



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

Minutes

Monday, October 5, 2020

IN LIGHT of the COVID-19 Pandemic and the Provincial Emergency Order prohibiting large public gatherings , the Region held this meeting virtually.

The Region Of Durham Land Division Committee met virtually and in the Council Chambers at the Regional Headquarters Building, 605 Rossland Road East, Whitby, ON at 10:30 AM on Monday, October 5, 2020 with the following in attendance:

Present: A. Georgieff, Acting Chair
 Eric Hudson
 Donovan Smith

Attending Virtually:

Gerri Lynn O'Connor, Chair
Allan Arnott
Kitty Bavington
Anna Camposeo
Carolyn Molinari

Absent: None

Staff

Present: P. Aguilera, Assistant Secretary-Treasurer
 L. Trombino, Secretary-Treasurer
 K. Kathir, Clerk

1. Adoption of Minutes

Moved by: C. Molinari

Seconded by: A. Arnott

That the minutes of the Thursday, September 17, 2020 Land Division Committee meeting be adopted as circulated.

Carried unanimously
Monday, October 5, 2020

2. Review Consent Applications/Correspondence

The Commissioner of Planning and Economic Development for the Regional Municipality of Durham has been delegated the consent granting authority for uncontested land division committee applications pursuant to the Region of Durham By-Law 19-2020.

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

3. Other Business

Secretary Treasurer Lino Trombino informed the Committee that in light of the onset of the second wave of COVID-19 across the province, the Region has postponed its plan to re-open Regional facilities at this time. Accordingly, public meetings will continue to be held virtually until further notice.

4. Recess

Moved by: K. Bavington

Seconded by: D. Smith

That this meeting be recessed at 11:15 a.m. and reconvene at 12:30 p.m.

Carried unanimously
Monday, October 5, 2020

The Committee Chair opened the 1:00 PM 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 074/2020 - *Considered by the Land Division Committee*
Appendix 1
2. File: LD 075/2020 - *Considered by the Land Division Committee*
Appendix 2
3. File: LD 076/2020 - *Delegated to the Commissioner of Planning & Economic Development Department*
Appendix 3
4. File: LD 077/2020 - *Delegated to the Commissioner of Planning & Economic Development Department*
Appendix 4
5. File: LD 078/2020 - *Delegated to the Commissioner of Planning & Economic Development Department*
Appendix 5

6. Date of Next Meeting

The next regularly scheduled Land Division Committee meeting will be held virtually on November 2, 2020 and hosted in the Council Chambers at the Regional Headquarters Building, 605 Rossland Road East, Whitby.

7. Adjournment

Moved by: D. Smith

Seconded by: C. Molinari

That this meeting be adjourned at 1:30 p.m. and the next regular meeting be held virtually on Monday, November 2, 2020.

Carried unanimously
Monday, October 5, 2020

8. Appendices

Appendix 1



The Regional Municipality of Durham Land Division Committee Meeting

Minutes and Decisions

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

Consent Application heard on: Monday, October 5, 2020

File: LD 074/2020
Submission: B 086/2020
Owner: Ganeshalingam, Kajenthiran
Agent: Somalingam, Yaso
Location: Lot 33, Concession 2
City of Pickering
Municipality: City of Pickering

Consent to sever a 705.8 m² hamlet lot, retaining a 705.8 m² hamlet lot.

The Committee member visited the site on September 21, 2020 and confirmed the property was not properly posted.

Present was:

Agent: Somalingam, Yaso

Mr. Y. Somalingam explained the nature of the application and advised the Committee he will attempt to rectify the issues raised by the Regional Health Department with respect to the proposed sizing of the lot and in order to demonstrate how the proposed septic system would function on proposed lot. He also requested a tabling of the application in order to facilitate discussions with the various commenting agencies in order to address their concerns.

Committee Member C. Molinari asked the agent if he had pre-consulted with the municipality prior to filing the application and whether or not he was in receipt of the agency comments submitted in response to the application.

Mr. Y. Somalingam advised the Committee he did not pre-consult with the agencies prior to filing, however, did confirm he had some discussion with the Region of Durham Land Division Committee staff.

Committee Member C. Molinari referred the agent to the comments provided from the City of Pickering regarding their policy which prohibits severances in this area. She advised him that the City's comments indicated that an Official Plan Amendment would be required to proceed with an application.

Mr. Y. Somalingam confirmed he was in receipt of the agency comments, however, he disagrees with the City of Pickering's opinion given similar and smaller lots exist in the surrounding area.

Mr. Y. Somalingam advised he did not have an opportunity to speak with Regional Planning staff nor the staff at the City of Pickering. He indicated that if the Committee were to approve his request for a tabling of the application it would allow him an opportunity to speak with those agencies in an effort to resolve the matter.

Committee Member C. Molinari advised the agent a standard part of the application process is to pre-consult with the key commenting agencies prior to filing an application with the Land Division Committee.

Committee Member A. Arnott asked the agent if the property was posted.

Mr. Y. Somalingam confirmed the sign was not posted as the matter was to be tabled.

