

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, December 04, 2023

File: LD 067/2023
Submission: B 077/2023
Owner: Sayanthan Balasingam
Agent: Sayanthan Balasingam
Location: 21025 LAKERIDGE RD, Brock, ON
Municipality: Township of Brock

Consent to sever a 1,538.6 m² hamlet residential parcel of land with an existing dwelling, retaining a 4,935.2 m² hamlet residential parcel of land with an existing dwelling to remain.

Committee Member K. Bavington visited the site on November 20, 2023, and confirmed the property was properly posted.

The application was tabled at the November 06, 2023 Committee Meeting.

Present was:

Owner: Sayanthan Balasingam

Sayanthan Balasingam explained the nature of the application.

A written submission was received by Kelsey Whitney, area resident, requesting clarification on the nature of the application and impacts to the roundabout in the area.

Sayanthan Balasingam noted he has contacted by Kelsey Whitney and responded to her questions. He also advised the Committee he does not feel the proposed application will cause any adverse impacts to the area.

The Committee had for information reports received from the Regional Municipality of Durham Planning and Economic Development, Health and Works Departments, and the Township of Brock. The Ministry of Transportation had no comments as it is not within their jurisdiction.

Agency comments were provided to Sayanthan Balasingam.

Decision of the Committee

Applicants/owners are responsible for fulfilling all conditions.

Moved by: K. Bavington

Seconded by: L. Roberts

Having reviewed and considered all the agency comments, written submissions and heard the oral submission, I hereby move that application LD 067/2023, be approved, as applied for, as it generally complies with all applicable plans and policies, subject to:

Conditions

1. That the applicant satisfy the requirement of the Regional Works Department's letter dated November 2, 2023, financial and otherwise.
2. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated November 2, 2023.
3. That the applicant satisfy the requirement of the Regional Health Department's letter dated October 25, 2023, financial and otherwise.
4. That the applicant satisfy the requirement of the Township of Brock's letter dated October 19, 2023, 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, December 12, 2025.
 - Expiry Date of Application LD 067/2023 is Monday, January 12, 2026.

Clearing Agencies

7. That prior to the signing of the certificate by the Secretary-Treasurer that the consent has been given, the 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 Secretary-Treasurer that the consent has been given, the 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 Secretary-Treasurer that the consent has been given, the Secretary-Treasurer is to be advised in writing by the Regional Health Department that condition #3 has been carried out to its satisfaction.
10. That prior to the signing of the certificate by the Secretary-Treasurer that the consent has been given, the Secretary-Treasurer is to be advised in writing by the Township of Brock that condition #4 has been carried out to its satisfaction.
11. That prior to the signing of the certificate by the Secretary-Treasurer that the consent has been given, the Secretary-Treasurer is to be satisfied that the time periods outlined in condition #6 have been adhered to.

Advisory Comments

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

Carried unanimously.

Signed by all members present and concurring that this is the Committee Decision of LD 067/2023 on Monday, December 04, 2023.

Alex Georgieff – Town of Whitby

Kitty Bavington – Township of Brock

Lori Roberts – Town of Ajax

Eric Hudson – City of Pickering

Paul Allore – Township of Scugog

Gerri Lynn O'Connor – Township of Uxbridge

Bradley Whittle – Municipality of Clarington

Lino Trombino – Secretary-Treasurer

Last Date of Appeal of this Decision or any of the conditions therein is Tuesday, January 02, 2024.

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



The Regional
Municipality
of Durham

Works Department

605 Rossland Rd. E.
PO Box 623
Whitby, ON L1N 6A3
Canada

905-668-7711
1-800-372-1102
Fax: 905-668-2051
E-mail:
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www.durham.ca

Susan Siopis, P.Eng.
Commissioner of Works

November 2, 2023

Land Division Committee
Regional Municipality of Durham
605 Rossland Road East, 4th Floor
P.O. Box 623
Whitby, ON L1N 6A3
By email – lino.trombino@durham.ca

Attention: Lino Trombino, Secretary Treasurer

Re: LD 067/2023
Sayanthan Balasingam
21025 Lakeridge Road
Lot 1, Concession 12
Township of Brock

Dear Mr. Trombino,

Please be advised that our Department has no objection to the granting of approval for the above noted severance application.

