



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

**Minutes
Monday, July 16, 2018**

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, July 16, 2018 with the following in attendance:

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

Absent: G. Rock
K. Reinhardt

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

1. Adoption of Minutes

Moved by: R. Malone

Seconded by: P. Hamilton

That the minutes of the Monday, June 11, 2018 Land Division Committee meeting be adopted as circulated.

Carried unanimously
Monday, July 16, 2018

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 update on decisions received from the Local Planning Appeal Tribunal with respect to current appeals.

4. Recess

Moved by: D. Marquis

Seconded by: E. Hudson

That this meeting be recessed at 11:45 a.m. and reconvene at 1:00 p.m.

Carried unanimously
Monday, July 16, 2018

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 016/2016
Appendix 1

2. File: LD 175/2017
Appendix 2

3. File: LD 052/2018
Appendix 3

4. File: LD 054/2018
Appendix 4

5. File: LD 088/2018
Appendix 5

6. File: LD 089/2018
Appendix 6

7. File: LD 090/2018
Appendix 7

8. File: LD 091/2018
Appendix 8

9. File: LD 092/2018
Appendix 9

10. File: LD 093/2018
Appendix 10

11. File: LD 094/2018
Appendix 11

12. File: LD 095/2018
Appendix 12

13. File: LD 096/2018
Appendix 13

14. File: LD 097/2018
Appendix 14

15. File: LD 098/2018
Appendix 15

16. File: LD 099/2018
Appendix 16

6. Date of Next Meeting

The next regularly scheduled Land Division Committee meeting will be held on Monday, August 13, 2018, in the Lower Level Boardroom (LL-C), Regional Headquarters Building, 605 Rossland Road East, Whitby.

7. Adjournment

Moved by: D. Marquis

Seconded by: E. Hudson

That this meeting be adjourned at 2:45 p.m. and the next regular meeting be held on Monday, August 13, 2018.

Carried unanimously
Monday, July 16, 2018

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, July 16, 2018

File: LD 016/2016
Submission: B 088/2018
Owner: 2374996 Ontario Inc.
Agent: Miller Planning Services
Location: Lot 24, Concession 6
Town of Whitby
Municipality: Town of Whitby

Consent to sever a 914.9 m² residential/commercial lot, retaining a 1,097.8 m² residential/commercial lot with an existing dwelling.

This application was tabled from the February 12, 2018 hearing.

The Committee member visited the site on July 2, 2018 and confirmed the property was properly posted.

Present was:

Agent: Miller, Rodger - Miller Planning Services

Mr. R. Miller explained the nature of the application and advised the Committee the issues previously raised by the Town of Whitby have now been resolved. He advised that the related zoning by-law amendment was passed by the Town and that no appeals were filed during the appeal period.

Mr. R. Miller further advised that he was ready to proceed with the application which is in compliance with the zoning by-law.

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

Agency comments were provided to Mr. R. Miller.

A Letter of objection was received from the Brooklin United Church on April 19, 2018.

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 submissions, I hereby move that application LD 016/2016, 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 June 28, 2018, financial and otherwise.
2. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated July 11, 2018 with respect to items 2, 3, and 4.
3. That the applicant satisfy the requirement of the Town of Whitby's letter dated July 4, 2018, 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, July 26, 2019.
 - Expiry Date of Application LD 016/2016 is Monday, August 26, 2019.

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.

Advisory Comments

1. Ministry of Transportation Comments dated June 21, 2018.

Carried unanimously

Signed by all members present and concurring that this is the Committee Decision of LD 016/2016 on Monday, July 16, 2018.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

Assistant Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, August 14, 2018.

Appendix 2



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, July 16, 2018

File: LD 175/2017
Owner: Simanovskis, Mary
Simanovskis, Andrew
Agent: Martindale Planning Services
Location: Lot 27, Concession 1
City of Pickering
(Pickering)
Municipality: City of Pickering

Consent to sever a vacant 1,746.9 m² residential parcel of land, retaining a 2,847.7 m² residential parcel of land with an existing dwelling.

This application was tabled from the December 11, 2017 hearing

The Committee member visited the site on July 2, 2018 and confirmed the property was NOT properly posted.

There were no parties present.

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

Motion of the Committee

Moved by: E. Hudson

Seconded by: D. Marquis

Having reviewed and considered all of the agency comments, I hereby move that application LD 175/2017 be tabled, due to non-posting, at the expense of the applicant for up to two (2) years and no later than July 2020. 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.

