

## MINUTES OF COMMITTEE OF ADJUSTMENT

The 5th meeting (Virtual) of 2022, the Committee of Adjustment for the Township of Uxbridge was held at 7:00 p.m. on Wednesday July 20, 2022.

### PRESENT

Joanna Fast-Chair  
Sally Morgan  
Gerri Lynn O'Connor  
Cathie Proulx  
Frank Mazzotta  
Emilia Gruyters-Secretary Treasurer

### ABSENT

Michelle McCarthy

### CALL TO ORDER

The meeting was called to order at 7:00 pm. The Chairperson asked if any of the members had a pecuniary interest in tonight's applications and none were declared.

Joanna Fast – Chairperson read the following:

**Under the Freedom of Information and Protection of Privacy Act, unless otherwise stated in the submission, any personal information such as name, address, telephone number and property location included in all submissions become part of the public record files for this matter and can be released, if requested, to any person.**

Moved by Gerri Lynn O'Connor, Seconded by Cathie Proulx, that the minutes of June 1, 2022, hearing be approved as presented.

**A12/2022 & A13/2022- Steven & Heather Horsley, Lot 28 Concession 6(Uxbridge), 3 Crosby St**

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These applications were heard concurrently despite their separate locations. Heather Horsley was present as the owner of the property.

The chair summarized the variances.

Ms. Horsley explained the purpose of the severance is to provide a lot on part 2 for her parents and she and her partner would live in a home on part 1. The new home will face Concession 7 but the driveway will be from Crosby St.

William Chilton was present from 1 Crosby St. He was concerned the lots would be sold to a developer but understands only one dwelling will be built. William discussed the confusion in naming the retained and severed lot.

As part of the LD site screening questionnaire contamination of the site was dismissed.

Mr. Chilton was also concerned about the compatibility of the new dwelling. The owner stated they plan on constructing a 2000 sqft bungalow and a 2000-3000 sqft bungalow. He questioned why culverts could not be installed. The conservation authority has visited the property and advised not to impact the vegetation and watershed in the area. Mr. Chilton requested a copy of the hydrological report and was advised to contact the Region of Durham Land Division Department.

Concerns about snow removal were discussed. Ms. Horsley stated it would be the property owners responsibility. The impact of development would be minimal because the new home would be in the same location. The dwelling on the retained lot will be a good distance from Mr. Chilton's parcel.

Mr. Chilton wanted to know further information about the type of dwelling that would be constructed. He was informed it would be a separate building permit application process that he could not participate in.

Gerri-Lynn suggested Mr. Chilton request the LD file for further information.

Mr. Chilton informed the committee he was present at the LD hearing but wasn't able to ask questions about the application because his mother was the property owner and she could not attend.

Ms. Horsley did not have any concerns with the conditions of approval should the application be granted.

### **Written Comments**

Report from Development Services – See File

The Council of the Township of Uxbridge provided the following comments:

Report DS-35/22 of Emilia Gruyters Planning Technician, Secretary Treasurer  
Committee of Adjustment

re Committee of Adjustment Applications A12/2022 & A13/2022-Relief from  
Minimum Lot Frontage-Pt Lot 28 Concession 6 (Part 1) Relief from Minimum Lot  
Area-Pt Lot 28 Concession 6 (Part 2)-3 Crosby St-Steven & Heather Horsley

Moved by Councillor Popp  
Seconded by Councillor Highet

THAT Report DS-35/22 of Emilia Gruyters, Planning Technician be received for information;

AND THAT prior to the Committee of Adjustment making a decision with respect to Application A12/2022 and A13/2022, they should be satisfied that the proposed variance meets Township objectives and consider any appropriate comments from the neighbours and agencies;

AND THAT Should the Committee of Adjustment deem the proposal minor in nature and appropriate for the lands as well as maintaining the general intent and purpose of the Official Plan and Zoning By-law, the following conditions should be established:

1. In the event that the other conditions of approval of the related consent application (LD057/2022) are not satisfied, the decision of the committee of Adjustment for these applications shall be deemed null and void.

**CARRIED**

#### **DECISION**

Moved by Frank Mazzotta Seconded by Gerri-Lynn O'Connor that Application A12/2022 by Heather & Steven Horsley, Lot 28 Concession 6, 3 Crosby St (Uxbridge), Relief from Section 4.9.2.b.iii to permit a minimum lot frontage of 4.8 m for a variance of 30.1 m, **BE APPROVED** as applied for the following reasons:

1. **The application is minor in nature.**
2. **The development of the land is appropriate and desirable.**
3. **The intent of the Zoning By-law is being maintained.**
4. **The intent of the Official Plan is being maintained.**

#### **Conditional Upon:**

1. In the event that the other conditions of approval of the related consent application (LD057/2022) are not satisfied, the decision of the committee of Adjustment for these applications shall be deemed null and void.

