



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

Minutes

Monday, November 6, 2017

The Region Of Durham Land Division Committee met in meeting room LL-C at the Regional Headquarters Building, 605 Rossland Road East, Whitby, ON at 9:30 A.M. on Monday, November 6, 2017 with the following in attendance:

Present: J. Hurst, Chair
P. Hamilton, Vice-Chair
E. Hudson
G. Kydd
R. Malone
D. Marquis
K. Reinhardt

Absent: G. Rock

Staff Present: P. Aguilera, Assistant Secretary-Treasurer
L. Trombino, Secretary-Treasurer

1. Adoption of Minutes

Moved by: R. Malone

Seconded by: E. Hudson

That the minutes of the Monday, October 16, 2017 Land Division Committee meeting be adopted as circulated.

Carried unanimously
Monday, November 6, 2017

2. Review Consent Applications/Correspondence

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

3. Other Business

Committee Member G. Kydd sought clarification regarding the tabling process and how tabled applications are rescheduled.

Secretary Treasurer L. Trombino spoke to Committee regarding the Region's regarding fees and whether fees are not deemed paid due to NSF cheques. Secretary Treasurer L. Trombino explained that any matters on the Committee agenda that were subject to an NSF letter could not be considered by the Committee given any such application would be deemed incomplete and consequently, those application(s) would have to be removed from the public meeting agenda.

Committee Member R. Malone provided the Committee with a news release related to increasing concerns about the loss of mature trees on lands associated with development applications within the Municipality of Clarington.

Secretary Treasurer L. Trombino provided the Committee with an update regarding a recent Land Division Committee matter appealed to the Ontario Municipal Board.

4. Recess

Moved by: K. Reinhardt

Seconded by: P. Hamilton

That this meeting be recessed at 11:50 a.m. and reconvene at 1:00 p.m.

Carried unanimously
Monday, November 6, 2017

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 056/2017
Appendix 1
2. File: LD 093/2017
Appendix 2
3. File: LD 119/2017
Appendix 3
4. File: LD 120/2017
Appendix 4
5. File: LD 148/2017
Appendix 5
6. File: LD 161/2017
Appendix 6
7. File: LD 162/2017
Appendix 7
8. File: LD 163/2017
Appendix 8
9. File: LD 164/2017
Appendix 9
10. File: LD 165/2017
Appendix 10
11. File: LD 166/2017
Appendix 11
12. File: LD 167/2017
Appendix 12
13. File: LD 168/2017
Appendix 13

14. File: LD 169/2017
Appendix 14

15. File: LD 170/2017
Appendix 15

16. File: LD 171/2017
Appendix 16

17. File: LD 172/2017
Appendix 17

18. File: LD 173/2017
Appendix 18

19. File: LD 174/2017
Appendix 19

Committee Chair J. Hurst advised those parties in attendance that applications LD 163/2017 and LD 164/2017 were removed from the agenda due to non-payment of fees and that the Committee =Accordingly, the LDC has no jurisdiction to hear these matters today.

Committee Chair J. Hurst advised those in attendance that Agenda Item 6, being LD 161/2017 will be moved to the end of the agenda.

MOTION:

Moved by: P. Hamilton

Seconded by: K. Reinhardt

Carried unanimously
Monday, November 6, 2017

6. Date of Next Meeting

The next regularly scheduled Land Division Committee meeting will be held on Monday, December 11, 2017 in the Lower Level Boardroom (LL-C), Regional Headquarters Building, 605 Rossland Road East, Whitby.

7. Adjournment

Moved by: K. Reinhardt

Seconded by: E. Hudson

That this meeting be adjourned at 2:45 p.m. and the next regular meeting be held on Monday, December 11, 2017.

Carried unanimously
Monday, November 6, 2017

8. Appendices

Appendix 1



**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, November 6, 2017

File: LD 056/2017
Owner: De Souza, Curtis
Agent: D.G. Biddle & Associates Ltd.
Location: Lot 8, Concession 1
Town of Ajax
Municipality: Town of Ajax

Consent to sever a vacant 322.4 square metre residential lot, retaining a 571.2 square metre residential lot with an existing dwelling to remain.

The Committee member visited the site on October 23, 2017 and confirmed the property was properly posted.

Present:

There were no parties in attendance.

Committee Chair J. Hurst advised the Committee and those in attendance that the subject application was appealed to the Ontario Municipal Board and as such, the Committee had no jurisdiction to hear the matter.