The application is for the consent to sever a 1,538.6m² hamlet residential parcel of land with an existing dwelling, retaining a 4,935.2m² hamlet residential parcel of land with an existing dwelling to remain. The Region will require the applicant to convey a road widening across the frontages of Lake Ridge Road (Regional Road 23) and Regional Road 12 to achieve a sufficient right of way as per the Regional Official Plan.

In order to ensure the foregoing, our department requires our following standard condition to be imposed:

“That the applicant satisfies all the requirements of the Regional Municipality of Durham concerning the provision of Regional services, financial and otherwise.”

In order to satisfy the Regional Works Department conditions, the applicant will be required to fulfil the following:

1. The Regional Works Department will require the applicant to convey a road widening across the Regional Road 23 frontage at no cost to the Region. The road widening shall be 5.00m in width at the north edge of 21025 Lakeridge Road and extend south parallel to the road allowance to the north tapering off into the radius in the property line adjacent to the intersection. The applicant shall submit a copy of the draft reference plan illustrating the road widening conveyance to our department for review and approval prior to registration of the reference plan.

2. The Regional Works Department will require the applicant to convey a road widening across the Regional Road 12 frontage at no cost to the Region. The road widening shall be a triangle of property at the south east corner of 21025 Lakeridge Road and shall be measured 30 metres perpendicular from the south side of the Regional 12 road allowance. The applicant shall submit a copy of the draft reference plan illustrating the road widening conveyance to our department for review and approval prior to registration of the reference plan.

The Region of Durham will not permit the connection of foundation drains to the sanitary sewer system for the severed and retained lands in accordance with the Region's Foundation Drain Policy.

The severed land will be subject to Regional development charges at the time of building permit issuance.

In the event you have any questions, please contact the undersigned.

Yours truly,



Grant Young, C.E.T.
Development Approvals Technician
grant.young@durham.ca
905 668 7711 extension 2479



November 2, 2023

The Regional
Municipality
of Durham

Planning and Economic
Development Department

Planning Division

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PO BOX 623
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Brian Bridgeman, MCIP, RPP
Commissioner of Planning
and Economic Development

Mr. Lino Trombino
Secretary/Treasurer
Land Division Committee
Regional Municipality of Durham
605 Rossland Road East
Whitby, Ontario L1N 6A3

Dear Mr. Trombino,

Re: Applications for Consent LD 067/2023

Applicant: Sayanthan Balasingam
Location: 21025 Lake Ridge Road
Part of Lot 1, Concession 12
Township of Brock
Hearing Date: November 6, 2023

RECOMMENDATION

That application LD 067/2023 be approved, subject to the following conditions:

- i) That the applicant shall demonstrate to the satisfaction of the Regional Planning Division that both the retained and severed parcels comply with the requirements of the local zoning by-law;
- ii) That the applicant shall submit additional environmental work in accordance with the Region of Durham's Soil and Groundwater Assessment Protocol, to the satisfaction of the Region of Durham Planning Division; and
- iii) That the applicant shall demonstrate to the satisfaction of the Region of Durham Planning Division that any required noise abatement measures and warning clauses that may result from the required Noise Impact Study for the subject lands be implemented through a site plan/development agreement with the Township of Brock or alternatively, through a Land Titles agreement with the Region of Durham. The study must be prepared by a qualified consultant and be submitted to the Region of Durham Planning Division and the Township of Brock for review and approval.

*"Service Excellence
for our Communities"*

If this information is required in an accessible format, please contact Planning Reception at 1-800-372-1102, extension 2548.

1. **PURPOSE**

The purpose of the application is to sever a 1538.6 m² hamlet residential parcel of land with an existing dwelling, retaining a 4,935.2 m² hamlet residential parcel of land with an existing dwelling.

2. **PLANNING ANALYSIS**

Provincial Policy

Provincial Policy Statement (PPS)

The PPS provides policy direction for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS also provides for infilling and intensification within settlement areas.

The subject site is located within a settlement area where the PPS permits development, which will provide limited infill that is appropriate for the hamlet of Wilfred. As such, the proposed development is consistent with the policies of the PPS.

Greenbelt Plan

The subject site is partially located within a designated Hamlet in the Greenbelt Plan. Limited growth is permitted through infill and intensification of hamlets subject to appropriate water and sewage services.

The proposed severance represents limited residential intensification within the hamlet of Wilfred. As such, the application is consistent with the policies of the Greenbelt Plan.

