

# The Regional Municipality of Durham Land Division Committee Meeting

### **Minutes**

### Monday, May 13, 2019

The Region of Durham Land Division Committee met in Regional Council Chambers at the Regional Headquarters Building, 605 Rossland Road East, Whitby, ON at 9:30 A.M on Monday, May 13, 2019 with the following in attendance:

Present: Gerri Lynn O'Connor, Chair

Steven Cooke, Vice-Chair

Alan Arnott Kitty Bavington Alex Georgieff Eric Hudson Carolyn Molinari Donovan Smith

Absent: None

Staff

Present: P. Aguilera, Assistant Secretary-Treasurer

L. Trombino, Secretary-Treasurer

### 1. Adoption of Minutes

Moved by: A. Georgieff

Seconded by: S. Cooke

That the minutes of the Monday, April 15, 2019 Land Division Committee meeting be adopted as circulated.

Carried unanimously Monday, May 13, 2019

### 2. Review Consent Applications/Correspondence

The Committee reviewed scheduled applications, agency comments and other pertinent correspondence.

#### 3. Other Business

Secretary-Treasurer L. Trombino provided the Committee with a brief overview of Bill 108 and how the proposed changes would potentially impact the Land Division Committee.

Secretary-Treasurer L. Trombino also provided the Committee with material relating to conflict of interest declaration for their reference binder.

#### 4. Recess

Moved by: E. Hudson

Seconded by: A. Georgieff

That this meeting be recessed at 11:45 A.M. and reconvene at 1:00.

Carried unanimously Monday, May 13, 2019

The Committee Chair opened the 1:00 P.M session by asking Assistant Secretary-Treasurer Ms. P. Aguilera if all required notices have been provided for today's Committee meeting. Ms. P. Aguilera advised the Committee that all notices of application/meeting had been issued in accordance with Section 53 Subsection 5 of the Planning Act.

### 5. Consideration of Consent Applications

1. File: LD 020/2019 Appendix 1

2. File: LD 021/2019 Appendix 2

3. File: LD 033/2019 Appendix 3

4. File: LD 041/2019 Appendix 4

5. File: LD 042/2019 Appendix 5

6. File: LD 043/2019 Appendix 6

7. File: LD 044/2019 Appendix 7

8. File: LD 045/2019 Appendix 8

9. File: LD 046/2019 Appendix 9

10. File: LD 047/2019 Appendix 10

11. File: LD 048/2019 Appendix 11

12. File: LD 049/2019 Appendix 12

### 6. Date of Next Meeting

The next regularly scheduled Land Division Committee meeting will be held on Monday, June 10, 2019, in the Regional Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby.

### 7. Adjournment

Moved by: A. Georgieff Seconded by: A. Arnott

That this meeting be adjourned at 2:00 p.m. and the next regular meeting be held on June 10, 2019.

Carried unanimously Monday, May 13, 2019

### 8. Appendices



# The Regional Municipality of Durham Land Division Committee Meeting

### **Minutes and Decisions**

## As per: The Planning Act, and in accordance with the Provincial Rules of Procedure

Consent Application heard on: Monday, May 13, 2019

File: LD 020/2019
Submission: B 030/2019
Owner: Giordano, Frank

Raponi, Daniel

**Location:** Lot Pt Lot 11, Concession 4

City of Oshawa (Whitby East)

Municipality: City of Oshawa

Consent to sever a 533.3 m2 residential parcel of land, retaining a 455.1 m2 residential parcel of land with an existing dwelling to be demolished.

This matter was tabled from the March 18, 2019 hearing.

Applications LD 20/2019 and LD 021/2019 were heard in conjunction.

The Committee Member visited the site on April 26, 2019 and confirmed the property was properly posted.

Present was:

Owner: Raponi, Daniel

Mr. D. Raponi explained the nature of the application and advised the Committee the application would facilitate the creation of three separately conveyable lots.

The Committee had for information reports received from the Regional Municipality of Durham Planning and Economic Development, and Works

Departments, the City of Oshawa and the Central Lake Ontario Conservation Authority.

Agency comments were provided to Mr. D. Raponi.

### **Decision of the Committee**

### Applicants/owners are responsible for fulfilling all conditions.

Moved by: A. Arnott Seconded by: E. Hudson

Having reviewed and considered all the agency comments and heard the oral submissions, I hereby move that application LD 020/2019, be approved, as amended, as it complies with all applicable plans and policies, subject to:

### **Conditions**

- 1. That the applicant satisfy the requirement of the Regional Works Department's letter dated April 18, 2019, financial and otherwise.
- That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated May 9, 2019 with respect to item 2.
- 3. That the applicant satisfy the requirement of the City of Oshawa's letter dated May 6, 2019, financial and otherwise.
- 4. That the applicant satisfy the requirement of the Central Lake Ontario Conservation Authority's letter dated April 25, 2019, financial and otherwise.
- 5. That Application LD 020/2019 be perfected prior to the finalization of LD 021/2019. A solicitor's undertaking in this regard shall be required.
- 6. That the applicant submit two copies of a registered plan on the subject parcel.
- 7. That the consent be subject to the following periods:
  - Last date for fulfilling Conditions is Friday, May 22, 2020.
  - Expiry Date of Application LD 020/2019 is Monday, June 22, 2020.

### **Clearing Agencies**

8. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the Regional Works Department that condition #1 has been carried out to its satisfaction.