Signed by all members present on Monday, November 6, 2017.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

K. Reinhardt



Secretary-Treasurer

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, November 6, 2017

File: LD 093/2017
Submission: B 143/2017
Owner: Loa-De-Mede Farms Limited
Werrcroft Farms Limited
Agent: GHD
Location: Lot 6, Concession 5
City of Oshawa
(Whitby East)
Municipality: City of Oshawa

Consent to sever a vacant 16.262 hectare agricultural parcel of land, retaining a vacant 27.936 hectare residential parcel of land.

The Committee member visited the site on October 23, 2017 and confirmed the property was properly posted.

Present was:

Agent: Jordan, Bryce - GHD

Mr. B. Jordan explained the nature of the application and advised the Committee that the proposed severed lands are located within the Oshawa urban boundary and form part developable lands within the Kedron Secondary Plan Area. Mr. B. Jordan also explained that the retained lands will be retained for farming purposes.

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

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

Agency comments were provided to Mr. B. Jordan.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: D. Marquis

Seconded by: R. Malone

Having reviewed and considered all of the agency comments and heard the oral submission, I hereby move that application LD 093/2017 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 October 31, 2017 with respect to items 2 and 3.
2. That the applicant satisfy the requirement of the City of Oshawa's letter dated October 25, 2017, 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, November 16, 2018.
 - Expiry Date of Application LD 093/2017 is Monday, December 17, 2018.

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 #5 have been adhered to.

Advisory Comments

1. Central Lake Ontario Conservation Authority comments dated October 25, 2017.

Carried unanimously

Signed by all members present and concurring that this is the Committee Decision of LD 093/2017 on Monday, November 6, 2017.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

K. Reinhardt



Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, December 5, 2017.

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, November 6, 2017

File: LD 119/2017
Submission: B 144/2017
Owner: Daniels LR Corporation
Agent: Daniels LR Corporation
Location: Lot 20, Concession 1
City of Pickering
Municipality: City of Pickering

Consent to sever a vacant 4,727.4 square metre residential parcel of land, retaining a vacant 14,430.9 square metre residential parcel of land for future development. Application includes easement.

The Committee member visited the site on October 23, 2017 and confirmed the property was properly posted.

This application was tabled from the August 17, 2017 Committee meeting.

Applications LD 119/2017 and LD 120/2017 were heard in conjunction.

Present was:

Agent: Millar, Sarah - Daniels LR Corporation

Ms. S. Millar explained the nature of the applications and advised the Committee that the application were previously tabled in order to obtain agency comments in response to amendments made to the submitted amended applications.

In response to questions from the Committee Ms. S. Millar explained that application LD 119/2017 would facilitate the creation of a new lot with easement in favour of the retained lands and that application LD 120/2017 would provide for reciprocal vehicular and pedestrian access to the severed lands.

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

Committee Member E. Hudson acknowledged the two written submissions received in opposition to the applications from Ms. C. Cartman and Ms. B. Fowler.

Agency comments were provided to Ms. S. Millar.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: E. Hudson

Seconded by: D. Marquis

Having reviewed and considered all of the agency comments and heard the oral submission, I hereby move that application LD 119/2017 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 Planning and Economic Development Department's letter dated November 2, 2017.
2. That the applicant satisfy the requirement of the City of Pickering's letter dated November 2, 2017, 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, November 16, 2018.
 - Expiry Date of Application LD 119/2017 is Monday, December 17, 2018.

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 Pickering 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.

Carried unanimously

Signed by all members present and concurring that this is the Committee Decision of LD 119/2017 on Monday, November 6, 2017.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

K. Reinhardt


Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, December 5, 2017.

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, November 6, 2017

File: LD 120/2017
Submission: B 145/2017
Owner: Daniels LR Corporation
Agent: Daniels LR Corporation
Location: Lot 20, Concession 1
City of Pickering
Municipality: City of Pickering

Consent to grant a 29.1 square metre access easement in favour of the property to the east, retaining a 4,698.3 square metre residential parcel of land for future development.

The Committee member visited the site on October 23, 2017 and confirmed the property was properly posted.

This application was tabled from the August 17, 2017 Committee meeting.

Applications LD 119/2017 and LD 120/2017 were heard in conjunction.

Present was:

Agent: Millar, Sarah - Daniels LR Corporation

Ms. S. Millar explained the nature of the applications and advised the Committee that the applications were previously tabled in order to obtain agency comments in response to the amendments made to the submitted applications.