Carried unanimously

Signed by all members present and concurring that this is the Committee Motion of LD 175/2017 on Monday, July 16, 2018.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

Assistant Secretary-Treasurer

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, July 16, 2018

File: LD 052/2018
Submission: B 089/2018
Owner: Paisley Court Developments Inc. &
Ajax Salem Shopping Centre Inc.
Agent: SmartCentres
Location: Lot 7, Concession 2
Town of Ajax
Municipality: Town of Ajax

Consent to sever a 1.387 hectare vacant industrial parcel of land, retaining a 1.305 hectare vacant industrial parcel of land.

This application was tabled from the May 14, 2018 hearing.

The Committee member visited the site on July 2, 2018 and confirmed the property was properly posted.

Present was:

Agent: Papapetrou, Nick – SmartCentres
Purchaser: Mitchell, Paul

Mr. N. Papapetrou explained the nature of the application and advised the Committee he 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 Town of Ajax and Toronto Region Conservation Authority.

Agency comments were provided to Mr. N. Papapetrou.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: P. Hamilton

Seconded by: D. Marquis

Having reviewed and considered all of the agency comments and heard the oral submission, I hereby move that application LD 052/2018 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 July 10, 2018 with respect to item 2.
2. That the applicant satisfy the requirement of the Town of Ajax's letter dated June 27, 2018, financial and otherwise.
3. That the applicant satisfy the requirement of the Toronto Region Conservation Authority letters dated April 7, 2017 and June 29, 2018
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, July 26, 2019.
 - Expiry Date of Application LD 052/2018 is Monday, August 26, 2019.

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 Planning and Economic Development 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 Town of Ajax 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 Toronto Region Conservation Authority 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 052/2018 on Monday, July 16, 2018.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

Assistant Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, August 14, 2018.

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, July 16, 2018

File: LD 054/2018
Submission: B 090/2018
Owner: Smith, Christopher Paul
Smith, Philip John
Location: Lot 30, Concession 6
Township of Uxbridge
Municipality: Township of Uxbridge

Consent to sever a 249 m² residential parcel of land with an existing garage to be demolished, retaining a 261 m² residential parcel of land.

This application was tabled from the May 14, 2018 hearing.

The Committee member visited the site on July 2, 2018 and confirmed the property was properly posted.

Present was:

Owner: Smith, Christopher Paul
Smith, Philip John

Mr. P. Smith explained the nature of the application and advised the Committee he has provided the Township of Uxbridge with the requested additional information and he is ready to proceed with the application today.

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

Agency comments were provided to Mr. P. Smith.

A letter of support was received from Mr. J. MacInnis on June 1, 2018.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: G. Kydd

Seconded by: R. Malone

Having reviewed and considered all of the agency comments and heard the oral submission, I hereby move that application LD 054/2018 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 June 25, 2018, financial and otherwise.
2. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated July 10, 2018 with respect to items 2, 3 and 4.
3. That the applicant satisfy the requirement of the Township of Uxbridge's letter dated July 10, 2018, 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, July 26, 2019.
 - Expiry Date of Application LD 054/2018 is Monday, August 26, 2019.

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 Uxbridge 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 054/2018 on Monday, July 16, 2018.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

Assistant Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, August 14, 2018.

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, July 16, 2018

File: LD 088/2018
Owner: Emmanuel, Jerad
Agent: Aqeel, Atif
Location: Lot 26, Concession 3
Town of Whitby
Municipality: Town of Whitby

Consent to sever a 966 m² residential parcel of land, retaining a 976.7 m² residential parcel of land with an existing dwelling to be demolished.

The Committee member visited the site on July 2, 2018 and confirmed the property was NOT properly posted.

Present was:

Agent: Aqeel, Atif

Mr. A. Aqeel advised the Committee his client had attended at the site and posted the signs on the property.

Chair J. Hurst advised she visited the site and note the site was not posted in accordance with the regulations.

Secretary-Treasurer L. Trombino advised the Committee that in accordance with Planning Act regulations this matter may not be heard as proper notice was not served.

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

Agency comments were provided to Mr. A. Aqeel.

Motion of the Committee

Moved by: G. Kydd

Seconded by: D. Marquis

Having reviewed and considered all of the agency comments and heard the oral submissions, I hereby move that application LD 088/2018 be tabled, due to non-posting, at the expense of the applicant for up to two (2) years and no later than July 2020. 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.