- 9. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the Regional Planning and Economic Development Department that condition #2 has been carried out to its satisfaction.
- 10. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the City of Oshawa that condition #3 has been carried out to its satisfaction.
- 11. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the Central Lake Ontario Conservation Authority that condition #4 has been carried out to its satisfaction.
- 12. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be satisfied that the time periods outlined in condition #7 have been adhered to.

### **Advisory Comments**

1. Once all the conditions contained in the Committee's Decision are fully satisfied by the applicant, the applicant's solicitor must prepare and forward the legal document(s) with the applicable stamping fee to the Region of Durham Land Division Committee office, to the attention of the Assistant Secretary-Treasurer for review and approval with stamping. The document(s) will be returned to the solicitor for registration purposes. Failing receipt by the Assistant-Secretary Treasurer of the Deed Package by the requisite date, the application shall be deemed expired and shall lapse.

11, 2019.

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Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, June

Signed by all members present and concurring that this is the Committee Decision of



# The Regional Municipality of Durham Land Division Committee Meeting

### **Minutes and Decisions**

## As per: The Planning Act, and in accordance with the Provincial Rules of Procedure

Consent Application heard on: Monday, May 13, 2019

File: LD 021/2019
Submission: B 031/2019
Owner: Giordano, Frank

Raponi, Daniel

**Location:** Lot Pt Lot 11, Concession 4

City of Oshawa (Whitby East)

Municipality: City of Oshawa

Consent to sever a 458.3 m2 residential parcel of land, retaining a 455.1 m2 residential parcel of land with an existing dwelling to be demolished.

This matter was tabled from the March 18, 2019 hearing.

Applications LD 20/2019 and LD 021/2019 were heard in conjunction.

The Committee Member visited the site on April 26, 2019 and confirmed the property was properly posted.

Present was:

Owner: Raponi, Daniel

Mr. D. Raponi explained the nature of the application and advised the Committee the application would facilitate the creation of three separately conveyable lots.

The Committee had for information reports received from the Regional Municipality of Durham Planning and Economic Development, and Works

Departments, the City of Oshawa and the Central Lake Ontario Conservation Authority.

Agency comments were provided to Mr. D. Raponi.

### **Decision of the Committee**

### Applicants/owners are responsible for fulfilling all conditions.

Moved by: A. Arnott Seconded by: E. Hudson

Having reviewed and considered all the agency comments and heard the oral submissions, I hereby move that application LD 021/2019, be approved, as amended, as it complies with all applicable plans and policies, subject to:

#### **Conditions**

- 1. That the applicant satisfy the requirement of the Regional Works Department's letter dated April 18, 2019, financial and otherwise.
- That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated May 9, 2019 with respect to item 2.
- 3. That the applicant satisfy the requirement of the City of Oshawa's letter dated May 6, 2019, financial and otherwise.
- 4. That the applicant satisfy the requirement of the Central Lake Ontario Conservation Authority's letter dated April 25, 2019, financial and otherwise.
- 5. That Application LD 020/2019 be perfected prior to the finalization of LD 021/2019. A solicitor's undertaking in this regard shall be required.
- 6. That the applicant submit two copies of a registered plan on the subject parcel.
- 7. That the consent be subject to the following periods:
  - Last date for fulfilling Conditions is Friday, May 22, 2020.
  - Expiry Date of Application LD 021/2019 is Monday, June 22, 2020.

### **Clearing Agencies**

8. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the Regional Works Department that condition #1 has been carried out to its satisfaction.

- 9. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the Regional Planning and Economic Development Department that condition #2 has been carried out to its satisfaction.
- 10. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the City of Oshawa that condition #3 has been carried out to its satisfaction.
- 11. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the Central Lake Ontario Conservation Authority that condition #4 has been carried out to its satisfaction.
- 12. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be satisfied that the time periods outlined in condition #7 have been adhered to.

### **Advisory Comments**

1. Once all the conditions contained in the Committee's Decision are fully satisfied by the applicant, the applicant's solicitor must prepare and forward the legal document(s) with the applicable stamping fee to the Region of Durham Land Division Committee office, to the attention of the Assistant Secretary-Treasurer for review and approval with stamping. The document(s) will be returned to the solicitor for registration purposes. Failing receipt by the Assistant-Secretary Treasurer of the Deed Package by the requisite date, the application shall be deemed expired and shall lapse.

11, 2019.

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Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, June

Signed by all members present and concurring that this is the Committee Decision of



# The Regional Municipality of Durham Land Division Committee Meeting

### **Minutes and Decisions**

## As per: The Planning Act, and in accordance with the Provincial Rules of Procedure

Consent Application heard on: Monday, May 13, 2019

**File:** LD 033/2019 **Submission:** B 032/2019

Owner: Mohamed, Shafee

Nageer, Mohamed

**Agent:** D.G. Biddle & Associates Limited

Location: Lot 11, Concession 1

City of Oshawa

Municipality: City of Oshawa

Consent to sever a 396.28 m2 residential parcel of land with an existing dwelling to remain, retaining a 407.18 m2 residential parcel of land with an existing dwelling to remain.

The Committee member visited the site on April 26, 2019 and confirmed the property was properly posted.

Present was:

Agent: Toni Rubino - D.G. Biddle & Associates Limited

Ms. T. Rubino advised the Committee the application would facilitate the reestablishment of the two original lots which inadvertently merged. Ms. T. Rubino also advised that the application will create 2 separately conveyable parcels for an imminent sale of one of the lots.