In response to questions from the Committee Ms. S. Millar explained that application LD 119/2017 would facilitate the creation of a new lot with easement in favour of the retained lands and that application LD 120/2017 would provide for reciprocal vehicular and pedestrian access to the severed lands.

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

Committee Member E. Hudson acknowledged the two written submissions received in opposition to the applications from Ms. C. Cartman and Ms. B. Fowler.

Agency comments were provided to Ms. S. Millar.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: E. Hudson

Seconded by: D. Marquis

That application LD 120/2017 be approved, as applied for, as such is an easement and 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 November 2, 2017.
2. That the applicant satisfy the requirement of the City of Pickering's letter dated November 2, 2017, 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, November 16, 2018.
 - Expiry Date of Application LD 120/2017 is Monday, December 17, 2018.

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 Pickering 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.

Carried unanimously

Signed by all members present and concurring that this is the Committee Decision of LD 120/2017 on Monday, November 6, 2017.

J. Hurst, Chair

P. Hamilton, Vice-Chair

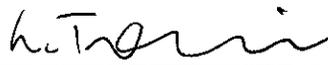
E. Hudson

G. Kydd

R. Malone

D. Marquis

K. Reinhardt



Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, December 5, 2017.

Appendix 5



**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, November 6, 2017

File: LD 148/2017
Owner: Chen, Fu Sheng
Agent: Liang, George
Location: Lot 15, Concession 4
City of Oshawa
(Whitby East)
Municipality: City of Oshawa

Consent to sever a vacant 29,687.1 m² industrial lot, retaining a 21,845.8 m² industrial lot with an existing building.

The Committee member visited the site on October 23, 2017 and confirmed the property was properly posted.

Present was:

Agent: Liang, George
Owner: Ms. Sheng

Mr. G. Liang explained the nature of the application and advised the Committee the application will facilitate the re-establishment of the original lot lines.

Mr. G. Liang asked the Committee for clarification on the comments received from the Regional Works Department with respect to a road widening recommendation.

Committee Chair J. Hurst explained the rationale for the road widening condition and also advised the applicant that the Committee was in receipt of additional agency comments suggesting the application was premature.

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 G. Liang.

Motion of the Committee

Moved by: D. Marquis

Seconded by: K. Reinhardt

Having reviewed and considered all of the agency comments and heard the oral submission, I hereby move that application LD 148/2017 be tabled at the expense of the applicant for up to two (2) years and no later than November 2019. A tabling fee of \$150.00 payable by certified funds is payable 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.

Carried unanimously

Signed by all members present and concurring that this is the Committee Motion of LD 148/2017 on Monday, November 6, 2017.

J. Hurst, Chair

P. Hamilton, Vice-Chair

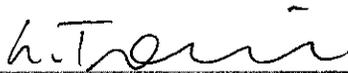
E. Hudson

G. Kydd

R. Malone

D. Marquis

K. Reinhardt



Secretary-Treasurer

Appendix 6



**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, November 6, 2017

File: LD 161/2017
Submission: B 146/2017
Owner: 2296205 Ontario Inc.
Agent: Fasken Martineau DuMoulin LLP
Location: Lot 24, Concession 6
Town of Whitby
(Whitby)
Municipality: Town of Whitby

Consent to grant a lease over 21 years over a 990.3 m² commercial parcel of land, retaining a 7,050 m² commercial parcel of land with 3 existing commercial structures to remain.

The Committee member visited the site on October 23, 2017 and confirmed the property was properly posted.

Present was:

Agent: Guzzi, Joseph - Fasken Martineau DuMoulin LLP

Mr. J. Guzzi explained the nature of the application and advised the Committee that he represented both the property owner and the tenant of the property (TD Bank). Mr. J. Guzzi advised the Committee he was in receipt of agency comments and was ready to proceed with the consideration of the application.

Committee Member P. Hamilton reminded the applicant that the Committee's directions for posting of the public notification sign on the property required the sign to be posted by 9 a.m. fourteen (14) days prior to the public meeting.

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

Agency comments were provided to Mr. J. Guzzi.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: P. Hamilton

Seconded by: R. Malone

That application LD 161/2017 be approved, as applied for, as such is a Lease and 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 submit two copies of a registered plan on the subject parcel.
2. That the consent be subject to the following periods:
 - Last date for fulfilling Conditions is Friday, November 16, 2018.
 - Expiry Date of Application LD 161/2017 is Monday, December 17, 2018.