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.

A written submission was received on September 28, 2020 from Geoff & Mary Mitchell stating their objection to the application.

A written submission was received on September 28, 2020 from Matt Collura stating their support of the application.

A written submission was received on September 28, 2020 from John Trimble stating their objection to the application.

A written submission was received on September 28, 2020 from Steve Hewitt stating their objection to the application.

A written submission was received on September 27, 2020 from Anthony Burgess and Lisa Lane stating their objection to the application.

A written submission was received on September 27, 2020 from Sabrina Collura stating their support of the application.

A written submission was received on September 23, 2020 from Tianbin Yang stating their objection to the application.

Agency comments were provided electronically to Mr. Y. Somalingam, agent for the owner.

Motion of the Committee

Moved by: E. Hudson

Seconded by: K. Bavington

Having reviewed and considered all of the agency comments and considered the oral submission, I hereby move that application LD 074/2020 be tabled, in order to allow the applicant an opportunity to resolve the issues raised by the commenting agencies, and at the expense of the applicant for up to two (2) years and no later than October 2022. 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.

Motion Defeated

Decision of the Committee

Moved by: E. Hudson

Seconded by: K. Bavington

Having reviewed and considered all of the agency comments and considered the oral submission, I hereby move that application LD 074/2020 be denied as per the recommendations of the commenting agencies due to non-conformity with the Region of Durham Lot Sizing Policy and official plan policies contained City of Pickering and Region of Durham Official Plans.

Land Division Committee - Minutes/Decision
Monday, October 5, 2020

Carried unanimously

Land Division Committee - Minutes/Decision
Monday, October 5, 2020

Signed by all members present and concurring that this is the Committee Decision of LD 074/2020 on Monday, October 5, 2020.

Gerri Lynn O'Connor, Chair

Alex Georgieff, Vice-Chair

Allan Arnott

Kitty Bavington

Anna Camposeo

Eric Hudson

Carolyn Molinari

Donovan Smith

Assistant Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, October 27, 2020.

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, October 5, 2020

File: LD 075/2020
Owner: Ziccarelli, Sabrina & Francesco
Siciliano, Vincenzo & Jocelyn
DeBiase, Sandra & Nicola
Agent: DP Realty Advisors
Location: Lot 11, Concession 1
Municipality of Clarington
Municipality: Municipality of Clarington

Consent to sever a 595 m² residential parcel of land, retaining a 656 m² residential parcel of land with an existing dwelling.

The Committee member visited the site on September 21, 2020 and confirmed the property was properly posted.

Present was:

Agent: Pearce, David - DP Realty Advisors

Mr. D. Pearce explained the nature of the application and advised the Committee the application will facilitate the creation of 2 semi-detached dwellings. He advised the Committee that the application conforms to the zoning by-law and policies of the official plan and Growth Plan.

Mr. D. Pearce confirmed he was in receipt of all agency comments and supports the tabling recommendation from the Municipality of Clarington. He also advised the Committee the tabling of the application will allow him to pour the foundation of the proposed semi-detached building and survey the property line.

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.

A written submission was received from Jeff Bondar on September 23, 2020.

Agency comments were provided electronically to Mr. D. Pearce, the agent for the owner.

Motion of the Committee

Moved by: A. Camposeo

Seconded by: G. O'Connor

Having reviewed and considered all of the agency comments and considered the oral submission, I hereby move that application LD 075/2020 be tabled, as per the recommendations of the commenting agencies and at the expense of the applicant for up to two (2) years and no later than October 2022. 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

Land Division Committee - Minutes/Decision
Monday, October 5, 2020

Signed by all members present and concurring that this is the Committee Motion of LD 075/2020 on Monday, October 5, 2020.

Gerri Lynn O'Connor, Chair

Alex Georgieff, Vice-Chair

Allan Arnott

Kitty Bavington

Anna Camposeo

Eric Hudson

Carolyn Molinari

Donovan Smith

Assistant Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, October 27, 2020.

Appendix 3



NOTICE OF DECISION with respect to a Consent Application Subsection 53(12) of the Planning Act

Consent Application considered on: Monday, October 5, 2020

File: LD 076/2020
Submission: B 087/2020
Owner: Yakely, Kayleen
Agent: Gillard, Aaron
Location: Lot 32, Concession 4
Township of Uxbridge
Municipality: Township of Uxbridge

Consent to add an 8.01 hectare non-farm related rural residential parcel of land to the south, retaining a 31.77 hectare parcel of land.

Applications LD 076/2020 and LD 077/2020 were considered in conjunction.

The Committee member visited the site on September 21, 2020 and confirmed the property was properly posted.

The Commissioner of Planning and Economic Development for the Regional Municipality of Durham has decided to grant provisional consent to the subject application pursuant to By-Law 19-2020.

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

Agency comments were provided electronically to Mr. A. Gillard, agent for the owner.