Ms. T. Rubino further advised the Committee that the proposal was in compliance with Regional and Local plans and policies and that she was in receipt of and in agreement with all agency comments.

The Committee had for information reports received from the Regional Municipality of Durham Planning and Economic Development, and Works Departments, the City of Oshawa and the Central Lake Ontario Conservation Authority.

Agency comments were provided to Ms. T. Rubino.

#### **Decision of the Committee**

### Applicants/owners are responsible for fulfilling all conditions.

Moved by: A. Arnott Seconded by: A. Georgieff

Having reviewed and considered all the agency comments and heard the oral submissions, I hereby move that application LD 033/2019, be approved, as amended, as it complies with all applicable plans and policies, subject to:

#### **Conditions**

- 1. That the applicant satisfy the requirement of the City of Oshawa's letter dated May 10, 2019, financial and otherwise.
- 2. That the applicant submit two copies of a registered plan on the subject parcel.
- 3. That the consent be subject to the following periods:
  - Last date for fulfilling Conditions is Friday, May 22, 2020.
  - Expiry Date of Application LD 033/2019 is Monday, June 22, 2020.

### **Clearing Agencies**

- 4. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the City of Oshawa that condition #1 has been carried out to its satisfaction.
- 5. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be satisfied that the time periods outlined in condition #3 have been adhered to.

### **Advisory Comments**

1. Once all the conditions contained in the Committee's Decision are fully satisfied by the applicant, the applicant's solicitor must prepare and forward the legal document(s) with the applicable stamping fee to the Region of Durham Land

Division Committee office, to the attention of the Assistant Secretary-Treasurer for review and approval with stamping. The document(s) will be returned to the solicitor for registration purposes. Failing receipt by the Assistant-Secretary Treasurer of the Deed Package by the requisite date, the application shall be deemed expired and shall lapse.

2. Central Lake Ontario Conservation Authority comments dated April 24, 2019.

LD 033/2019 on Monday, May 13, 2019.	
Gerri Lynn O'Connor, Chair	_
Steven Cooke, Vice-Chair	_
Alan Arnott	
Kitty Bavington	_
Alex Georgieff	_
Eric Hudson	
Carolyn Molinari	_
Donovan Smith	_
Assistant Secretary-Treasurer	_

Signed by all members present and concurring that this is the Committee Decision of

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, June 11, 2019.



# The Regional Municipality of Durham Land Division Committee Meeting

### **Minutes and Decisions**

## As per: The Planning Act, and in accordance with the Provincial Rules of Procedure

Consent Application heard on: Monday, May 13, 2019

File: LD 041/2019
Submission: B 033/2019
Owner: Phoenix, Daryl

Phoenix, Sherry

**Agent:** Clark Consulting Services **Location:** Lot Pt Lot 12, Concession 10

Township of Brock

Municipality: Township of Brock

Consent to sever a 1.21 hectare farm related rural residential parcel of land, retaining a vacant 40.04 hectare agricultural parcel of land. Application is for a surplus farm dwelling.

The Committee member visited the site on April 29, 2019 and confirmed the property was properly posted.

Present was:

Agent: Hugh Stewart - Clark Consulting Services

Mr. H. Stewart explained the nature of the application and advised the Committee the application would facilitate the severance of a farm dwelling that is now surplus to the needs of the owner.

He further advised the Committee he was in receipt of and in agreement with the agency comments.

Committee Member K. Bavington asked the agent to confirm that the dwelling is in fact surplus to the needs of the farming operation. Mr. Stewart confirmed it was deemed surplus.

The Committee had for information reports received from the Regional Municipality of Durham Planning and Economic Development, Health and Works Departments, the Township of Brock and Lake Simcoe Conservation Authority.

Agency comments were provided to Mr. H. Stewart.

### **Decision of the Committee**

### Applicants/owners are responsible for fulfilling all conditions.

Moved by: K. Bavington Seconded by: A. Georgieff

Having reviewed and considered all the agency comments and heard the oral submissions, I hereby move that application LD 041/2019, be approved, as applied for, as it complies with all applicable plans and policies, subject to:

#### **Conditions**

- That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated May 10, 2019 with respect to item 2.
- 2. That the applicant satisfy the requirement of the Township of Brock's letter dated May 13, 2019, financial and otherwise.
- 3. That the applicant submit two copies of a registered plan on the subject parcel.
- 4. That the consent be subject to the following periods:
  - Last date for fulfilling Conditions is Friday, May 22, 2020.
  - Expiry Date of Application LD 041/2019 is Monday, June 22, 2020.

### **Clearing Agencies**

- 5. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the Regional Planning and Economic Development Department that condition #1 has been carried out to its satisfaction.
- 6. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the Township of Brock that condition #2 has been carried out to its satisfaction.

7. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be satisfied that the time periods outlined in condition #4 have been adhered to.

### **Advisory Comments**

- 1. Once all the conditions contained in the Committee's Decision are fully satisfied by the applicant, the applicant's solicitor must prepare and forward the legal document(s) with the applicable stamping fee to the Region of Durham Land Division Committee office, to the attention of the Assistant Secretary-Treasurer for review and approval with stamping. The document(s) will be returned to the solicitor for registration purposes. Failing receipt by the Assistant-Secretary Treasurer of the Deed Package by the requisite date, the application shall be deemed expired and shall lapse.
- 2. Lake Simcoe Region Conservation Authority Comments dated April 23, 2019.

