

By-law Number 21-2020
of The Regional Municipality of Durham

Being a by-law to adopt Amendment #178 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 #178 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 #178 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 April, 2020.

J. Henry, Regional Chair and CEO

R. Walton, Regional Clerk

Amendment #178 to the Durham Regional Official Plan

Purpose and Effect: 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 “Countryside Area” and “Prime Agriculture,” in the Municipality of Clarington and to permit the retained farm parcel to be less than 40 hectares in size.

Location: The subject site is located on the south side of Regional Road 20 west of Middle Road. The parcel is municipally known as 8800 Middle Road, Part of Lot 13, Concession 8, in the Municipality of Clarington.

Basis: The subject site has been consolidated with 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 to the Durham Regional Official Plan, the Greenbelt Plan, the Oak Ridges Moraine 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 xx) A surplus dwelling is severed from the 21.6 hectare parcel identified as Assessment No. 18-17-010-150-08900 located in Part of Lot 13, Concession 8, in the Municipality of Clarington, subject to the inclusion of provisions in the zoning by-law to prohibit further severances, the construction of any 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 the 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.