Carried unanimously

Signed by all members present and concurring that this is the Committee Motion of LD 088/2018 on Monday, July 16, 2018.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

Assistant 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, July 16, 2018

File: LD 089/2018
Submission: B 091/2018
Owner: Edvan Properties Inc.
Location: Part Lot 28, Concession 2
Municipality of Clarington
Municipality: Municipality of Clarington

Consent to sever a 925 m² commercial parcel of land with an existing building, retaining a 3,618.5 m² residential parcel of land with an existing dwelling.

The Committee member visited the site on July 2, 2018 and confirmed the property was properly posted.

Present was:

Owner: Vanhaverbeke, Edmond- Edvan Properties Inc.
Interested parties: Andrew Bezubiak
Julia Bezubiak

Mr. E. Vanhaverbeke explained the nature of the application and advised the Committee he was in receipt of and in agreement with all agency comments.

Mr. A. Bezubiak asked for clarification and details related to the proposed severance of the property and asked the owner to explain the rationale for the proposed lot configuration.

Mr. E. Vanhaverbeke advised that the previous owner ran a restaurant and constructed an unsightly wheelchair ramp on the property which took up a lot of

unnecessary space. He indicated he is currently designing a new parking lot which will allow for a more visually appealing parking structure inclusive of a wheelchair ramp and provide for a more efficient use of parking area.

Mr. A. Bezubiak asked what the intended use is for the remaining parcel of land.

Mr. E. Vanhaverbeke advised that he has entered into an Agreement of Purchase and Sale with the neighbor to the north and is working on other acquisitions in the area to facilitate future development. He indicated this is a long term land assembly.

Ms. J. Bezubiak asked what would be happening with the 47 Beaver Street property.

Mr. E. Vanhaverbeke advised that 47 Beaver Street could be used for commercial or residential uses in the future and that the existing dwelling would remain for now. He further advised that all future development will be in compliance with the local zoning by-law requirements.

Mr. E. Vanhaverbeke further stated that the Site Plan Agreement has been completed to finalize the parking for the restaurant on the site.

Mr. A. Bezubiak reiterated concerns related parking issues.

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 Kawartha Region Conservation Authority.

Agency comments were provided to Mr. E. Vanhaverbeke.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: R. Malone

Seconded by: G. Kydd

Having reviewed and considered all of the agency comments and heard the oral submission, I hereby move that application LD 089/2018 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 July 9, 2018 with respect to items 2 and 3.
2. That the applicant satisfy the requirement of the Municipality of Clarington's letter dated July 9, 2018, 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, July 26, 2019.
 - Expiry Date of Application LD 089/2018 is Monday, August 26, 2019.

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 Municipality of Clarington 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 089/2018 on Monday, July 16, 2018.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

Assistant Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, August 14, 2018.

Appendix 7



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, July 16, 2018

File: LD 090/2018
Submission: B 092/2018
Owner: Brown, Chandler
Location: Lot 9, Concession 2
Municipality of Clarington
Municipality: Municipality of Clarington

Consent to sever a 4,181 m² hamlet lot with an existing dwelling to remain and existing barn to be demolished, retaining a vacant 30.05 hectare agricultural parcel of land.

The Committee member visited the site on July 2, 2018 and confirmed the property was properly posted.

Present was:

Owner: Brown, Chandler
Brown, Harvey

Mr. C. Brown advised the Committee he was in receipt of and in agreement with the agency comments. He asked the Committee for clarification on the comments received from Clarington with respect to setbacks and the cash in lieu requirements.

Chair J. Hurst advised the owner to contact the Municipality directly to discuss the non-compliance with the existing zoning by-law and the cash in lieu requirement.

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 Ganaraska Region Conservation Authority.

Agency comments were provided to Mr. C. Brown.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: R. Malone

Seconded by: E. Hudson

Having reviewed and considered all of the agency comments and heard the oral submission, I hereby move that application LD 090/2018 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 June 25, 2018, financial and otherwise.
2. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated July 10, 2018 with respect to items 2 and 4.
3. That the applicant satisfy the requirement of the Municipality of Clarington's letter dated July 9, 2018, 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, July 26, 2019.
 - Expiry Date of Application LD 090/2018 is Monday, August 26, 2019.

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. Ganaraska Region Conservation Authority Comments dated July 3, 2018.