LD 041/2019 on Monday, May 13, 2019.	
Gerri Lynn O'Connor, Chair	-
Steven Cooke, Vice-Chair	×
Alan Arnott	=
Kitty Bavington	=
Alex Georgieff	=
Eric Hudson	**
Carolyn Molinari	-
Donovan Smith	-
Assistant Secretary-Treasurer	-

Signed by all members present and concurring that this is the Committee Decision of

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, June 11, 2019.



# The Regional Municipality of Durham Land Division Committee Meeting

### Minutes

## As per: The Planning Act, and in accordance with the Provincial Rules of Procedure

Consent Application heard on: Monday, May 13, 2019

File: LD 042/2019 Owner: Liang, Rongna

**Agent:** D.G. Biddle & Associates Limited

**Location:** Lot Pt Lt 35, Concession 4

Municipality of Clarington

Municipality: Municipality of Clarington

Consent to sever a vacant 4,026.5 m2 rural residential parcel of land, retaining a 33,656.5 m2 agricultural parcel of land with an existing dwelling and barn.

Applications LD 042/2019 and LD 043/2019 were heard in conjunction

The Committee member visited the site on April 29, 2019 and confirmed the property was properly posted.

Present was:

Agent: Toni Rubino - D.G. Biddle & Associates Limited

Interested party: Parravani, Anna

Parravani, Raffaele Mario

Ms. T. Rubino advised the Committee she was in receipt of and in agreement with agency comments including the agency tabling recommendations.

Committee Member A. Arnott declared a conflict and removed himself from the meeting.

Committee Member E. Hudson questioned the irregular lot configuration.

Ms. T. Rubino advised the Committee the irregular lot configuration is required to address the area requirements of the Municipality of Clarington Zoning By-Law.

Chair G. O'Connor asked the agent to advise the Committee as to the rationale behind the location of the proposed septic systems.

Ms. T. Rubino advised the Committee that the owner will work directly with the Regional Health Department to ensure that all requirements and setbacks are met.

Mr. R. Parravani expressed concerns related to the proposed configuration of the lot, and potential stockpiling of unsightly material on the newly created lots. He further expressed concerns related to the septic bed and potential impacts on his well.

Mr. R. Parravani advised the Committee he would like to see the lot configuration revised to be more rectangular in shape with wider lots.

Secretary-Treasurer L. Trombino advised the interested parties that the Regional Health Department would oversee the groundwater quality and quantity concerns. He indicated that there is a Hydrogeological study that will be peer reviewed and that the potential impacts from any future septic systems will be reviewed by the Region of Durham Health Department to ensure compliance with regulatory standards.

Chair G. O'Connor advised the interested parties that any property standards issues can be addressed directly through the Municipality of Clarington.

The Committee had for information reports received from the Regional Municipality of Durham Planning and Economic Development, Health and Works Departments, the Municipality of Clarington and the Central Lake Ontario Conservation Authority.

A written submission was received on May 13, 2019 from Raffaele Mario Parravani and Anna Parravani.

Agency comments were provided to Ms. T. Rubino.

### **Motion of the Committee**

Moved by: S. Cooke Seconded by: D. Smith

Having reviewed and considered all the agency comments and heard the oral submissions, I hereby move that application LD 042/2019 be tabled at the expense of the applicant for up to two (2) years and no later than May 2021. A tabling fee of \$300.00 is payable by certified funds within thirty (30) days of today's meeting. Failure to pay the required fee may result in denial of the application. The site must be reposted 14 days prior to the new hearing date.

Signed by all members present and concurring 042/2019 on Monday, May 13, 2019.	that this is the Committee Motion of LD
Gerri Lynn O'Connor, Chair	
Steven Cooke, Vice-Chair	-
Alan Arnott	-
Kitty Bavington	=
Alex Georgieff	=
Eric Hudson	
Carolyn Molinari	
Donovan Smith	-
Assistant Secretary-Treasurer	



# The Regional Municipality of Durham Land Division Committee Meeting

### **Minutes**

## As per: The Planning Act, and in accordance with the Provincial Rules of Procedure

Consent Application heard on: Monday, May 13, 2019

File: LD 043/2019 Owner: Liang, Rongna

**Agent:** D.G. Biddle & Associates Limited

**Location:** Lot Pt Lt 35, Concession 4

Municipality of Clarington

Municipality: Municipality of Clarington

Applications LD 042/2019 and LD 043/2019 were heard in conjunction

The Committee member visited the site on April 29, 2019 and confirmed the property was properly posted.

Present was:

Agent: Toni Rubino - D.G. Biddle & Associates Limited

Interested party: Parravani, Anna

Parravani. Raffaele Mario

Ms. T. Rubino advised the Committee she was in receipt of and in agreement with agency comments including the agency tabling recommendations.

Committee Member A. Arnott declared a conflict and removed himself from the meeting.

Committee Member E. Hudson guestioned the irregular lot configuration.

Ms. T. Rubino advised the Committee the irregular lot configuration is required to address the area requirements of the Municipality of Clarington Zoning By-Law.

Chair G. O'Connor asked the agent to advise the Committee as to the rationale behind the location of the proposed septic systems.

Ms. T. Rubino advised the Committee that the owner will work directly with the Regional Health Department to ensure that all requirements and setbacks are met.

