

**ADOPTION BY-LAW FOR OFFICIAL PLAN AMENDMENT NO. 1
BY-LAW NO. 2013- 50**

WHEREAS Section 21 of the *Planning Act R.S.O. 1990, Ch. P. 13*, as amended, enables the Council of a Municipality to initiate Official Plan Amendments that apply to the Municipality;

AND WHEREAS the approval authority and prescribed public bodies were consulted on the preparation of the Official Plan Amendment and given an opportunity to review all supporting information and material in accordance with Section 17 of the *Planning Act R.S.O. 1990, Ch. P. 13*, as amended;

AND WHEREAS Council of the Municipality of Edwardsburgh/Cardinal held a statutory Public Meeting on , 2013 in accordance with Section 17 of the *Planning Act R.S.O. 1990, Ch. P. 13*, as amended, for the purpose of giving the public an opportunity to make representations in respect of the proposed plan;

NOW THEREFORE the Council of the Municipality of the Township of Edwardsburgh/Cardinal hereby enacts as follows:

1. The Official Plan Amendment No. 1 for the Township of Edwardsburgh/Cardinal, consisting of the attached explanatory text, is hereby adopted.
2. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing for approval of Official Plan Amendment No. 1 for the Township of Edwardsburgh/Cardinal.
3. This By-law shall come into force and take effect on the day of the final passing thereof.


Enacted and passed this 23rd day of September, 2013

Signed ..  ..