Growth Plan for the Greater Golden Horseshoe (A Place to Grow)

A Place to Grow includes policies to direct development to settlement areas and states that growth will be limited in settlement areas that:

- i. Are rural settlements;
- ii. Are not serviced by existing or planned municipal water and wastewater systems; or
- iii. Are in the Greenbelt Area.

The definition of Settlement Areas within A Place to Grow includes rural settlements. The subject site is located within the hamlet of

Wilfred which is included in A Place to Grow's definition of Rural Settlements.

The proposed severance will facilitate the development of a future residential plan of subdivision on private well and septic services, representing limited growth within a rural settlement. As such, the applications conform to the policies of A Place to Grow.

Regional Official Plan (ROP)

The subject site is designated "Hamlet" in the ROP. Hamlets predominantly consist of single-detached housing as well as community facilities, employment and commercial uses that are generally small in scale in accordance with relevant ROP policies.

Hamlets shall be individually serviced with private drilled wells and private sewage disposal systems where groundwater quantity and quality permits in compliance with Regional standards and the Ministry of the Environment, Conservation and Parks (MECP).

The subject site contains two single detached dwellings which will remain. The proposed severance seeks to separate these dwellings to be situated on two separate parcels of land.

The proposed severance will legalize an existing residential land use and facilitate the construction of a new private sewage system which will conform to provincial standards. Accordingly, the application is in conformity with the policies of the ROP.

Provincial Plan Review Responsibilities

Potential Noise Impacts

The subject site is located adjacent to Lake Ridge Road (Regional Road 23) and Regional Road 12, which are designated as Type 'A' and Type 'B' arterial roads respectively in the ROP, and which are sources of vehicular traffic noise. An Environmental Noise Impact Study will be required to be submitted to the Region to identify traffic levels for the affected residential units, and to recommend the necessary noise attenuation measures and warning clauses for the development. Traffic forecast information for the noise impact study can be obtained from The Planning Division of the Regional Planning and Economic Development Department.

Potential Site Contamination

In accordance with the Region's Soil and Groundwater Assessment Protocol, either the attached Regional Site Screening Questionnaire (SSQ) or a Phase One Environmental Site Assessment (ESA) report must be prepared and submitted to the Region of Durham, to the Region's satisfaction.

If a SSQ is prepared, since the applicant seeks a severance of the subject site, the SSQ must be completed and signed by a Qualified Person (QP) under the meaning of the Environmental Protection Act.

If a Phase One ESA report is prepared, to rely on the environmental work performed, the report must be accompanied by the Region's "Reliance Letter" and "Certificate of Insurance", copies of which will be made available upon request.

3. **AGENCY COMMENTS**

Area Municipality

The Township of Brock has indicated that it has no objection to the approval of the above consent application, subject to the applicant fulfilling the condition outlined in its correspondence to the Land Division Committee, dated October 19, 2023.

Regional Health Department

The Region of Durham Health Department has indicated that it has no objection to the approval of the above noted consent application subject to the applicant fulfilling the condition outlined in its correspondence to the Land Division Committee, dated October 25, 2023.

Regional Works Department

The Region of Durham Works Department has indicated that it has no objection to the approval of the above noted consent application subject to the applicant fulfilling the condition outlined in its correspondence to the Land Division Committee, dated November 2, 2023.

4. **CONCLUSION**

The Region of Durham Planning Division recommends that the above noted consent application be approved, subject to the conditions contained in this letter.

Yours truly,

David Perkins

David Perkins, MCIP, RPP
Project Planner



The Regional
Municipality
of Durham

Health Department
North Office

181 PERRY STREET
SUITE 200
PORT PERRY, ON L9L 1B8
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Public Health Agency

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October 25, 2023

The Regional Municipality of Durham
ATTN: Aminata Daramie
Planning Department - Land Division Committee
605 Rossland Rd E, 4th Floor
Whitby, ON L1N 6A3

Re: LD 067/2023
Part lot 1, Concession 12
Owner: Sayanthan Balasingam
Township of Brock

The above noted application has been reviewed by this department and we have no objection to the approval provided the following conditions are met:

1. The dwelling on the proposed severed lot is disconnected from the existing well and private sewage system. Confirmation from the Township of Brock Building Department must be provided to the Health Department.
2. A drilled well is installed on the proposed severed lot to service the existing dwelling and copy of the Water Well Record is provided to the Health Department.
3. A new private sewage system is installed on the proposed severed lot to service the existing dwelling. A building permit for the sewage system is required from the Durham Region Health Department.