Mr. R. Parravani expressed concerns related to the proposed configuration of the lot, and potential stockpiling of unsightly material on the newly created lots. He further expressed concerns related to the septic bed and potential impacts on his well.

Mr. R. Parravani advised the Committee he would like to see the lot configuration revised to be more rectangular in shape with wider lots.

Secretary-Treasurer L. Trombino advised the interested parties that the Regional Health Department would oversee the groundwater quality and quantity concerns. He indicated that there is a Hydrogeological study that will be peer reviewed and that the potential impacts from any future septic systems will be reviewed by the Region of Durham Health Department to ensure compliance with regulatory standards.

Chair G. O'Connor advised the interested parties that any property standards issues can be addressed directly through the Municipality of Clarington.

The Committee had for information reports received from the Regional Municipality of Durham Planning and Economic Development, Health and Works Departments, the Municipality of Clarington and the Central Lake Ontario Conservation Authority.

A written submission was received on May 13, 2019 from Raffaele Mario Parravani and Anna Parravani.

Agency comments were provided to Ms. T. Rubino.

### **Motion of the Committee**

Moved by: S. Cooke Seconded by: D. Smith

Having reviewed and considered all the agency comments and heard the oral submissions, I hereby move that application LD 043/2019 be tabled at the expense of the applicant for up to two (2) years and no later than May 2021. A tabling fee of \$300.00 is payable by certified funds within thirty (30) days of today's meeting. Failure to pay the required fee may result in denial of the application. The site must be reposted 14 days prior to the new hearing date.

Signed by all members present and concu 043/2019 on Monday, May 13, 2019.	rring that this is the Committee Motion of LD
Gerri Lynn O'Connor, Chair	
Steven Cooke, Vice-Chair	
Alan Arnott	
Kitty Bavington	
Alex Georgieff	
Eric Hudson	
Carolyn Molinari	
Donovan Smith	
Assistant Secretary-Treasurer	



# The Regional Municipality of Durham Land Division Committee Meeting

### **Minutes and Decisions**

## As per: The Planning Act, and in accordance with the Provincial Rules of Procedure

Consent Application heard on: Monday, May 13, 2019

**File:** LD 044/2019 **Submission:** B 034/2019

Owner: Labriola, Giovanni Agent: Coughlan Homes

**Location:** Lot Pt Lt 20, Concession 4

Town of Whitby

Municipality: Town of Whitby

Consent to sever a vacant a 610 m2 residential parcel of land, retaining a 2,270 m2 residential parcel of land with an existing dwelling and shed.

The Committee member visited the site on April 29, 2019 and confirmed the property was properly posted.

Present was:

Agent: McCullough, Ian - Coughlan Homes

Interested party: Keene, Paul

Robertson, Richard

Mr. I. McCullough advised he was in receipt of and in agreement with the agency comments.

Mr. P. Keene asked the agent to provide the Committee with details regarding the proposed construction on the site and asked if the existing dwelling will be removed.

Mr. I. McCullough advised the application will facilitate the creation of a single family dwelling on the building lot at this time. He indicated that longer term plans could accommodate additional building lots on the retained lots as the current lot is serviced and zoned to permit six homes.

Mr. R. Robertson expressed concerns related to noise, traffic, garbage and other related construction issues. He questioned the agent about the phasing of the development on the site and felt the construction of all six dwellings at the same time would reduce disruption in the neighborhood.

The Committee had for information reports received from the Regional Municipality of Durham Planning and Economic Development, and Works Departments, the Town of Whitby and Central Lake Ontario Conservation Authority.

Agency comments were provided to Mr. I. McCullough.

#### **Decision of the Committee**

### Applicants/owners are responsible for fulfilling all conditions.

Moved by: A. Georgieff Seconded by: E. Hudson

Having reviewed and considered all the agency comments and heard the oral submissions, I hereby move that application LD 044/2019, be approved, as applied for, as it complies with all applicable plans and policies, subject to:

#### **Conditions**

- That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated May 10, 2019 with respect to item 2.
- 2. That the applicant satisfy the requirement of the Town of Whitby's letter dated May 3, 2019, financial and otherwise.
- 3. That the applicant submit two copies of a registered plan on the subject parcel.
- 4. That the consent be subject to the following periods:
  - Last date for fulfilling Conditions is Friday, May 22, 2020.
  - Expiry Date of Application LD 044/2019 is Monday, June 22, 2020.

### **Clearing Agencies**

- 5. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the Regional Planning and Economic Development Department that condition #1 has been carried out to its satisfaction.
- 6. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the Town of Whitby that condition #2 has been carried out to its satisfaction.
- 7. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be satisfied that the time periods outlined in condition #4 have been adhered to.

### **Advisory Comments**

- 1. Once all the conditions contained in the Committee's Decision are fully satisfied by the applicant, the applicant's solicitor must prepare and forward the legal document(s) with the applicable stamping fee to the Region of Durham Land Division Committee office, to the attention of the Assistant Secretary-Treasurer for review and approval with stamping. The document(s) will be returned to the solicitor for registration purposes. Failing receipt by the Assistant-Secretary Treasurer of the Deed Package by the requisite date, the application shall be deemed expired and shall lapse.
- 2. Central Lake Ontario Conservation Authority comments dated April 15.

11, 2019.