Clearing Agencies

3. 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 # 2 have been adhered to.

Carried unanimously

Signed by all members present and concurring that this is the Committee Decision of LD 161/2017 on Monday, November 6, 2017.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

K. Reinhardt



Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, December 5, 2017.

Appendix 7



**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, November 6, 2017

File: LD 162/2017
Owner: Whitney, Eric
Location: Lot 23, Concession 3
City of Pickering
(Pickering)
Municipality: City of Pickering

Consent to add a 272.426 m² residential parcel of land, retaining a 557.80 m² residential parcel of land with an existing dwelling to be demolished.

This application was withdrawn by the owner on November 6, 2017.

Appendix 10



**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, November 6, 2017

File: LD 165/2017
Owner: Edvan Properties Inc.
Location: Lot 28, Concession 2
Municipality of Clarington
Municipality: Municipality of Clarington

Consent to grant a 158.7 m² access easement in favour of the property to the east, retaining a 3151.9 m² commercial parcel of land.

The Committee member visited the site and confirmed that the property was not properly posted.

Applications LD 165/2017 and LD 166/2017 were heard in conjunction.

Present was:

Interested Parties: Nancy Stephenson
Lisa Davenport

Ms. N. Stephenson identified herself as the applicant for application LD 166/2017 and expressed concerns that she had not received the notice her neighbours had received. Ms. N. Stephenson also requested clarification as to her rights as an applicant with respect to revoking authorization of her agent and/or withdrawing her application.

In response to questioning from the Committee and Ms. N. Stephenson, Assistant Secretary Treasurer P. Aguilera advised the Committee that all notices and directions had been issued to Ms. N Stephenson's agent. Secretary-Treasurer L.

Trombino also advised the Committee that Ms. N. Stephenson had the ability to revoke the agent's authorization and withdraw her application at any time.

Ms. L. Davenport advised the Committee that the subject applications would have an impact on her interests and requested to be notified of any further decision or notification.

Ms. N. Stephenson advised the Committee that she would not be withdrawing her application at this time and consented to the tabling of the applications.

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

Motion of the Committee

Moved by: R. Malone

Seconded by: K. Reinhardt

Having reviewed and considered all of the agency comments and heard the oral submission, I hereby move that application LD 165/2017 be tabled at the expense of the applicant for up to two (2) years and no later than November 2019. A tabling fee of \$150.00 payable by certified funds is payable 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.

Carried unanimously

Signed by all members present and concurring that this is the Committee Motion of LD 165/2017 on Monday, November 6, 2017.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

K. Reinhardt



Secretary-Treasurer

Appendix 11



**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, November 6, 2017

File: LD 166/2017
Owner: Stephenson, Nancy
Agent: Vanhaverbeke, Theresa
Location: Lot 28, Concession 2
Municipality of Clarington
Municipality: Municipality of Clarington

Consent to grant a 192.4 m² access easement in favour of the property to the west, retaining a 3169.3 m² commercial parcel of land.

The Committee member visited the site and confirmed the property was not properly posted.

Applications LD 165/2017 and LD 166/2017 were heard in conjunction.

Present was:

Owner: Nancy Stephenson
Interested Party: Lisa Davenport

Ms. N. Stephenson identified herself as the applicant for application LD 166/2017 and expressed concerns that she had not received the notice her neighbours had received. Ms. N. Stephenson also requested clarification as to her rights as an applicant with respect to revoking authorization of her agent and/or withdrawing her application.

In response to questioning from the Committee and Ms. N. Stephenson, Assistant Secretary Treasurer P. Aguilera advised the Committee that all notices and

directions had been issued to Ms. N Stephenson's agent. Secretary L. Trombino also advised the Committee that Ms. N. Stephenson had the ability to revoke her agent's authorization and withdraw her application at any time.

Ms. L. Davenport advised the Committee that the subject applications would have an impact on her interests and requested to be notified of any further decision or notification.

Ms. N. Stephenson advised the Committee that she would not be withdrawing her application at this time and consented to the tabling of the applications.

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

Agency comments were provided to Ms. N. Stephenson.

Motion of the Committee

Moved by: R. Malone

Seconded by: K. Reinhardt

Having reviewed and considered all of the agency comments and heard the oral submission, I hereby move that application LD 166/2017 be tabled at the expense of the applicant for up to two (2) years and no later than November 2019. A tabling fee of \$150.00 payable by certified funds is payable 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.

