

BY-LAW NUMBER 02-2017
OF
THE REGIONAL MUNICIPALITY OF DURHAM

Being a by-law to adopt Amendment #167 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 #167 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, 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 #167 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 18th day of January, 2017.

R. Anderson, Regional Chair and CEO

C. Bandel, Deputy Clerk

Amendment #167 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,” in the Township of Brock.
- Location:** The subject property is located on the north side of Durham Regional Road Highway 48, east of Highway 12. The property is legally described as Part of Lot 8, Concession 10, Township of Brock.
- Basis:** The subject property is proposed to be consolidated with other non-abutting farm parcels owned by the applicant. There is a residential dwelling on the subject property, 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.3.2:
- “9A.3.2nn) A surplus dwelling as severed from the parcel identified as Assessment No. 18-39-010-005-37500 located in Part of Lot 8, Concession 10, former Township of Thorah, in the Township of Brock, subject to the inclusion of provisions in the zoning by-law to prohibit: further severances; the construction of any dwelling on the retained parcel; and the use of the existing barn from housing livestock or removal of the barn.”*
- 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 out in the Durham Regional Official Plan regarding the interpretation of the Plan shall apply in regards to this Amendment.