

BY-LAW NUMBER 35-2016

OF

THE REGIONAL MUNICIPALITY OF DURHAM

Being a by-law to adopt Amendment #163 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 #163 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 #163 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 29th day of June, 2016.

R. Anderson, Regional Chair and CEO

D. Wilcox, Regional Clerk

Amendment #163 to the Durham Regional Official Plan

- Purpose:** The purpose of this Amendment is to permit the severance of a second residential dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels on lands designated “Prime Agricultural Areas,” in the Township of Uxbridge.
- Location:** The subject property is located on the southwest corner of Davis Drive and Concession Road 5. The property is legally described as Part of Lot 37, Concession 4, Township of Uxbridge.
- Basis:** The subject property is proposed to be consolidated with other non-abutting farm parcels owned by the applicant. There are two residential dwellings on the subject property, one of which is not required by, and is surplus to the farm operation. 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 policy exception to Section 9A.3.18:
- 9A.3.18 “Notwithstanding Policy 9A.2.4, the existing accessory dwelling rendered as surplus may be severed from a farm parcel identified as Assessment No. 18-29-030-007-27600 located in Part of Lot 37, Concession 4, Township of Uxbridge, subject to the inclusion of provisions in the zoning by-law to prohibit further severances and the construction of any new accessory dwelling on the retained parcel.”*
- 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 provisions set forth in the Durham Regional Official Plan regarding the interpretation of the Plan shall apply in regards to this Amendment.