Carried unanimously

Signed by all members present and concurring that this is the Committee Motion of LD 166/2017 on Monday, November 6, 2017.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

K. Reinhardt



Secretary-Treasurer

Appendix 12



**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, November 6, 2017

File: LD 167/2017
Submission: B 147/2017
Owner: 1116978 Ontario Ltd.
Agent: Heffernan, Peter
Location: Lot 16, Concession 3
City of Pickering
(Pickering)
Municipality: City of Pickering

Consent to grant a 0.056 HA servicing easement in favour of the property to the north, retaining a 0.363 HA institutional parcel of land.

The Committee member visited the site on October 23, 2017 and confirmed the property was properly posted.

Present was:

Agent: Heffernan, Peter

Mr. P. Heffernan explained the nature of the application and advised the Committee that the easement was a more economical avenue for the servicing of his property.

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

Agency comments were provided to Mr. P. Heffernan.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: E. Hudson

Seconded by: R. Malone

That application LD 167/2017 be approved, as applied for, as such is an easement and 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 November 2, 2017 with respect to item 1.
2. That the applicant satisfy the requirement of the City of Pickering's letter dated November 2, 2017, 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, November 16, 2018.
 - Expiry Date of Application LD 167/2017 is Monday, December 17, 2018.

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 Pickering 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.

Carried unanimously

Signed by all members present and concurring that this is the Committee Decision of LD 167/2017 on Monday, November 6, 2017.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

K. Reinhardt



Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, December 5, 2017.

Appendix 13



**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, November 6, 2017

File: LD 168/2017
Owner: Weber, Ian
Agent: Weber, Anton
Location: Lot 27, Concession 1
City of Pickering
(Pickering)
Municipality: City of Pickering

Consent to sever a vacant 971.57 m² residential parcel of land, retaining a 948.8 m² residential parcel of land with an existing dwelling. Application includes easement.

The Committee member visited the site on October 23, 2017 and confirmed the property was properly posted.

Present was:

Agent: Weber, Anton
Interested party: Mark Lakics

Mr. A. Weber explained the nature of the application and provided the Committee with a brief history of the property and a summary of recent development applications in the surrounding neighbourhood. Mr. A. Weber further explained the proposed application would facilitate the sale of the subject lands to the property owner to the south.

Mr. A. Weber acknowledged receipt of agency comments and indicated he disagreed with the City of Pickering's tabling request given the issues raised in the City's letter could be addressed in the future.

Mr. M. Lakics advised the Committee he was an adjacent property owner. Mr. M. Lakics indicated he did not oppose application, however, he requested the Committee clarify how the proposed application would impact his property. Concerns related to a variety of issues, including the implications of any easement, servicing, driveway access and streetscape.

Committee Member P. Hamilton directed Mr. M. Lakics to the comments from City of Pickering and explained that Mr. Lakics concerns seem to mirror many of the issues raised in the City's letter.

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

A written submission in opposition to the application dated November 5, 2017 was received from Mr. A. Winkle

Agency comments were provided to Mr. A. Weber.

Motion of the Committee

Moved by: E. Hudson

Seconded by: D. Marquis

Having reviewed and considered all of the agency comments and heard the oral submissions, I hereby move that application LD 168/2017 be tabled at the expense of the applicant for up to two (2) years and no later than November 2019. A tabling fee of \$150.00 payable by certified funds is payable 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.

Carried unanimously

Signed by all members present and concurring that this is the Committee Motion of LD 168/2017 on Monday, November 6, 2017.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

K. Reinhardt



Secretary-Treasurer

Appendix 14



**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, November 6, 2017

File: LD 169/2017
Owner: Srisangar, Jeremy
Agent: Marshall Homes Corporation
Location: Lot 31, Concession 2
City of Pickering
(Pickering)
Municipality: City of Pickering

Consent to sever a vacant 0.493 HA residential parcel of land for future development, retaining a 0.163 HA residential parcel of land with an existing dwelling.

The Committee member visited the site on and confirmed the property was properly posted.

Present was:

Agent: Bateman, Samantha - Marshall Homes Corporation

Ms. S. Bateman advised the Committee she was in receipt of the comments and advised the Committee that Marshall Homes Corporation owns the neighboring property to the east. Ms. S. Bateman explained that the application would facilitate the severance of the northern portion of the subject lands.

Ms. S. Bateman acknowledged the sewage system issue remains was still outstanding and consented to the tabling request in order to allow for the review of the application by the Regional Health Department.

