

## MINUTES OF COMMITTEE OF ADJUSTMENT

The 6th meeting (Virtual) of 2022, the Committee of Adjustment for the Township of Uxbridge was held at 7:00 p.m. on Wednesday August 17, 2022.

### PRESENT

Joanna Fast-Chair  
Michelle McCarthy  
Gerri Lynn O'Connor  
Cathie Proulx  
Emilia Gruyters-Secretary Treasurer

### ABSENT

Frank Mazzotta

### 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 July 20, 2022, hearing be approved as presented.

**A18/2022 & A19/2022- Kevin & Suzanne Donnelly-Doug Wilson (Agent), Plan 83 Block 55 Lot E Lot F 40R29445 Pt 1(Uxbridge), 19 First Ave, Plan 83 Block 55 Lot F 40R29445 Pt 2(Uxbridge), 17 First Ave**

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These applications were heard concurrently despite their separate locations. Kevin & Suzanne Donnelly were present as the owners of the property. Doug Wilson was present as their agent.

The Chair summarized the variances.

Mr. Wilson stated in 2016 the property was owned by the St. John's and both properties received approval, but a termination clause after 3 years has forced the new owners to repeat the process at an additional cost. Mr. Wilson asked the committee to re-consider termination clauses in future decisions.

Joanna Fast asked staff the reason for applying the registered agreement on the adjacent lot as apposed to the original lot.

Emilia Gruyters stated the conditions of the agreement were only relevant for the vacant lot. Also, the termination clause of any decision is to provide the opportunity for neighbours to view and comment on a development should it be delayed for longer than a specified time. It also informs new Council of changes in their ward.

Mr. Wilson 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 this application.

### **Written Comments**

Report from Development Services – See File

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

Report DS-41/22 of Emilia Gruyters Planning Technician, Secretary Treasurer  
Committee of Adjustment

re Committee of Adjustment Applications A18/2022 & A19/2022-Relief from  
Minimum Yard Dimensions-Lot E Pt Lot F Blk 55 Plan 83 40R29445 Pt 1(19 First  
Ave)-Lot F Blk 55 Plan 83 40R29445 Pt 2 (17 First Ave)-Kevin & Suzanne Donnelly

Moved by Councillor Garrod  
Seconded by Councillor Beach

THAT Report DS-41/22 of Emilia Gruyters, Planning Technician be  
received for information;

AND THAT prior to the Committee of Adjustment making a decision  
with respect to Application A18/2022 and A19/2022, 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 owners shall adhere to the conditions of the Development Agreement  
Registered on title for 17 First Ave.

**CARRIED**

## DECISION

Moved by Michelle McCarthy Seconded by Cathie Proulx that Application A18/2022 by Kevin & Suzanne Donnelly, Plan 83 Block 55 Lot E Lot F 40R29445 Pt 1 (Uxbridge), 19 First Ave, Relief from Section 4.9.2.c.i to recognize a front yard depth of 5.1 m for a variance of 2.9 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 owners shall adhere to the conditions of the Development Agreement Registered on title for 17 First Ave

**CARRIED**

## DECISION

Moved by Michelle McCarthy Seconded by Gerri-Lynn O'Connor that Application A19/2022 by Kevin & Suzanne Donnelly, Plan 83 Block 55 Lot E Lot F 40R29445 Pt 1 (Uxbridge), 17 First Ave, Relief from Section 4.9.2.b.i to permit a minimum lot frontage of 12.8 m for a variance of 4.2 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 owners shall adhere to the conditions of the Development Agreement Registered on title for 17 First Ave

**A20/2022— Donna Shewfelt-Hailey Weatherbee (Agent), Lot 12 Plan 446 (Uxbridge), 137 New St**

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Sydney Woolhead from H. Bee Architecture was present as the agent for the application.

Donna Shewfelt was present as the owner of the property.

Sydney explained presently the carport encroaches onto the neighbours property. The new construction will remain solely on the subject property. There is also a sewer line on the property and efforts to avoid this area have occurred. The new garage will be used to store an RV in addition to other items. The porch has been renovated to provide space for two chairs.

The Chair summarized the variances.

The agent did not have any concerns with the conditions of approval should the application be supported.

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-42/22 of Emilia Gruyters Planning Technician, Secretary Treasurer  
Committee of Adjustment

re Committee of Adjustment Application No. A20/2022 – Relief from Minimum Yard  
Dimensions, Lot Coverage, Interior Yard Lot line Setback-Lot 12 Plan 446-137 New St-  
Donna Shewfelt-Hailey Weatherbee(Agent)

Moved by Councillor Garrod  
Seconded By Councillor Beach

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 A20/2022, 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 proposed accessory structure and front porch under the approval of Application A20/2022 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 A20/2022.
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 accessory structure and front porch contemplated under application A20/2022.
5. The accessory structure shall not be used for human habitation, commercial or industrial uses.

### **CARRIED**

### **DECISION**

Moved by Gerri-Lynn O'Connor Seconded by Cathie Proulx that Application A20/2022 by Donna Shewfelt-Hailey Weatherbee (Agent), Lot 12 Plan 446 (Uxbridge), 137 New St, Relief from Section 4.9.2.c.i to permit a minimum front yard depth of 6.5 m for a variance of 1.5 m, Relief from Section 5.1.d to permit a total lot coverage of 13.4 % for a variance of 8.4 %, Relief from Section 5.1.h.ii to permit an interior side lot line of 0.7 m for a variance of 0.5 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 proposed accessory structure and front porch under the approval of Application A20/2022 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 A20/2022.
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 accessory structure and front porch contemplated under application A20/2022.
5. The accessory structure shall not be used for human habitation, commercial or industrial uses.

**CARRIED**

**ADJOURNMENT**

The meeting adjourned at 8:00 pm

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Joanna Fast  
Chair

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Emilia Gruyters-Secretary  
Treasurer