CORPORATE SEAL

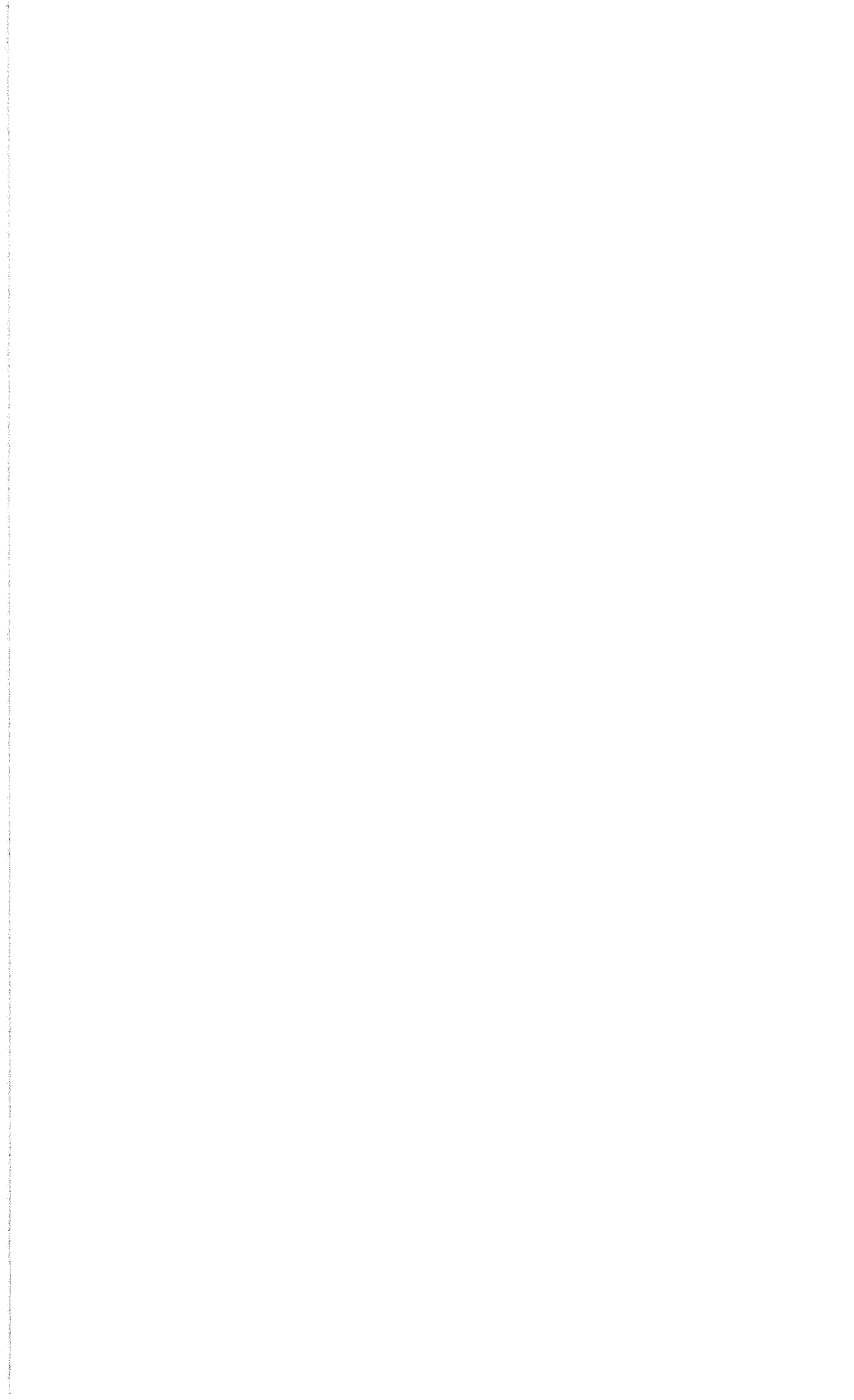
Head of Council

OF MUNICIPALITY

Signed 
Clerk

Certified that the above is a true copy of By-law No. 2013-50 as enacted and passed by the Council of the Township of Edwardsburgh/Cardinal on the 23rd day of September, 2013.

Signed 
Clerk



PART A - THE PREAMBLE

PURPOSE

The purpose of Amendment No. 1 is to clarify the policy wording for severances in the Rural Policy Area under Sections 3.4.3.1 and 3.4.3.2 in the Official Plan of the Township of Edwardsburgh/Cardinal.

LOCATION

The lands affected by this amendment include all properties designated Rural Policy Area in the Township of Edwardsburgh/Cardinal.

The special policies governing the lands affected by this amendment are to be added to Section 3.4.3 (Rural Policy Area – Lot Creation) of the Official Plan of the Township of Edwardsburgh/Cardinal.

BASIS

The current Official Plan policy under Section 3.4.3.1 states that lot creation in excess of two lots, including the retained lot, from the original lot shall take place by Plan of Subdivision. An original lot is defined in this policy as the lot as it existed as of December 6, 2003. The confusion from this policy is based on the issue of whether the retained lot is the same as the original lot. It was the intention of the Township of Edwardsburgh/Cardinal that the creation of a maximum of two new lots by consents, excluding the retained original lot, may be considered in the Rural Policy Area. Updated wording to clarify this policy will help with future interpretation issues.

The current Official Plan policy under Section 3.4.3.2 states that consents may also be granted to permit a lot enlargement, clarification of title or for any legal or technical reason which does not result in the creation of a new lot. Updated wording to clarify that such consents would not count toward the maximum number of consents referenced above in Section 3.4.3.1 will also help with future interpretation issues.

Through Amendment No. 1 to the Official Plan of the Township of Edwardsburgh/Cardinal, it is Council's intention to ensure that the severance policies in the Rural Policy Area more clearly reflect current development control practices.

PART B - THE AMENDMENT

All of this part of the document, entitled Part B - The Amendment, consisting of the following text to Amendment No. 1, constitutes Amendment No. 1 to the Official Plan of the Township of Edwardsburgh/Cardinal.

DETAILS OF THE AMENDMENT

The Official Plan of the Township of Edwardsburgh/Cardinal is hereby amended as follows:

Item 1: Section 3.4.3.1 (Rural Policy Area – Lot Creation) is hereby deleted in its entirety and replaced by the following:

“3.4.3.1 It is the policy of this Plan that the creation of a maximum of two new lots by consents, excluding the retained original lot, may be considered subject to the other relevant policies of this Plan. Any additional new lot creation shall occur by Plan of Subdivision. For the purpose of this policy an original lot is defined as the lot as it existed as of December 6, 2003.”

Item 2: Section 3.4.3.2 (Rural Policy Area – Lot Creation) is hereby deleted in its entirety and replaced by the following:

“3.4.3.2 A consent may be granted in addition to the consent policy outlined above to permit a lot enlargement, clarification of title or for any legal or technical reason which does not result in the creation of a new lot. Vertical consents (commonly known as Strata Plans) are not permitted.”

IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of this amendment shall be in accordance with the respective policies of the Official Plan of the Township of Edwardsburgh/Cardinal.