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

Agency comments were provided to Ms. S. Bateman.

Motion of the Committee

Moved by: E. Hudson

Seconded by: R. Malone

Having reviewed and considered all of the agency comments and heard the oral submission, I hereby move that application LD 169/2017 be tabled at the expense of the applicant for up to two (2) years and no later than October 2019. A tabling fee of \$150.00 payable by certified funds is payable 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.

Carried unanimously

Signed by all members present and concurring that this is the Committee Decision of LD 169/2017 on Monday, November 6, 2017.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

K. Reinhardt



Secretary-Treasurer

Appendix 15



**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, November 6, 2017

File: LD 170/2017
Submission: B 148/2017
Owner: Hunter, Neil
Agent: Candevcon Ltd.
Location: Lot 13, Concession 11
Township of Scugog
Municipality: Township of Scugog

Consent to sever a 4,162 m² hamlet residential lot, retaining a 7.46 HA agricultural parcel of land with an existing barn.

The Committee member visited the site on October 23, 2017 and confirmed the property was properly posted.

Present was:

Owner: Hunter, Bob
Agent: Mojgan Rasouli - Candevcon Ltd.

M. Rasouli explained the nature of the application and advised the Committee that the related zoning by-law amendment was approved in March 2017. M. Rasouli further explained that the proposed severed and retained lands comply with the requirements of the zoning by-law and Region's Lot Sizing Policy. She advised the Committee that 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, Health and Works Departments, the Township of Scugog and the Ministry of Transportation.

Agency comments were provided to M. Rasouli.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: K. Reinhardt

Seconded by: G. Kydd

Having reviewed and considered all of the agency comments and heard the oral submission, I hereby move that application LD 170/2017 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 October 24, 2017, financial and otherwise.
2. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated November 1, 2017 with respect to items 2 and 3.
3. That the applicant satisfy the requirement of the Township of Scugog's letter dated October 24, 2017, 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, November 16, 2018.
 - Expiry Date of Application LD 170/2017 is Monday, December 17, 2018.

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 Township of Scugog 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. Ministry of Transportation Comments dated October 19, 2017.

Carried unanimously

Signed by all members present and concurring that this is the Committee Decision of LD 170/2017 on Monday, November 6, 2017.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

K. Reinhardt



Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, December 5, 2017.

Appendix 16



**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, November 6, 2017

File: LD 171/2017
Submission: B 149/2017
Owner: Renaissance Baptist Church
Agent: Campos, Tiago
Location: Lot 25, Concession 6
Town of Whitby
(Whitby)
Municipality: Town of Whitby

Consent to sever a vacant 0.034 HA residential lot, retaining a 0.297 HA institutional lot with an existing church.

The Committee member visited the site on October 23, 2017 and confirmed the property was properly posted.

Present was:

Agent: Campos, Tiago
Andrew Brubacher

Mr. T. Campos explained the nature of the application and advised the Committee that the severed and retained lots had inadvertently merged. Mr. T. Campos explained that the application would facilitate the reestablishment of the original lot lines.

Mr. T. Campos advised the Committee that the related minor variance application has also been approved.

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

Agency comments were provided to Mr. T. Campos

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: D. Marquis

Seconded by: K. Reinhardt

Having reviewed and considered all of the agency comments and heard the oral submission, I hereby move that application LD 171/2017 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 November 1, 2017, financial and otherwise.
2. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated October 31, 2017 with respect to item 2.
3. That the applicant satisfy the requirement of the Town of Whitby's letter dated October 26, 2017, 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, November 16, 2018.
 - Expiry Date of Application LD 171/2017 is Monday, December 17, 2018.

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 Town of Whitby 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.

Carried unanimously

Signed by all members present and concurring that this is the Committee Decision of LD 171/2017 on Monday, November 6, 2017.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

K. Reinhardt



Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, December 5, 2017.

Appendix 17



**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, November 6, 2017

File: LD 172/2017
Submission: B 150/2017
Owner: Mollard, Richard
Mollard, Stephen
Mollard, Robert
McCulloch, Patricia
Agent: H. F. Grander Co. Ltd.
Location: Lot 18, Concession 10
Township of Scugog
(Scugog Island)
Municipality: Township of Scugog

Consent to grant a 0.21 HA access easement in favour the residential lot to the north, retaining a 0.20 HA residential lot with existing dwelling.

Applications LD 172/17 and LD 173/17 were heard in conjunction.

