



**The Regional Municipality of Durham  
Land Division Committee Meeting**

**Minutes**

**Monday, October 02, 2023**

The Region Of Durham Land Division Committee met in the Regional Council Chambers at 1:00 P.M. on Monday, October 02, 2023, with the following in attendance:

Present:

Alex Georgieff – Town of Whitby  
Kitty Bavington – Township of Brock  
Lori Roberts – Town of Ajax  
Eric Hudson – City of Pickering  
Paul Allore – Township of Scugog  
Gerri Lynn O'Connor – Township of Uxbridge  
Bradley Whittle – Municipality of Clarington

Present:

L. Trombino, Secretary-Treasurer  
A. Daramie, Clerk/Steno,

**1. Adoption of Minutes**

Moved by: G.L. O'Connor

Seconded by: P. Allore

That the Minutes of the September 11, 2023, Land Division Committee meeting be adopted as circulated.

Carried unanimously.  
Monday, October 02, 2023

**2. Review Consent Applications/Correspondence**

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

### 3. Other Business

Secretary Treasurer L. Trombino advised the Committee that recommendation to delegate the Regional Land Division function to the area municipalities was endorsed by Regional Council at the September 27, 2023, Council Meeting and that the delegation by-law will be adopted at the October 25, 2023, Council Meeting.

### 4. Recess

Moved by: E. Hudson

Seconded by: K. Bavington

That this meeting be recessed at 11:35 a.m. and reconvene at 12:45 p.m.

Carried unanimously.  
Monday, October 02, 2023

The Committee Chair opened the session by asking Secretary-Treasurer L. Trombino if all required notices have been provided for today's Committee meeting. L. Trombino 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 063/2023**

Appendix 1

**2. File: LD 064/2023**

Appendix 2

**3. File: LD 065/2023**

Appendix 3

**4. File: LD 066/2023**

Appendix 4

### 6. Date of Next Meeting

The next regularly scheduled Land Division Committee meeting will be held on November 6, 2023, in the Regional Council Chambers.

### 7. Adjournment

Moved by: B. Whittle

Seconded by: G.L. O'Connor

That this meeting be adjourned at 1:35 p.m. and the next regular meeting be held on November 6, 2023.

Carried unanimously.  
Monday, October 02, 2023

### 8. Appendices

**Appendix 1.**



**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, October 02, 2023

**File:** LD 063/2023  
**Submission:** **B 065/2023**  
**Owner:** Chayell Hospitality Group  
**Agent:** D.G. Biddle & Associates Ltd.  
**Location:** 67 SIMCOE Street North  
**Municipality:** City of Oshawa

Consent to grant a 36.8 m<sup>2</sup> no build easement in favour of the lands to the north, retaining a commercial parcel of land.

The Committee member visited the site on September 17, 2023, and confirmed the property was properly posted.

Present was:

Agent: D.G. Biddle & Associates Ltd.: Ashlee Prescott

Ashlee Prescott explained the nature of the application and advised the Committee that in essence the proposed easement will facilitate a no-build zone on the subject property that will benefit the abutting property owner. A. Prescott further advised the Committee the proposed easement will allow for uninterrupted maintenance access of the abutting building which is proposed to be used for a music store.

A. Prescott concluded her presentation by indicating the proposed easement conforms to all applicable official plan and zoning provisions and that she agrees with all agency comments and proposed conditions of approval.

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 Ministry of Transportation.

Agency comments were provided to A. Prescott.

### **Decision of the Committee**

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

Moved by: L. Roberts

Seconded by: G.L. O'Connor

Having reviewed and considered all the public and agency comments, and heard the oral submission, I hereby move that application LD 063/2023, be approved, as applied for, as it generally complies with all applicable plans and policies, however, subsection 50 (3) or (5) of the Planning Act shall apply to any subsequent conveyance, subject to:

#### **Conditions**

1. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated September 26, 2023.
2. That the applicant satisfy the requirement of the City of Oshawa's letters dated September 13 and 14, 2023, 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, October 10, 2025.
  - Expiry Date of Application LD 063/2023 is Monday, November 10, 2025.