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Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, June

Signed by all members present and concurring that this is the Committee Decision of



# The Regional Municipality of Durham Land Division Committee Meeting

### **Minutes and Decisions**

## As per: The Planning Act, and in accordance with the Provincial Rules of Procedure

Consent Application heard on: Monday, May 13, 2019

File: LD 045/2019
Submission: B 035/2019
Owner: Mutton, John

Location: Lot 11, Concession 1

Municipality of Clarington

(Darlington)

Municipality: Municipality of Clarington

Consent to sever a vacant 450 m2 residential lot, retaining a vacant 560 m2 residential lot with an existing dwelling to be demolished.

The Committee member visited the site on April 30, 2019 and confirmed the property was properly posted.

Present was:

Owner: Mutton, John Interested party: Hoy, Ken

Mr. J. Mutton explained the nature of the application and advised the Committee he was in receipt of and in agreement with the agency comments.

He further advised the Committee this application was approved by the Committee in 2018, however, that application had lapsed. Mr. J. Mutton also advised that most of the conditions associated with the original application were previously fulfilled.

Mr. J. Mutton advised the Committee that the house on the site is currently vacant and is ready to be demolished.

Mr. K. Hoy advised the Committee he is a builder/developer in the community. He expressed concerns related to a 100 year old tree on subject property and indicated he would like to see a tree preservation plan.

Mr. K. Hoy also expressed concerns related to non-compliance with lot sizing requirements.

Secretary-Treasurer L. Trombino advised the interested party that the Municipality of Clarington has addressed this concern and that a minor variance may be required.

Mr. J. Mutton advised the Committee the proposal is in compliance with the local zoning by-law as he has been working with staff to ensure there will be no zoning issues. He advised that the said tree has been on the property for many years, however, has had several branches falling unto neighbouring properties. He further indicated that an arborist has looked at the tree and determined it should be removed.

Mr. K. Hoy advised the Committee he did not feel the proposal was in character with the existing neigbourhood.

The Committee had for information reports received from the Regional Municipality of Durham Planning and Economic Development, and Works Departments, the Municipality of Clarington.

Agency comments were provided to J. Mutton.

### **Decision of the Committee**

### Applicants/owners are responsible for fulfilling all conditions.

Moved by: S. Cooke Seconded by: A. Georgieff

Having reviewed and considered all of the agency comments and heard the oral submissions, I hereby move that application LD 045/2019, be approved, as applied for, as it complies with all applicable plans and policies, subject to:

### **Conditions**

- 1. That the applicant satisfy the requirement of the Regional Works Department's letter dated April 29, 2019, financial and otherwise.
- That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated May 9, 2019 with respect to item 2.
- 3. That the applicant satisfy the requirement of the Municipality of Clarington's letter dated May 1, 2019, financial and otherwise.
- 4. That the applicant submit two copies of a registered plan on the subject parcel.
- 5. That the consent be subject to the following periods:
  - Last date for fulfilling Conditions is Friday, May 22, 2020.
  - Expiry Date of Application LD 045/2019 is Monday, June 22, 2020.

### **Clearing Agencies**

- 6. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the Regional Works Department that condition #1 has been carried out to its satisfaction.
- 7. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the Regional Planning and Economic Development Department that condition #2 has been carried out to its satisfaction.
- 8. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the Municipality of Clarington that condition #3 has been carried out to its satisfaction.
- 9. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be satisfied that the time periods outlined in condition #5 have been adhered to.

### **Advisory Comments**

1. Once all of the conditions contained in the Committee's Decision are fully satisfied by the applicant, the applicant's solicitor must prepare and forward the legal document(s) with the applicable stamping fee to the Region of Durham Land Division Committee office, to the attention of the Assistant Secretary-Treasurer for review and approval with stamping. The document(s) will be returned to the solicitor for registration purposes. Failing receipt by the Assistant-Secretary Treasurer of the Deed Package by the requisite date, the application shall be deemed expired and shall lapse.

11, 2019.

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Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, June

Signed by all members present and concurring that this is the Committee Decision of



# The Regional Municipality of Durham Land Division Committee Meeting

### **Minutes**

# As per: The Planning Act, and in accordance with the Provincial Rules of Procedure

Consent Application heard on: Monday, May 13, 2019

File: LD 046/2019 Owner: Pottruff, Keri Smith, Kevin

Agent: TD Consulting Inc.

Location: Lot 32, Concession 6

Township of Uxbridge

Municipality: Township of Uxbridge

Consent to sever a vacant 1,087 m2 residential parcel of land, retaining a 988 m2 residential parcel of land with an existing dwelling to remain.

The Committee member visited the site on April 16, 2019 and confirmed the property was properly posted.

Present was:

Agent: Tom deBoer -TD Consulting Inc.

Mr. T. deBoer advised the Committee he is was in receipt of the agency comments. He indicated he was not agreeable to the Township's recommendation for a tabling as the Township's concerns could be addressed as a condition of approval.

Mr. T. deBoer asked the Committee to approve application and include the Township's requirement as a condition of approval rather than to table the application.

Committee Member K. Bavington asked the agent to confirm if lot grading could be addressed at the building permit stage.

Committee Member A. Georgieff referred the agent to page 2 of the Township's letter wherein all requirements were outlined. He suggested the agent obtain a meeting with the Township to discuss their requirements before proceeding with the application.

Chair G. O'Connor asked if the agent had completed a pre-consultation meeting with the Township prior to submitting the application.

Mr. T. deBoer advised the Committee he did reach out to both Regional and area municipal staff to ensure they were supportive of the application at this time.

