbelt dace habitat and the removal of butternut trees;
- h) Approval of the sewage disposal system and Permit to Take Water by the Ministry of Environment and Climate Change (MOECC); and
- i) Satisfactory evidence in accordance with the Region's Site Contamination Protocol to address site contamination matters.

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.