Decision of the Commissioner of Planning and Economic Development

Having reviewed and considered all the agency comments and having received no objections, pursuant to By-Law 19-2020 I hereby grant provisional consent to application LD 076/2020, as applied for, as it generally complies with all applicable plans and policies, subject to:

Conditions

1. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated September 28, 2020.
2. That the applicant satisfy the requirement of the Township of Uxbridge's letter dated September 29, 2020, financial and otherwise.
3. That the applicant satisfy the requirement of the Lake Simcoe Region Conservation Authority's letter dated October 1, 2020, financial and otherwise.
4. That the applicant submit two copies of a registered plan on the subject parcel.
5. That the consent be subject to the following periods:
 - Last date for fulfilling Conditions is Friday, October 15, 2021.
 - Expiry Date of Application LD 076/2020 is Monday, November 15, 2021.

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 Township of Uxbridge 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 Lake Simcoe 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.

Applicants/owners are responsible for fulfilling all conditions.

Advisory Comments

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

Brian Bridgeman, MCIP, RPP
Commissioner of Planning & Economic Development

Date: October 5, 2020

Application: LD 076/2020

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, October 27, 2020.

Appendix 4



NOTICE OF DECISION **with respect to a Consent Application** **Subsection 53(12) of the Planning Act**

Consent Application considered on: Monday, October 5, 2020

File: LD 077/2020
Submission: B 088/2020
Owner: Turner, Glenna & Jeannie
Yakley, Kayleen
Agent: Gillard, Aaron
Location: Lot 31, Concession 4
Township of Uxbridge
Municipality: Township of Uxbridge

Consent to add an 8.01 hectare non-farm related rural residential parcel of land to the north, retaining a 30.98 hectare non-farm related rural residential parcel of land.

Applications LD 076/2020 and LD 077/2020 were considered in conjunction.

The Committee member visited the site on September 21, 2020 and confirmed the property was properly posted.

The Commissioner of Planning and Economic Development for the Regional Municipality of Durham has decided to grant provisional consent to the subject application pursuant to By-Law 19-2020.

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

Agency comments were provided electronically to Mr. A. Gillard, agent for the owner.

Decision of the Commissioner of Planning and Economic Development

Having reviewed and considered all the agency comments and having received no objections, pursuant to By-Law 19-2020 I hereby grant provisional consent to application LD 077/2020, as applied for, as it generally complies with all applicable plans and policies, subject to:

Conditions

1. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated September 28, 2020.
2. That the applicant satisfy the requirement of the Township of Uxbridge's letter dated September 29, 2020, financial and otherwise.
3. That the applicant satisfy the requirement of the Lake Simcoe Region Conservation Authority's letter dated October 1, 2020, financial and otherwise.
4. That the applicant submit two copies of a registered plan on the subject parcel.
5. That the consent be subject to the following periods:
 - Last date for fulfilling Conditions is Friday, October 15, 2021.
 - Expiry Date of Application LD 077/2020 is Monday, November 15, 2021.

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 Township of Uxbridge 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 Lake Simcoe 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.

Applicants/owners are responsible for fulfilling all conditions.

Advisory Comments

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

Brian Bridgeman, MCIP, RPP
Commissioner of Planning & Economic Development

Date: October 5, 2020

Application: LD 077/2020

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, October 27, 2020.

Appendix 5



NOTICE OF DECISION **with respect to a Consent Application** **Subsection 53(12) of the Planning Act**

Consent Application considered on: Monday, October 5, 2020

File: LD 078/2020
Submission: B 089/2020
Owner: Rotz, Alan Mervyn
Bryan, Cindy Ann
Agent: Vaid, Izzat & Mohammed Yakub
Location: Lot 24, Concession 6
Town of Whitby
Municipality: Town of Whitby

Consent to add a 285.5 m² residential parcel of land to the east, retaining a 826.1 m² residential parcel of land.

The Committee member visited the site on September 21, 2020 and confirmed the property was properly posted.

The Commissioner of Planning and Economic Development for the Regional Municipality of Durham has decided to grant provisional consent to the subject application pursuant to By-Law 19-2020.

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 electronically to Izzat Vaid, the agent for the owner.

Decision of the Commissioner of Planning and Economic Development

Having reviewed and considered all the agency comments and having received no objections, pursuant to By-Law 19-2020 I hereby grant provisional consent to application LD 078/2020, as applied for, as it generally complies with all applicable plans and policies, subject to:

Conditions

1. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated September 28, 2020.
2. That the applicant satisfy the requirement of the Town of Whitby's letter dated September 29, 2020, financial and otherwise.
3. That the applicant submit two copies of a registered plan on the subject parcel.
4. That the consent be subject to the following periods:
 - Last date for fulfilling Conditions is Friday, October 15, 2021.
 - Expiry Date of Application LD 078/2020 is Monday, November 15, 2021.

Clearing Agencies

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

Applicants/owners are responsible for fulfilling all conditions.

Advisory Comments

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

Brian Bridgeman, MCIP, RPP
Commissioner of Planning & Economic Development

Date: October 5, 2020

Application: LD 078/2020

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, October 27, 2020.