The Committee member visited the site on October 23, 2017 and confirmed the property was properly posted.

Present was:

Agent: Grander, Ralph - H. F. Grander Co. Ltd.
Interested Parties: Carol Hill, area resident
Murry Hill, area resident

Mr. R. Grander explained the nature of the application and explained the history of the property relating to its conversion to the Land Titles system. Mr. R. Grander advised the Committee that following the conversion of the property to the Land

Titles System, the owners of the property had not registered their existing right-of-way over the applicant's property and that the applications would re-establish their historic right-of-way access over Johnstone Lane.

Mr. R. Grander advised the Committee he was in receipt of and in agreement with agency comments.

Committee Member K. Reinhardt asked the agent if his clients had contacted the other neighbours that currently have access over Johnstone Lane. Mr. R. Grander advised the Committee that he was unaware any communication between the parties.

Secretary L. Trombino advised the Committee that leading up to the meeting, Land Division Committee staff had received a variety of inquiries regarding the potential legal implications regarding use of Johnstone Lane by other property owners. Secretary L. Trombino reminded the Committee that these issues were outside the purview of the Committee and that those property owners would have to seek their own legal opinions regarding their property access rights.

Ms. C. Hill advised the Committee that she has searched the title of the abutting property owners and that in her opinion, none of the adjacent lots had transferred their access rights into the Land Titles System. Ms. C. Hill asked the Committee to consider a tabling of the application in order to allow the other affected neighbours an opportunity to consolidate their properties with the existing applications.

Secretary L. Trombino advised the Committee that the current applications represent requests from two property owners and explained that any amendment to the applications would require the consent of the property owners. L. Trombino further explained that separate future applications may be required.

C. Hill advised the Committee that Johnstone Lane provides the only access to her property. C. Hill also expressed concerns with respect to the posting of the public meeting notice on the property.

Secretary Treasurer L. Trombino clarified the public notice requirements as prescribed in the Planning Act Regulation.

Mr. M. Hill questioned why he was not notified of the Land Titles conversion requirement when he purchased the property in 1997 and also questioned the Committee as to the potential privatization of Johnstone Lane.

Committee Chair J. Hurst advised Mr. Hill that she was not familiar with the history of the properties and that these questions were outside the purview of the Committee.

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

Agency comments were provided to Mr. R. Grander.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: K. Reinhardt

Seconded by: E. Hudson

That application LD 172/2017 be approved, as applied for, as such is an easement and 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 October 30, 2017 with respect to item 2.
2. That the applicant satisfy the requirement of the Township of Scugog's letter dated October 24, 2017, 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, November 16, 2018.
 - Expiry Date of Application LD 172/2017 is Monday, December 17, 2018.

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 Scugog 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. Kawartha Region Conservation Authority letter dated October 20, 2017.

Carried unanimously

Signed by all members present and concurring that this is the Committee Decision of LD 172/2017 on Monday, November 6, 2017.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

K. Reinhardt



Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, December 5, 2017.

Appendix 18



**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, November 6, 2017

File: LD 173/2017
Submission: B 150/2017
Owner: Mollard, Robert
Mollard, Stephen
Mollard, Richard
McCulloch, Patricia
Agent: H. F. Grander Co. Ltd.
Location: Lot 18, Concession 10
Township of Scugog
(Scugog Island)
Municipality: Township of Scugog

Consent to grant a 0.21 HA access easement in favour the residential lot to the north, retaining a 0.20 HA residential lot with existing dwelling.

Applications LD 172/17 and LD 173/17 were heard in conjunction.

The Committee member visited the site on October 23, 2017 and confirmed the property was properly posted.

Present was:

Agent: Grander, Ralph - H. F. Grander Co. Ltd.
Interested Parties: Carol Hill, area resident
Murry Hill, area resident

Mr. R. Grander explained the nature of the application and explained the history of the property relating to its conversion to the Land Titles system. Mr. R. Grander advised the Committee that following the conversion of the property to the Land

Titles System, the owners of the property had not registered their existing right-of-way over the applicant's property and that the applications would re-establish their historic right-of-way access over Johnstone Lane.

Mr. R. Grander advised the Committee he was in receipt of and in agreement with agency comments.

Committee Member K. Reinhardt asked the agent if his clients had contacted the other neighbours that currently have access over Johnstone Lane. Mr. R. Grander advised the Committee that he was unaware any communication between the parties.