Carried unanimously

Signed by all members present and concurring that this is the Committee Decision of LD 090/2018 on Monday, July 16, 2018.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

Assistant Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, August 14, 2018.

Appendix 8



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, July 16, 2018

File: LD 091/2018
Submission: B 093/2018
Owner: Marsden, James Raymond
Marsden, Michael
Location: Part Lot 6, Concession BFC 3
Town of Ajax
Municipality: Town of Ajax

Consent to sever a vacant 464.5 m² residential parcel of land, retaining a 1,394.5 m² residential parcel of land with an existing dwelling.

Applications LD 091/2018 and LD 092/1018 were heard in conjunction.

The Committee member visited the site on July 2, 2018 and confirmed the property was properly posted.

Present was:

Owner: Marsden, James Raymond
Marsden, Michael

Mr. M. Marsden advised the Committee he 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 Town of Ajax and Toronto Region Conservation Authority.

Agency comments were provided to Mr. M. Marsden.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: P. Hamilton

Seconded by: E. Hudson

Having reviewed and considered all of the agency comments and heard the oral submission, I hereby move that application LD 091/2018 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 July 3, 2018, financial and otherwise.
2. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated July 13, 2018 with respect to item 2.
3. That the applicant satisfy the requirement of the Town of Ajax's letter dated July 12, 2018, financial and otherwise.
4. That the applicant satisfy the requirement of the Toronto Region Conservation Authority's letter dated July 4, 2018, financial and otherwise.
5. That the applicant submit two copies of a registered plan on the subject parcel.
6. That the consent be subject to the following periods:
 - Last date for fulfilling Conditions is Friday, July 26, 2019.
 - Expiry Date of Application LD 091/2018 is Monday, August 26, 2019.

Clearing Agencies

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 Works Department that condition #1 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 Regional Planning and Economic Development Department that condition #2 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 Town of Ajax that condition #3 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 Toronto Region Conservation Authority that condition #4 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 satisfied that the time periods outlined in condition #6 have been adhered to.

Carried unanimously

Signed by all members present and concurring that this is the Committee Decision of LD 091/2018 on Monday, July 16, 2018.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

Assistant Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, August 14, 2018.

Appendix 9



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, July 16, 2018

File: LD 092/2018
Submission: B 094/2018
Owner: Marsden, Michael
Marsden, James Raymond
Location: Part Lot 6, Concession BFC 3
Town of Ajax
Municipality: Town of Ajax

Consent to sever a vacant 464.5 m² residential parcel of land, retaining a 930 m² residential parcel of land with an existing dwelling.

Applications LD 091/2018 and LD 092/1018 were heard in conjunction.

The Committee member visited the site on July 2, 2018 and confirmed the property was properly posted.

Present was:

Owner: Marsden, James Raymond
Marsden, Michael

Mr. M. Marsden advised the Committee he 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 Town of Ajax and Toronto Region Conservation Authority.

Agency comments were provided to Mr. M. Marsden.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: P. Hamilton

Seconded by: E. Hudson

Having reviewed and considered all of the agency comments and heard the oral submission, I hereby move that application LD 092/2018 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 July 3, 2018, financial and otherwise.
2. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated July 13, 2018 with respect to item 2.
3. That the applicant satisfy the requirement of the Town of Ajax's letter dated July 12, 2018, financial and otherwise.
4. That the applicant satisfy the requirement of the Toronto Region Conservation Authority's letter dated July 4, 2018, financial and otherwise.
5. That the applicant submit two copies of a registered plan on the subject parcel.
6. That the consent be subject to the following periods:
 - Last date for fulfilling Conditions is Friday, July 26, 2019.
 - Expiry Date of Application LD 092/2018 is Monday, August 26, 2019.

Clearing Agencies

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 Works Department that condition #1 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 Regional Planning and Economic Development Department that condition #2 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 Town of Ajax that condition #3 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 Toronto Region Conservation Authority that condition #4 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 satisfied that the time periods outlined in condition #6 have been adhered to.

Carried unanimously

Signed by all members present and concurring that this is the Committee Decision of LD 092/2018 on Monday, July 16, 2018.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

Assistant Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, August 14, 2018.

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, July 16, 2018

File: LD 093/2018
Owner: Marsden, James Raymond
Marsden, Michael
Location: Part Lot 6, Concession BFC 3
Town of Ajax
Municipality: Town of Ajax

Consent to sever a vacant 465 m² residential parcel of land, retaining a 465 m² residential parcel of land with an existing dwelling.