**CARRIED**

#### **DECISION**

Moved by Cathy Proulx Seconded by Sally Morgan that Application A13/2022 by Heather & Steven Horsley, Lot 28 Concession 6, 3 Crosby St (Uxbridge), Relief from Section 4.9.2.a.iii to permit a minimum lot area of 1752.9 m<sup>2</sup> or a variance of 1247.1 m<sup>2</sup> **BE APPROVED** as applied for the following reasons:

1. **The application is minor in nature.**
2. **The development of the land is appropriate and desirable.**
3. **The intent of the Zoning By-law is being maintained.**
4. **The intent of the Official Plan is being maintained.**

**Conditional Upon:**

2. In the event that the other conditions of approval of the related consent application (LD057/2022 are not satisfied, the decision of the committee of Adjustment for these applications shall be deemed null and void.

**A14/2022— Dharmendra & Sarita Patel, Part Blk 9 Plan 40M2638 40R30305 Part 99 & 100 (Uxbridge), 6 Harry Thornton Lane**

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Sarita Patel was present as the owner of the property

The Chair summarized the variances.

**Written Comments**

Report from Development Services – See File

The Council of the Township of Uxbridge provided the following comments:

Report DS-36/22 of Emilia Gruyters Planning Technician, Secretary Treasurer  
Committee of Adjustment

re Committee of Adjustment Application No. A14/2022 – Relief from Unenclosed  
Porches, Balconies, Steps or Patios-Pt Blk 9 40M2638 40R30305 Parts 99 & 100-6  
Harry Thornton Lane-Dharmendra & Sarita Patel

Moved by Councillor Popp  
Seconded By Councillor Highet

THAT Report DS-36/22 of Emilia Gruyters, Planning Technician be  
received for information;

AND THAT prior to the Committee of Adjustment making a decision  
with respect to Application A14/2022, they should be satisfied that  
the proposed variance meets Township objectives and consider  
any appropriate comments from the neighbours and agencies;

AND THAT Should the Committee of Adjustment deem the

proposal minor in nature and appropriate for the lands as well as maintaining the general intent and purpose of the Official Plan and Zoning By-law, the following conditions should be established:

1. The deck under the approval of Application A14/2022 shall be in substantial conformity with the design & location of the plans submitted with the application.
2. The owner/applicant shall obtain a building permit application within 1 year of the final date of appeal of A14/2022.
3. The owner/applicant shall satisfy all conditions of the variance no later than 1 year from the end of the appeal period established under the Planning Act.
4. The approval of the variance shall apply only to the deck contemplated under application A14/2022.

### **CARRIED**

### **DECISION**

Moved by Frank Mazzotta Seconded by Gerri-Lynn O'Connor that Application A14/2022 by Dharmendra & Sarita Patel, Part Blk 9 Plan 40M2638 40R30305 Part 99 & 100 (Uxbridge), 6 Harry Thornton Lane, Relief from Section 5.1.k to permit a maximum projection into the required yard of 3.7 m for a variance of 1.2 m, Relief from Section 4.11.4.22.ix to permit a minimum rear yard of 4.3 m for a variance of 3.7 m, **BE APPROVED** as applied for the following reasons:

- 1. The application is minor in nature.**
- 2. The development of the land is appropriate and desirable.**
- 3. The intent of the Zoning By-law is being maintained.**
- 4. The intent of the Official Plan is being maintained.**

### **Conditional Upon:**

1. The deck under the approval of Application A14/2022 shall be in substantial conformity with the design & location of the plans submitted with the application.
2. The owner/applicant shall obtain a building permit application within 1 year of the final date of appeal of A14/2022.
3. The owner/applicant shall satisfy all conditions of the variance no later than 1 year from the end of the appeal period established under the Planning Act.

4. The approval of the variance shall apply only to the deck contemplated under application A14/2022.

**CARRIED**

**A15/2022— Ryan Walsh & Wendy Kearley, Part Blk 9 Plan 40M2638 40R30305 Part 101 & 102(Uxbridge), 8 Harry Thornton Lane**

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Ryan and Wendy were present as the owners of the property.

Joanna Fast summarized the variances.

The owners did not have any concerns with the conditions of approval should the application be granted.

There was no one in the audience to speak to the application.

**Written Comments**

Report from Development Services – See File

The Council of the Township of Uxbridge provided the following comments:

Report DS-37/22 of Emilia Gruyters Planning Technician, Secretary Treasurer  
Committee of Adjustment

re Committee of Adjustment Application No. A15/2022 - Relief from Unenclosed  
Porches, Balconies, Steps or Patios-Pt Blk 9 40M2638 40R30305 Parts 101 & 102-8  
Harry Thornton Lane-Ryan Walsh & Wendy Kearley

Moved by: Councillor Pop  
Seconded by Councillor Highet

THAT Report DS-37/22 of Emilia Gruyters, Planning Technician be  
received for information;

AND THAT prior to the Committee of Adjustment making a decision  
with respect to Application A15/2022, they should be satisfied that  
the proposed variance meets Township objectives and consider  
any appropriate comments from the neighbours and agencies;

AND THAT Should the Committee of Adjustment deem the  
proposal minor in nature and appropriate for the lands as well as  
maintaining the general intent and purpose of the Official Plan and

Zoning By-law, the following conditions should be established:

1. The deck under the approval of Application A15/2022 shall be in substantial conformity with the design & location of the plans submitted with the application.
2. The owner/applicant shall obtain a building permit application within 1 year of the final date of appeal of A15/2022.
3. The owner/applicant shall satisfy all conditions of the variance no later than 1 year from the end of the appeal period established under the Planning Act.
4. The approval of the variance shall apply only to the deck contemplated under application A15/2022.