The Committee had for information reports received from the Regional Municipality of Durham Planning and Economic Development, Health and Works Departments, the Township of Uxbridge and Lake Simcoe Region Conservation Authority.

Agency comments were provided to Mr. T. deBoer.

#### **Motion of the Committee**

Moved by: E Hudson Seconded by: A. Georgieff

Having reviewed and considered all of the agency comments and heard the oral submissions, I hereby move that application LD 046/2019 be tabled at the expense of the applicant for up to two (2) years and no later than May 2021. A tabling fee of \$300.00 is payable by certified funds within thirty (30) days of today's meeting. Failure to pay the required fee may result in denial of the application. The site must be reposted 14 days prior to the new hearing date.

Signed by all members present and conc 046/2019 on Monday, May 13, 2019.	urring that this is the Committee Motion of LD
Gerri Lynn O'Connor, Chair	
Steven Cooke, Vice-Chair	
Alan Arnott	
Kitty Bavington	
Alex Georgieff	
Eric Hudson	
Carolyn Molinari	
Donovan Smith	
Assistant Secretary-Treasurer	



# The Regional Municipality of Durham Land Division Committee Meeting

### **Minutes and Decisions**

# As per: The Planning Act, and in accordance with the Provincial Rules of Procedure

Consent Application heard on: Monday, May 13, 2019

**File:** LD 047/2019 **Submission:** B 036/2019

Owner: The Pentecostal Assemblies of Canada

**Agent:** D.G. Biddle & Associates Limited

**Location:** Lot Pt Lt 6, Concession 1

City of Oshawa

Municipality: City of Oshawa

Consent sever a 551.7 m2 institutional parcel of land with and existing dwelling, retaining a 13,409.6 m2 institutional parcel of land with an existing place of worship.

Applications LD 047/2019 and LD 048/2019 were heard in conjunction.

The Committee member visited the site on April 29, 2019 and confirmed the property was properly posted.

Present was:

Agent: Toni Rubino - D.G. Biddle & Associates Limited

Ms. T. Rubino advised the Committee the application would facilitate the separation of the existing detached dwelling from the balance of the church site. She indicated the application was in compliance with the local zoning by-law.

Ms. T. Rubino further advised the Committee that the second application will facilitate legal access for services on the severed parcel.

Ms. T. Rubino confirmed she was in receipt of and in agreement with the agency comments.

The Committee had for information reports received from the Regional Municipality of Durham Planning and Economic Development, and Works Departments, the City of Oshawa and the Central Lake Ontario Conservation Authority.

Agency comments were provided to Ms. T. Rubino.

### **Decision of the Committee**

## Applicants/owners are responsible for fulfilling all conditions.

Moved by: A. Arnott Seconded by: S. Cooke

Having reviewed and considered all of the agency comments and heard the oral submissions, I hereby move that application LD 047/2019, be approved, as applied for, as it complies with all applicable plans and policies, subject to:

#### **Conditions**

- That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated May 10, 2019 with respect to item 2.
- 2. That the applicant satisfy the requirement of the City of Oshawa's letter dated May 10, 2019, financial and otherwise.
- 3. That the applicant submit two copies of a registered plan on the subject parcel.
- 4. That the consent be subject to the following periods:
  - Last date for fulfilling Conditions is Friday, May 22, 2020.
  - Expiry Date of Application LD 047/2019 is Monday, June 22, 2020.

### **Clearing Agencies**

- 5. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the Regional Planning and Economic Development Department that condition #1 has been carried out to its satisfaction.
- 6. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the City of Oshawa that condition #2 has been carried out to its satisfaction.

7. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be satisfied that the time periods outlined in condition #4 have been adhered to.

## **Advisory Comments**

1. Once all of the conditions contained in the Committee's Decision are fully satisfied by the applicant, the applicant's solicitor must prepare and forward the legal document(s) with the applicable stamping fee to the Region of Durham Land Division Committee office, to the attention of the Assistant Secretary-Treasurer for review and approval with stamping. The document(s) will be returned to the solicitor for registration purposes. Failing receipt by the Assistant-Secretary Treasurer of the Deed Package by the requisite date, the application shall be deemed expired and shall lapse.

11, 2019.

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Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, June

Signed by all members present and concurring that this is the Committee Decision of



# The Regional Municipality of Durham Land Division Committee Meeting

### **Minutes and Decisions**

# As per: The Planning Act, and in accordance with the Provincial Rules of Procedure

Consent Application heard on: Monday, May 13, 2019

**File:** LD 048/2019 **Submission:** B 037/2019

Owner: The Pentecostal Assemblies of Canada

**Agent:** D.G. Biddle & Associates Limited

**Location:** Lot Pt Lt 6, Concession 1

City of Oshawa

Municipality: City of Oshawa

Consent grant a 186.6 m2 utility easement in favour of the property to the north, retaining a 13,223 m2 institutional parcel of land with a existing place of worship.

Applications LD 047/2019 and LD 048/2019 were heard in conjunction.

The Committee member visited the site on April 29, 2019 and confirmed the property was properly posted.

Present was:

Agent: Toni Rubino- D.G. Biddle & Associates Limited

Ms. T. Rubino advised the Committee the application would facilitate the separation of the existing detached dwelling from the balance of the church site. She indicated the application was in compliance with the local zoning by-law.