The Committee member visited the site on July 2, 2018 and confirmed the property was properly posted.

Present was:

Owner: Marsden, James Raymond
Marsden, Michael

Mr. M. Marsden advised the Committee he was in receipt of and in agreement with the agency comments.

Committee member P. Hamilton advised the applicant that the agency comments had identified some flood hazard issues with the location of the proposed lot and that their concerns must be addressed prior to future consideration of the application.

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

Agency comments were provided to Mr. M. Marsden.

Motion of the Committee

Moved by: P. Hamilton

Seconded by: D. Marquis

Having reviewed and considered all of the agency comments and heard the oral submissions, I hereby move that application LD 093/2018 be tabled, due to non-posting, at the expense of the applicant for up to two (2) years and no later than July 2020. 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.

Carried unanimously

Signed by all members present and concurring that this is the Committee Motion of LD 093/2018 on Monday, July 16, 2018.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

Assistant Secretary-Treasurer

Appendix 11



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, July 16, 2018

File: LD 094/2018
Submission: B 095/2018
Owner: Gallo, Cesare
Ciancio, Jose
Agent: Gallo, Cesare
Location: Lot 32, Concession BFC 3
City of Pickering
Municipality: City of Pickering

Consent to sever a 1,965 m² residential parcel of land with an existing dwelling to be demolished, retaining a 1,967 m² residential parcel of land with an existing dwelling to be demolished.

The Committee member visited the site on July 2, 2018 and confirmed the property was properly posted.

Present was:

Owner: Ciancio, Jose
Agent: Gallo, Cesare

Mr. C. Gallo advised the Committee he 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 Pickering and Toronto Region Conservation Authority.

Agency comments were provided to Mr. C. Gallo.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: E. Hudson

Seconded by: P. Hamilton

Having reviewed and considered all of the agency comments and heard the oral submission, I hereby move that application LD 094/2018 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 June 28, 2018, financial and otherwise.
2. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated July 11, 2018 with respect to items 2, 3 and 4.
3. That the applicant satisfy the requirement of the City of Pickering's letter dated July 3, 2018, 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, July 26, 2019.
 - Expiry Date of Application LD 094/2018 is Monday, August 26, 2019.

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.

Carried unanimously

Signed by all members present and concurring that this is the Committee Decision of LD 094/2018 on Monday, July 16, 2018.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

Assistant Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, August 14, 2018.

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, July 16, 2018

File: LD 095/2018
Submission: B 096/2018
Owner: Thibault, Reuben
Thibault, Jennifer
Agent: Westlake, Tracey
Location: Part Lot 16, Concession 5
Township of Brock
Municipality: Township of Brock

Consent to sever a vacant 1,244.2 m² residential parcel of land, retaining a 3,977.9 m² residential parcel of land with an existing dwelling.

The Committee member visited the site on July 2, 2018 and confirmed the property was properly posted.

Present was:

Agent: Westlake, Tracey

Ms. T. Westlake explained the nature of the application and advised the Committee the application will facilitate the completion of an agreement of purchase and sale of a new residential lot.

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

Agency comments were provided to Ms. T. Westlake.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: D. Marquis

Seconded by: G. Kydd

Having reviewed and considered all of the agency comments and heard the oral submission, I hereby move that application LD 095/2018 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 June 25, 2018, financial and otherwise.
2. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated July 11, 2018 with respect to items 1, 2 and 3.
3. That the applicant satisfy the requirement of the Township of Brock's letter dated June 27, 2018, 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, July 26, 2019.
 - Expiry Date of Application LD 095/2018 is Monday, August 26, 2019.

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 Brock 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 095/2018 on Monday, July 16, 2018.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

Assistant Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, August 14, 2018.

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, July 16, 2018

File: LD 096/2018
Owner: Tiller, Terrance Dale
Agent: Strike & Phillips LLP
Location: Part Lot 25, Concession 5
Municipality of Clarington
(Clarke)
Municipality: Municipality of Clarington

Consent to sever a 0.60 hectare rural residential lot with an existing dwelling, retaining a vacant 42.5 hectare agricultural parcel of land. Retained lands to be consolidated with agricultural property to the West.

The Committee member visited the site on July 2, 2018 and confirmed the property was NOT properly posted.