#### **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.

Carried unanimously.

Signed by all members present and concurring that this is the Committee Decision of LD 063/2023 on Monday, October 02, 2023.

Alex Georgieff – Town of Whitby

Kitty Bavington – Township of Brock

Lori Roberts – Town of Ajax

Eric Hudson – City of Pickering

Paul Allore – Township of Scugog

Gerri Lynn O'Connor – Township of Uxbridge

Bradley Whittle – Municipality of Clarington

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

31, 2023.

Please Note: Section 53(19) of the Planning Act has been amended and now indicates that only the applicant, the Minister, a specified person or any public body may appeal this Decision.

**Appendix 2.**



**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, October 02, 2023

**File:** LD 064/2023  
**Submission:** B 066/2023  
**Owner:** 2751757 Ontario Inc.  
**Agent:** Joseph Belcredi  
**Location:** 1718 DUFFERIN STREET  
**Municipality:** Town of Whitby

Consent to sever 545.01 m<sup>2</sup> residential parcel of land, retaining 540.03 residential parcel of land with the existing dwelling to remain.

The Committee member visited the site on September 16, 2023, and confirmed the property was properly posted.

Present was:

Agent: Joseph Belcredi

Joseph Belcredi explained the nature of the application and advised the Committee that the size of the proposed severed lot has been reduced to reflect the lands subject to the municipal road dedication.

J. Belcredi informed the Committee that he agreed with all agency comments and conditions.

Committee Member K. Bavington questioned whether the proposed severance was intended to only include Parts 2 and 5 from the draft reference plan or whether Parts 3 and 6 were also included within the application. J. Belcredi advised the Committee the application was strictly limited to Parts 2 and 5 given the proponent was not the owner of Parts 3 and 6.

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 the Ministry of Transportation.

Agency comments were provided to Joseph Belcredi.

### **Decision of the Committee**

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

Moved by: K. Bavington

Seconded by: B. Whittle

Having reviewed and considered all the public and agency comments, and heard the oral submission, I hereby move that application LD 064/2023, be approved, as applied for, as it generally 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 September 26, 2023.
2. That the applicant satisfy the requirement of the Town of Whitby's revised comment letter dated September 8, 2023, 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, October 10, 2025.
  - Expiry Date of Application LD 064/2023 is Monday, November 10, 2025.

#### **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 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.

Carried unanimously.

Signed by all members present and concurring that this is the Committee Decision of LD 064/2023 on Monday, October 02, 2023.

Alex Georgieff – Town of Whitby

Kitty Bavington – Township of Brock

Lori Roberts – Town of Ajax

Eric Hudson – City of Pickering

Paul Allore – Township of Scugog

Gerri Lynn O'Connor – Township of Uxbridge

Bradley Whittle – Municipality of Clarington

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

31, 2023.

Please Note: Section 53(19) of the Planning Act has been amended and now indicates that only the applicant, the Minister, a specified person or any public body may appeal this Decision.

**Appendix 3.**



**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, October 02, 2023

**File:** LD 065/2023  
**Submission:** B 067/2023  
**Owner:** Calloway REIT (Harmony) INC.  
**Agent:** Duncan Witchel  
**Location:** 1385 HARMONY ROAD NORTH  
**Municipality:** City of Oshawa

Consent to grant a lease over 21 years over a 40,679 m<sup>2</sup> commercial parcel of land, retaining 174,767 m<sup>2</sup> commercial parcel of land with the existing commercial buildings to remain.

The Committee member visited the site on September 16, 2023, and confirmed the property was properly posted.

Present was:

Agent: Daniel Orellana

Daniel Orellana explained the nature of the application and advised the Committee that the proposed lease will facilitate a lease more than 21-years for an existing Real Canadian Superstore in accordance with the provisions of the Planning Act.