Ms. T. Rubino further advised the Committee that the second application will facilitate legal access for services on the severed parcel.

Ms. T. Rubino confirmed she was in receipt of and in agreement with the agency comments.

The Committee had for information reports received from the Regional Municipality of Durham Planning and Economic Development, and Works Departments, the City of Oshawa and the Central Lake Ontario Conservation Authority.

Agency comments were provided to Ms. T. Rubino.

#### **Decision of the Committee**

## Applicants/owners are responsible for fulfilling all conditions.

Moved by: A. Arnott Seconded by: S. Cooke

Having reviewed and considered all of the agency comments and heard the oral submissions, I hereby move that application LD 048/2019, be approved, as applied for, as it complies with all applicable plans and policies, subject to:

#### **Conditions**

- 1. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated May 10, 2019 with respect to item 2.
- 2. That the applicant satisfy the requirement of the City of Oshawa's letter dated May 10, 2019, financial and otherwise.
- 3. That the applicant submit two copies of a registered plan on the subject parcel.
- 4. That the consent be subject to the following periods:
  - Last date for fulfilling Conditions is Friday, May 22, 2020.
  - Expiry Date of Application LD 048/2019 is Monday, June 22, 2020.

### **Clearing Agencies**

- 5. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the Regional Planning and Economic Development Department that condition #1 has been carried out to its satisfaction.
- 6. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the City of Oshawa that condition #2 has been carried out to its satisfaction.

7. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be satisfied that the time periods outlined in condition #4 have been adhered to.

## **Advisory Comments**

1. Once all of the conditions contained in the Committee's Decision are fully satisfied by the applicant, the applicant's solicitor must prepare and forward the legal document(s) with the applicable stamping fee to the Region of Durham Land Division Committee office, to the attention of the Assistant Secretary-Treasurer for review and approval with stamping. The document(s) will be returned to the solicitor for registration purposes. Failing receipt by the Assistant-Secretary Treasurer of the Deed Package by the requisite date, the application shall be deemed expired and shall lapse.

LD 048/2019 on Monday, May 13, 2019.	
Gerri Lynn O'Connor, Chair	
Steven Cooke, Vice-Chair	ж
Alan Arnott	w
Kitty Bavington	E
Alex Georgieff	E
Eric Hudson	×
Carolyn Molinari	*
Donovan Smith	
Assistant Secretary-Treasurer	к

Signed by all members present and concurring that this is the Committee Decision of

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, June 11, 2019.



# The Regional Municipality of Durham Land Division Committee Meeting

### **Minutes and Decisions**

# As per: The Planning Act, and in accordance with the Provincial Rules of Procedure

Consent Application heard on: Monday, May 13, 2019

**File:** LD 049/2019 **Submission:** B 038/2019

Owner: Durham District School Board
Agent: Durham District School Board
Location: Lot Pt Lt 15, Concession 2

City of Oshawa

Municipality: City of Oshawa

Consent to sever a vacant 1.189 hectare institutional parcel of land, retaining an 8.705 hectare institutional parcel of land with existing building to remain.

The Committee member visited the site on April 29, 2019 and confirmed the property was properly posted.

Present was:

Agent: Nancekivell, Christine - Durham District School Board

Ms. C. Nancekivell advised the Committee the subject lands are surplus to Board's needs and the application will facilitate the creation of a separately conveyable parcel of land.

Chair G. O'Connor asked the agent to confirm the intended use of the severed parcel of land.

Ms. C. Nancekivell advised the Committee that at a later date the lot would be declared surplus and that the future owner of the site would determine the proposed use of the site.

The Committee had for information reports received from the Regional Municipality of Durham Planning and Economic Development and Works Departments, the City of Oshawa.

Agency comments were provided to Ms. C. Nancekivell.

### **Decision of the Committee**

### Applicants/owners are responsible for fulfilling all conditions.

Moved by: A. Arnott Seconded by: S. Cooke

Having reviewed and considered all of the agency comments and heard the oral submissions, I hereby move that application LD 049/2019, be approved, as applied for, as it complies with all applicable plans and policies, subject to:

### **Conditions**

- 1. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated May 10, 2019 with respect to item 2.
- 2. That the applicant satisfy the requirement of the City of Oshawa's letter dated May 10, 2019, financial and otherwise.
- 3. That the applicant submit two copies of a registered plan on the subject parcel.
- 4. That the consent be subject to the following periods:
  - Last date for fulfilling Conditions is Friday, May 22, 2020.
  - Expiry Date of Application LD 049/2019 is Monday, June 22, 2020.

### **Clearing Agencies**

- 5. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the Regional Planning and Economic Development Department that condition #1 has been carried out to its satisfaction.
- 6. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the City of Oshawa that condition #2 has been carried out to its satisfaction.

7. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be satisfied that the time periods outlined in condition #4 have been adhered to.

### **Advisory Comments**

1. Once all of the conditions contained in the Committee's Decision are fully satisfied by the applicant, the applicant's solicitor must prepare and forward the legal document(s) with the applicable stamping fee to the Region of Durham Land Division Committee office, to the attention of the Assistant Secretary-Treasurer for review and approval with stamping. The document(s) will be returned to the solicitor for registration purposes. Failing receipt by the Assistant-Secretary Treasurer of the Deed Package by the requisite date, the application shall be deemed expired and shall lapse.

11, 2019.

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Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, June

Signed by all members present and concurring that this is the Committee Decision of