Present was:

Agent: Strike, Dan - Strike & Phillips LLP

Mr. D. Strike explained the nature of the application and advised the Committee the owner is severing the property in order to create a lot for a dwelling rendered surplus as a result of the consolidation of two abutting farms. He further clarified the balance of the farm would be transferred to the adjacent owner and which lands will be consolidated for agricultural use.

Mr. D. Strike asked the Committee for clarification of the requirements requested by the Regional Health Department and requested that the Committee approve the application subject to the owner providing the site servicing plan to the Regional Health Department as this matter is extremely time sensitive.

Mr. D. Strike indicated his client has applied for a rezoning of both the subject lands and the abutting property which matter is scheduled to be heard in September 2018, contrary to the recommendation from the Municipality of Clarington.

Secretary-Treasurer L. Trombino advised Clarington has not always implemented the requirement to rezone both the severed and abutting property. He encouraged the agent to speak with Clarington in order to ensure the Region's requirements would be captured.

Committee Member P. Hamilton asked the agent for details of the date of the rezoning and was advised by Mr. D. Strike that the meeting will be held on September 10, 2018.

Committee Member P. Hamilton advised the consent should not prejudice the consideration of the rezoning by the local Municipality. He indicated these applications can run concurrently and therefore eliminate the need for a revision to the reference plan for the consent application should the site servicing plan identify a concern with the location of services on the subject site.

Committee Member R. Malone advised that the preparation of the site servicing sketch could take a considerable amount of time given the size of the subject parcel.

Committee Member R. Malone asked the agent to confirm when he became aware of the requirement for the site servicing plan. Mr. D. Strike advised he had received the comment letter from the Regional Health Department on July 12, 2018, however, he also indicated that prior to the filing of the application, he did not foresee this would be an issue nor a requirement.

Committee Member D. Marquis advised the Committee that he would support a tabling motion.

Committee Member R. Malone reminded the Committee the property was not posted properly as all frontages were not posted when he visited the site.

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 Ganaraska Region Conservation Authority.

Agency comments were provided to Mr. D. Strike.

Motion of the Committee

Moved by: R. Malone

Seconded by: E. Hudson

Having reviewed and considered all of the agency comments and heard the oral submissions, I hereby move that application LD 096/2018 be tabled at the expense of the applicant for up to two (2) years and no later than July 2020. 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.

Carried unanimously

Signed by all members present and concurring that this is the Committee Motion of LD 096/2018 on Monday, July 16, 2018.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

Assistant Secretary-Treasurer

Appendix 14



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, July 16, 2018

File: LD 097/2018
Submission: B 097/2018
Owner: Linton, Ron
Agent: Clark Consulting Services
Location: Part Lot 7 &, Concession 8
City of Oshawa
(Whitby East)
Municipality: City of Oshawa

Consent to sever a 0.962 hectare rural residential parcel of land with an existing dwelling and barn, retaining a 30.25 hectare agricultural parcel of land to be consolidated with the farm property to the Northeast.

Applications LD 097/2018 and LD 098/2018 were heard in conjunction.

The Committee member visited the site on July 2, 2018 and confirmed the property was properly posted.

Present was:

Agent: Stewart, Hugh - Clark Consulting Services

Mr. H. Stewart explained the nature of the application and advised the Committee the owners purchased the abutting farm a few years ago. He indicated that Provincial and Regional policies allows for the consideration of a dwelling rendered surplus as a result of the consolidation of farm parcels and that the owner of the subject lands wishes to sever the surplus farm dwelling from the parcel. He further advised that the vacant property to the north will be relocated by way of a lot line adjustment to the property to the south.

Mr. H. Stewart further advised the Committee that an Official Plan Amendment was required for the proposed severance of the farm house and confirmed that this process has now been completed. He further advised that the related zoning by-law amendment process has also been completed and therefore the land division application represents the final step in the process.

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 Central Lake Ontario Conservation Authority.

Agency comments were provided to Mr. H. Stewart.

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 submissions, I hereby move that application LD 097/2018, 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 July 12, 2018 with respect to items 2, 3 and 4.
2. That the applicant satisfy the requirement of the City of Oshawa's letter dated July 12, 2018, financial and otherwise.
3. That the subject land be deeded in the same name as the adjacent property to the northeast. Proof must be submitted to the Assistant Secretary-Treasurer that title will be identical together with proof that any existing mortgage encumbering the resultant lot shall include the legal description of the severed land
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, July 26, 2019.
 - Expiry Date of Application LD 097/2018 is Monday, August 26, 2019.

