

**THE CORPORATION OF THE CITY OF BROCKVILLE**  
**BY-LAW NO. 85-98**

**BEING A BY-LAW TO ADOPT OFFICIAL PLAN AMENDMENT NUMBER 43  
TO THE OFFICIAL PLAN FOR THE CITY OF BROCKVILLE  
(Armstrong, Part Lot 16, Concession II, City of Brockville, County of Leeds  
- File 266-43)**

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**WHEREAS** the Council of the Corporation of the City of Brockville deems it expedient to amend the City of Brockville Official Plan, in accordance with Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BROCKVILLE ENACTS AS FOLLOWS:**

1. THAT Amendment Number 43 to the City of Brockville Official Plan is hereby adopted.
2. THAT Amendment Number 43 and Schedules thereto shall be read with and form part of this By-law.

**GIVEN UNDER THE SEAL OF THE CORPORATION  
OF THE CITY OF BROCKVILLE AND PASSED THIS  
22<sup>nd</sup> DAY OF SEPTEMBER, 1998**

  
MAYOR

  
CLERK

**AMENDMENT NO. 43**  
**TO THE OFFICIAL PLAN FOR**  
**THE CITY OF BROCKVILLE**

**Part A - The preamble** does not constitute part of this Amendment.

**Part B - The Amendment**, consisting of the following text constitutes Amendment No. 43 to the Official Plan for the City of Brockville.

## **Part A - The Preamble**

### **Purpose**

The purpose Amendment No. 43 is to add a notwithstanding clause to the Official Plan, Part VII, Section 7.7 to permit lands described as Part Lot 16, Concession II, County of Leeds, City of Brockville, designated as Part 1, on Reference Plan 28R-4441 to be severed to create one (1) new, unserviced lot. No further residential development shall be permitted on said new lot.

### **Location**

This Amendment consists of one (1) part which shall be referred to as Item 1.

### **Item 1**

A “notwithstanding” clause is to be inserted into Part VIII, Section 7.7 of the Official Plan, affecting only lands described as Part of Lot 16, Concession 2, City of Brockville, County of Leeds, designated as Part 1 on Reference Plan 28R-4441.

**Basis:**

The lands which are the subject of Amendment No. 43 are described as Part Lot 16, Concession II, County of Leeds, City of Brockville, designated as Part 1, on Reference Plan 28R-4441.

The subject property abuts Victoria Road on the north-west and north-east corners, the centre section of the north side being interrupted by four lots occupied by single detached dwellings.

The subject property is currently designated "Vacant / Rural" and is occupied by one single detached dwelling and one associated outbuilding, said dwelling being located on the north end of the property and the outbuilding being located south-east of the dwelling. The dwelling is serviced with on-site private well and septic system.

The amendment is necessary, given that the general policies in the Official Plan prohibit the creation of new lots in the Rural District where municipal piped services are unavailable.

The notwithstanding clause would serve to permit the creation of a new lot within Planning District No. 7 and to prohibit further development on the vacant portion of the severed lot.

## **Part B - The Amendment**

### **Introductory Statement**

Part B in its entirety constitutes Amendment No. 43 to the Official Plan for the City of Brockville.

### **Details of the Amendment**

The Official Plan is amended as follows:

Part VII, Section 7.7 is to be amended by adding the following notwithstanding clause:

- "10) Notwithstanding policies contained in Section 10.3 (a) and Section 6.7.1 to this Plan, lands described as Part Lot 16, Concession II, County of Leeds, City of Brockville, designated as Part 1, on Reference Plan 28R-4441, known municipally as 91 Victoria Road, may be severed to create one (1) new, unserviced lot. No further residential development shall be permitted and such restriction shall be reflected in the implementing by-law."