Note: Conditions 2 & 3 are only applicable if the existing dwelling on the proposed severed lot remains and is approved by the Township of Brock for use as a dwelling.

Please contact the undersigned if further information is required.

Regards,

A handwritten signature in black ink, appearing to read 'L. Kennedy'.

Lesley Kennedy, HBSc., BAsC., CPHI(C)
Senior Public Health Inspector, I/CBO-SS
Health Protection Division

LK/jc

If this information is required in an accessible format, please contact 1-800-841-2729 ext. 3324.





The Township of Brock
1 Cameron St. E., P.O. Box 10
Cannington, ON L0E 1E0
705-432-2355

October 19, 2023

Lino Trombino, Secretary-Treasurer
Regional Municipality of Durham
Land Division Committee
605 Rossland Road East, Level 4, Box 623
Whitby, ON L1N 6A3 Lino.Trombino@Durham.ca

Re: S. Balasingam - LD 067/2023
21025 Lake Ridge Rd, Part of Lot 1, Concession 11,
Part 3, 40R-12861

This is to acknowledge receipt of the consent application circulation sent on September 25, 2023. It is the Township's understanding that the purpose of this application is to sever a 1,538.6 m² parcel (Part 2) with an existing structure, retaining a 4,935.2 m² parcel (Part 1) with an existing structure to remain.

The Township's Chief Building Official provides the following comments:

- 2 houses are indicated on the current plan. One was once a radio station but no change of use permit issued to change major occupancy nor have renovation permits been issued. D (radio station) to C (house) occupancy is designated "Y" under Table 1.3.1.4. of Div. C. of the OBC
 - Section 9.40. Additional Requirements for Change of Use
 - (1) This Section applies where proposed construction in respect of an existing building will result in any of the following changes of use of all or part of the building:
 - (a) a change of the major occupancy of all or part of a building that is designated with a "Y" in Table 1.3.1.4. of Division C,
- Provide a servicing diagram as to the location of water lines in relation to septic system to ensure adequate separation with dimensions noted.
 - A buried water service pipe shall be constructed of a single run of pipe with no joints or fittings between the street line or source of supply on the property and the inside face of the building if the water service pipe is less than 15m from (a) a private sewage disposal system,
- An existing holding tank is indicated beside the existing house on the lot to be severed, clarification on if this tank is to remain and service the house on the proposed severed lot. If so, an agreement may be required for the service to cross property lines (may be subject to Durham Region Health Department's review) that is registered on title. If the use of the tank will cease, then the plumbing (drain line from house to tank) would need to be



The Township of Brock
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disconnected and removed so that no services are crossing property lines where no agreement is in place.

Should the Land Division Committee look with favour on the proposal, the Township respectfully requests that the Applicant satisfy the requirements of the Township, including, but not limited to, the following:

- Both the lots and any structures located thereon must conform to the requirements of Zoning By-law 287-78-PL. The proposed lot areas, frontages and setbacks for both the retained and severed lots do not meet the minimum requirements of the Hamlet Residential-Exception 3 (HR-3) Zone. A Zoning By-law Amendment application is required to support the proposed severance. The applicant will need to contact the Township regarding the submission of a Zoning By-law Amendment application. An application for a Zoning By-law Amendment will need to demonstrate conformity and compliance with Provincial, Regional and Local planning policies, including the Greenbelt Plan and Lake Simcoe Protection Plan.
- The appropriate permits and approvals shall be obtained for the existing structure(s) and associated private water and sanitary sewage services.
- The Applicant is advised that the payment of a parkland levy, pursuant to Township By-law Number 894-87-PL (as amended by Council resolution No. 22-20 as adopted by Council on December 7, 2015), equal to \$2,500, is payable.
- The requirements of the Township of Brock shall be satisfied, financially and otherwise.

Should you require anything further, please do not hesitate to contact the undersigned.

Regards,

A handwritten signature in blue ink that reads "Robin Prentice".

Robin Prentice, MCIP, RPP
Director of Development Services, Township of Brock
705-432-2355 ext. 235 Robin.prentice@brock.ca

cc: A. Daramie, Durham Land Division Committee
L. Kennedy, Durham Region Health Department
Owner - S. Balasingam