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 Planning and Economic Development 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 City of Oshawa 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 satisfied that the time periods outlined in condition #5 have been adhered to.

Advisory Comments

1. Central Lake Ontario Conservation Authority Comments dated July 5, 2018.

Carried unanimously

Signed by all members present and concurring that this is the Committee Decision of LD 097/2018 on Monday, July 16, 2018.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

Assistant Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, August 14, 2018.

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, July 16, 2018

File: LD 098/2018
Submission: B 098/2018
Owner: Linton, Ron
Agent: Clark Consulting Services
Location: Part Lot 8, Concession 8
City of Oshawa
(Whitby East)
Municipality: City of Oshawa

Consent to add a vacant 0.40 hectare agricultural parcel of land to the North, retaining a 92.25 hectare agricultural parcel of land with an existing dwelling.

Applications LD 097/2018 and LD 098/2018 were heard in conjunction.

The Committee member visited the site on July 2, 2018 and confirmed the property was properly posted.

Present was:

Agent: Stewart, Hugh - Clark Consulting Services
The Committee member visited the site on July 2, 2018 and confirmed the property was properly posted.

Present was:

Agent: Stewart, Hugh - Clark Consulting Services

Mr. H. Stewart explained the nature of the application and advised the Committee the owners purchased the abutting farm a few years ago. He indicated that

Provincial and Regional policies allows for the consideration of a dwelling rendered surplus as a result of the consolidation of farm parcels and that the owner of the subject lands wishes to sever the surplus farm dwelling from the parcel. He further advised that the vacant property to the north will be relocated by way of a lot line adjustment to the property to the south.

Mr. H. Stewart further advised the Committee that an Official Plan Amendment was required for the proposed severance of the farm house and confirmed that this process has now been completed. He further advised that the related zoning by-law amendment process has also been completed and therefore the land division application represents the final step in the process.

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 Central Lake Ontario Conservation Authority.

Agency comments were provided to Mr. H. Stewart.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: D. Marquis

Seconded by: P. Hamilton

Having reviewed and considered all of the agency comments and heard the oral submissions, I hereby move that application LD 098/2018 be approved, as applied for, as such is a lot line adjustment to the north 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 July 12, 2018 with respect to items 2, 3 and 4.
2. That the applicant satisfy the requirement of the City of Oshawa's letter dated July 12, 2018, financial and otherwise.
3. That the subject land be deeded in the same name as the adjacent property to the north. Proof must be submitted to the Assistant Secretary-Treasurer that title will be identical together with proof that any existing mortgage encumbering the resultant lot shall include the legal description of the severed land.

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, July 26, 2019.
 - Expiry Date of Application LD 097/2018 is Monday, August 26, 2019.

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 Planning and Economic Development 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 City of Oshawa 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 satisfied that the time periods outlined in condition #5 have been adhered to.

Advisory Comments

1. Central Lake Ontario Conservation Authority Comments dated July 5, 2018.

Carried unanimously

Signed by all members present and concurring that this is the Committee Decision of LD 098/2018 on Monday, July 16, 2018.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

Assistant Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, August 14, 2018.

Appendix 16



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, July 16, 2018

File: LD 099/2018
Owner: 1022436 Ontario Inc.
Location: Part Lot 23, Concession 1
Town of Whitby
Municipality: Town of Whitby

Consent to add a vacant 4,179 m² industrial parcel of land to the south, retaining a 6,391.6 m² industrial parcel of land with an existing structure to remain.

The Committee member visited the site on July 2, 2018 and confirmed the property was properly posted.

Present was:

Owner: Wunsche, Robert - 1022436 Ontario Inc.

Mr. R. Wunsche advised the Committee he was in receipt of and in agreement with the agency comments. Mr. R. Wunsche asked the Committee for a tabling of the matter to allow for discussions with the prospective purchasers.

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. R. Wunche.

Motion of the Committee

Moved by: G. Kydd

Seconded by: R. Malone

Having reviewed and considered all of the agency comments and heard the oral submissions, I hereby move that application LD 099/2018 be tabled, at the request and expense of the applicant for up to two (2) years and no later than July 2020. 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.

Carried unanimously

Signed by all members present and concurring that this is the Committee Motion of LD 099/2018 on Monday, July 16, 2018.

J. Hurst, Chair

P. Hamilton, Vice-Chair

E. Hudson

G. Kydd

R. Malone

D. Marquis

Assistant Secretary-Treasurer