Secretary L. Trombino advised the Committee that leading up to the meeting, Land Division Committee staff had received a variety of inquiries regarding the potential legal implications regarding use of Johnstone Lane by other property owners. Secretary L. Trombino reminded the Committee that these issues were outside the purview of the Committee and that those property owners would have to seek their own legal opinions regarding their property access rights.

Ms. C. Hill advised the Committee that she has searched the title of the abutting property owners and that in her opinion, none of the adjacent lots had transferred their access rights into the Land Titles System. Ms. C. Hill asked the Committee to consider a tabling of the application in order to allow the other affected neighbours an opportunity to consolidate their properties with the existing applications.

Secretary L. Trombino advised the Committee that the current applications represent requests from two property owners and explained that any amendment to the applications would require the consent of the property owners. L. Trombino further explained that separate future applications may be required.

C. Hill advised the Committee that Johnstone Lane provides the only access to her property. C. Hill also expressed concerns with respect to the posting of the public meeting notice on the property.

Secretary Treasurer L. Trombino clarified the public notice requirements as prescribed in the Planning Act Regulation.

Mr. M. Hill questioned why he was not notified of the Land Titles conversion requirement when he purchased the property in 1997 and also questioned the Committee as to the potential privatization of Johnstone Lane.

Committee Chair J. Hurst advised Mr. Hill that she was not familiar with the history of the properties and that these questions were outside the purview of the Committee.

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

Agency comments were provided to Mr. R. Grander.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: K. Reinhardt

Seconded by: E. Hudson

That application LD 173/2017 be approved, as applied for, as such is an easement and 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 October 30, 2017 with respect to item 2.
2. That the applicant satisfy the requirement of the Township of Scugog's letter dated October 24, 2017, 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, November 16, 2018.
 - Expiry Date of Application LD 173/2017 is Monday, December 17, 2018.

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 Scugog 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. Kawartha Region Conservation Authority letter dated October 20, 2017.

Carried unanimously

Signed by all members present and concurring that this is the Committee Decision of LD 173/2017 on Monday, November 6, 2017.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

K. Reinhardt



Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, December 5, 2017.

Appendix 19



**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, November 6, 2017

File: LD 174/2017
Submission: B 152/2017
Owner: Green Orchards Holdings Ltd.
Elgin Park Developments Limited
Agent: Fasken Martineau DuMoulin LLP
Location: Lot 28, Concession 6
Township of Uxbridge
(Uxbridge)
Municipality: Township of Uxbridge

Consent to grant a lease over 21 years over a 1,098.7 m² commercial parcel of land, retaining a 15,560 m² commercial parcel of land with 2 existing structures to remain.

The Committee member visited the site on October 23, 2017 and confirmed the property was properly posted.

Present was:

Agent: Guzzi, Joseph - Fasken Martineau DuMoulin LLP

Mr. J. Guzzi explained the nature of the application and advised the Committee that the application will establish a lease for a bank building and 27 parking spaces for the exclusive use of TD Bank.

Mr. J. Guzzi advised the Committee he was in receipt of the agency comments and drew the Committee's attention towards the report prepared by the Township of Uxbridge. Mr. J. Guzzi explained that the application was not proposing a new

lot and asked for relief from the Township's Condition Number 2 which related to zoning conformity.

Committee Member G. Kydd asked the agent if he had contacted the Township of Uxbridge to discuss this concern and if the applicant would consider of a tabling of the application if this would allow an opportunity for some input from the Township.

Secretary Treasurer L. Trombino advised the Committee that the requirement to demonstrate zoning conformity is not a unique request. L. Trombino suggested that the agent may have to contact the Township directly to discuss the proposed changed conditions and advised the Committee the Township had the flexibility to address the issue in any way they deemed appropriate.

Mr. J. Guzzi advised the Committee he did not want to table the application and wished to proceed with the consideration of the application.

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

Agency comments were provided to Mr. J. Guzzi.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: G. Kydd

Seconded by: K. Reinhardt

That application LD 174/2017 be approved, as applied for, as such is a Lease and 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 Township of Uxbridge's letter dated October 26, 2017, 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, November 16, 2018.
 - Expiry Date of Application LD 174/2017 is Monday, December 17, 2018.

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 Township of Uxbridge 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. Ministry of Transportation comments dated October 31, 2017.

Carried unanimously

Signed by all members present and concurring that this is the Committee Decision of LD 174/2017 on Monday, November 6, 2017.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

K. Reinhardt



Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, December 5, 2017.