D. Orellana further advised the Committee the subject lands are currently subject to a variety of access and servicing easements which will not be impacted by the subject application. He further indicated that he agreed with all agency comments and conditions.

The Committee had for information reports received from the Regional

Municipality of Durham Planning and Economic Development and Works  
Departments, and the City of Oshawa.

Agency comments were provided to D. Orellana.

### **Decision of the Committee**

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

Moved by: P. Allore

Seconded by: L. Roberts

Having reviewed and considered all the public and agency comments, and heard the oral submission, I hereby move that application LD 065/2023, be approved, as applied for, as it generally complies with all applicable plans and policies, however, subsection 50 (3) or (5) of the Planning Act shall apply to any subsequent conveyance, subject to:

#### **Conditions**

1. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated September 25, 2023.
2. That the applicant satisfy the requirement of the City of Oshawa's letter dated September 14, 2023.
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, October 10, 2025.
  - Expiry Date of Application LD 065/2023 is Monday, November 10, 2025.

#### **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.

Carried unanimously.

Signed by all members present and concurring that this is the Committee Decision of LD 065/2023 on Monday, October 02, 2023.

Alex Georgieff – Town of Whitby

Kitty Bavington – Township of Brock

Lori Roberts – Town of Ajax

Eric Hudson – City of Pickering

Paul Allore – Township of Scugog

Gerri Lynn O'Connor – Township of Uxbridge

Bradley Whittle – Municipality of Clarington

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, October 31, 2023.

Please Note: Section 53(19) of the Planning Act has been amended and now indicates that only the applicant, the Minister, a specified person or any public body may appeal this Decision.

**Appendix 4.**



**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, October 02, 2023

**File:** LD 066/2023  
**Submission: B 068/2023**  
**Owner:** Manoharan Subramaniam, Abiramithevi Asokkanth and Premkanth Santhialingam  
**Agent:** Asokkanth Santhiralingam  
**Location:** 1981 GUILD ROAD  
**Municipality:** City of Pickering

Consent to sever a vacant 876.58 m<sup>2</sup> residential lot, retaining a vacant 876.58 m<sup>2</sup> residential lot. Existing dwelling to be demolished.

The Committee member visited the site on September 16, 2023, and confirmed the property was properly posted.

Present was:

Agent: Asokkanth Santhiralingam

Asokkanth Santhiralingam explained the nature of the application and advised the Committee the proposed application is a resubmission of a previously approved application which had lapsed.

A. Santhiralingam advised the Committee that he agreed with agency comments and conditions.

A written submission in opposition to the application was received from area resident S. McAteer.

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

Departments, the City of Pickering, the Toronto and Region Conservation Authority and the Ministry of Transportation.

Agency comments were provided to Asokkanth Santhiralingam.

### **Decision of the Committee**

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

Moved by: E. Hudson

Seconded by: K. Bavington

Having reviewed and considered all the public and agency comments, and heard the oral submission, I hereby move that application LD 066/2023, be approved, as applied for, as it generally 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 September 7, 2023, financial and otherwise.
2. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated September 25, 2023, with respect to item 2.
3. That the applicant satisfy the requirement of the City of Pickering's letter dated September 18, 2023, 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, October 10, 2025.
  - Expiry Date of Application LD 066/2023 is Monday, November 10, 2025.

### **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 City of Pickering 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.

Carried unanimously.

Signed by all members present and concurring that this is the Committee Decision of LD 066/2023 on Monday, October 02, 2023.

Alex Georgieff – Town of Whitby

Kitty Bavington – Township of Brock

Lori Roberts – Town of Ajax

Eric Hudson – City of Pickering

Paul Allore – Township of Scugog

Gerri Lynn O'Connor – Township of Uxbridge

Bradley Whittle – Municipality of Clarington

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, October 31, 2023.

Please Note: Section 53(19) of the Planning Act has been amended and now indicates that only the applicant, the Minister, a specified person or any public body may appeal this Decision.