**CARRIED**

**DECISION**

Moved by Cathie Proulx Seconded by Gerri-Lynn O'Connor that Application A15/2022 by Ryan Walsh & Wendy Kearley, Part Blk 9 Plan 40M2638 40R30305 Part 101 & 102(Uxbridge), 8 Harry Thornton Lane, Relief from Section 5.1.k to permit a maximum projection into the required yard of 4.7 m for a variance of 2.5 m, Relief from Section 4.11.4.22.ix to permit a minimum rear yard of 4.2 m for a variance of 2.8 m, **BE APPROVED** as applied for the following reasons:

- 1. The application is minor in nature.**
- 2. The development of the land is appropriate and desirable.**
- 3. The intent of the Zoning By-law is being maintained.**
- 4. The intent of the Official Plan is being maintained.**

**Conditional Upon:**

1. The deck under the approval of Application A15/2022 shall be in substantial conformity with the design & location of the plans submitted with the application.
2. The owner/applicant shall obtain a building permit application within 1 year of the final date of appeal of A15/2022.
3. The owner/applicant shall satisfy all conditions of the variance no later than 1 year from the end of the appeal period established under the Planning Act.

4. The approval of the variance shall apply only to the deck contemplated under application A15/2022. The owner/applicant shall satisfy all conditions of the variance no later than 1 year from the end of the appeal period established under the Planning Act.

**CARRIED**

**A17/2022— Todd & Stephanie Sommer, Part Lot 8 Concession 2 (Uxbridge), 9420 Concession 3**

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Todd & Stephanie Sommer were present as the owners of the property.

Joanna Fast summarized the variances.

Stephanie summarized her qualifications working with special needs children.

As a result of the proposed arena some woodlands will be removed. Although LSRCA is recommending deferral we will work with their office to replace trees and satisfy their requirements. We are asking the application not be tabled. We will also consider constructing a more agricultural style building.

Paula Barry from 9389 Concession 3 (across the street) was present. She inquired whether the structure will be seen from the road. The owners will be replacing trees and therefore it won't be seen from the road. Parking will be located on the property. The number of horses hasn't been confirmed.

Gerri-Lynn stated she wanted to table the application and the chair agreed. As a result of the LSRCA comments the application does not meet the intent of the official plan. Also, should the conservation authority ask to re-locate the structures to reduce the impact to the woodlands, a further committee of adjustment application will be required.

**Written Comments**

Report from Development Services – See File

The Council of the Township of Uxbridge provided the following comments

THAT Report DS-38/22 of Emilia Gruyters, Planning Technician be received for information;

re Committee of Adjustment Application No. A17/2022, Relief from

Moved by Councillor Garrod  
Seconded by Councillor Snooks



AND THAT prior to the Committee of Adjustment making a decision with respect to Application A17/2022, they should be satisfied that the proposed variance meets Township objectives and consider any appropriate comments from the neighbours and agencies;

AND THAT Should the Committee of Adjustment deem the proposal minor in nature and appropriate for the lands as well as maintaining the general intent and purpose of the Official Plan and Zoning By-law, the following conditions should be established:

1. The structures proposed under the approval of Application A17/2022 shall be in substantial conformity with the design & location of the plans submitted with the application.
2. The owner/applicant shall obtain a building permit application within 1 year of the final date of appeal of A17/2022.
3. The owner/applicant shall satisfy all conditions of the variance no later than 1 year from the end of the appeal period established under the Planning Act.
4. The approval of the variance shall apply only to the dwelling and detached garage contemplated under application A17/2022.
5. The accessory structure shall not be used for human habitation, industrial or commercial uses.
6. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

**CARRIED**

**DECISION**

Moved by Gerri-Lynn O'Connor Seconded by Cathie Proulx that Application A17/2022 by Todd & Stephanie Sommer, Part Lot 8 Concession 2 (Uxbridge), 9420 Concession 3, Relief from Section 4.4.3.c.i to permit a minimum front yard depth of 5.4 m for a variance of 24.6 m, Relief from Section 4.4.3.c.iii to permit a minimum interior side yard width of 3.0 m for a variance of 27.0 m, Relief from Section 4.4.3.e.iv to permit a minimum setback from street centreline of a Township Road of 15.8 m for a variance of 14.2 m, **BE TABLED FOR UP TO ONE YEAR TO SATISFY THE LIST OF**

**REQUIREMENTS OF LAKE SIMCOE REGION CONSERVATION AUTHORITY AND  
PROVIDE AN ELEVATION DRAWING DEPICTING AN AGRICULTURAL BUILDING.**

**CARRIED**

**ADJOURNMENT**

The meeting adjourned at 8:00 pm

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Joanna Fast  
Chair

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Emilia Gruyters-Secretary  
Treasurer