

MINUTES OF COMMITTEE OF ADJUSTMENT

The meeting (Virtual) of 2024, the Committee of Adjustment for the Township of Uxbridge was held at 7:00 p.m. on Wednesday December 11th, 2024.

PRESENT

Michelle McCarthy – Chairperson
Frank Mazzotta
Lynn Barkey
Ted Shepherd
Marc Anthony Miller, Planning Technician – Secretary/Treasurer
Michael Klose, Chief Building Official

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, none were identified.

Michelle McCarthy – 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 Lynn Barkey seconded by Frank Mazzotta, that the minutes of the November 13th, 2024, hearing be approved as presented.

A39/2024 – 2095134 Ontario Inc. - PCL 12-2 SEC M1195; FIRSTLY: PT LT 11, PL M1195 (UXBRIDGE), PT 2, 40R12171; SECONDLY: LT 12, PL M1195 (UXBRIDGE) , EXCEPT PT 3, 40R12171 TOWNSHIP OF UXBRIDGE, 3 Deerfoot Drive

Tony Wang and Angela Shi were present as the applicant and agents representing the owner of the property. Glenn Arnold was present as the owner of the property.

- Michelle McCarthy introduced the application.
- Tony Wang summarized the relief being requested. Mr. Wang indicated that the property was subject to a land division application that was conditionally approved by Council. Mr. Wang further indicated that the intent of the application is to provide for a reduced lot frontage to correct a driveway encroachment.

- Ms. McCarthy posed a question to staff regarding relief required from the minimum lot area requirements.
- Marc Anthony Miller stated that the application for consent identified the lot area requirements of the retained land to be in compliance with the requirement of the Zoning By-law.
- Lynn Barkey commented that upon a site visit of the property, no statutory notice sign was visible on the lot subject to the application.
- Mr. Wang indicated that he was unaware that no sign was posted on the lot.
- Glenn Arnold indicated that the sign had fell over during a wind storm and was posted the following day by himself.
- Mr. Barkey commented that he observed sufficient road frontage to accommodate a driveway on the parcel and that he has no concerns with the proposed variance.
- Mr. Miller indicated that a picture of the sign posted was provided to staff.
- Ms. McCarthy indicated that comments were received from the Lake Simcoe Region Conservation Authority with no concerns with the proposed variance and that any construction within the regulated area of the lot would require a permit from them. Ms. McCarthy further noted that comment was received from the Uxbridge Fire Department with no concerns with the proposed variances.
- Mr. Wang indicated that he has no concerns with the condition imposed.

Written Comments

Report from Development Services – See File

Uxbridge Fire Department – See File

Lake Simcoe Region Conservation Authority – See File

DECISION

Moved by Lynn Barkey, Seconded by Frank Mazzotta that Application A39/2024 – **2095134 ONTARIO INC., PCL 12-2 SEC M1195; FIRSTLY: PT LT 11, PL M1195 (UXBRIDGE), PT 2, 40R12171; SECONDLY: LT 12, PL M1195 (UXBRIDGE) ,**

EXCEPT PT 3, 40R12171 TOWNSHIP OF UXBRIDGE, 3 Deerfoot Drive. Relief from *Section 4.6.2(b)*, to permit a minimum lot frontage of 37 metres BE APPROVED 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 minimum lot frontage under the approval of Application A39/2024 shall apply solely to the property subject to the application, as indicated on the applicant's submitted plans.

CARRIED

**A40/2024 – Tuomas Tarvainen & Patricia Robinson. - PART BLOCK 9 PLAN
40M2638 PARTS 105 & 106 40R30305, 12 Harry Thornton Lane**

Tuomas Tarvainen was present as the applicant and owner of the property.

- Michelle McCarthy introduced the application and summarized the relief requested.
- Tuomas Tarvainen indicated that he has no further information to add to present the application.
- Lynn Barkey posed a question to applicant regarding the existing deck on the property.
- Mr. Tarvainen stated that the original builder deck was removed, and the current deck was built.
- Mr. Barkey stated that the deck is in keeping with other decks on adjacent properties.
- Ms. McCarthy indicated that the Lake Simcoe Region Conservation Authority indicated that as the property was outside of their regulated area, they would not be providing comment. Ms. McCarthy further noted that comment was

received from the Uxbridge Fire Department with no concerns about the proposed variances.

- Mr. Tarvainen indicated that he has no concerns with the condition imposed.

Written Comments

Report from Development Services – See File

Uxbridge Fire Department – See File

Lake Simcoe Region Conservation Authority – See File

DECISION

Moved by Frank Mazzotta, Seconded by Lynn Barkey that Application A40/2024 – **TUOMAS TARVAINEN & PATRICIA ROBINSON, PART BLOCK 9 PLAN 40M2638 PARTS 105 & 106 40R30305, 12 Harry Thornton Lane**. Relief from *Section 5.1(k)*, to permit an uncovered deck and associated steps to project a maximum of 3.4 metres into the required rear yard provided the proposed deck and associated steps are not more than 1.82 metres above finished grade **BE APPROVED** 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 raised deck and associated steps in the rear yard under the approval of Application A40/2024 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 one year of the final date of appeal of A40/2024 for the raised deck and associated steps.
3. The approval of the variances shall apply only to the areas contemplated under Application A40/2024.

**A41/2024 – 1925029 ONTARIO LIMITED. - PT TORONTO ST, PL 83 PT 2, 40R14320;
PT LT 16 N OF MILL ST & PT LT 19 BLK E PL 83 AS IN D392290 ; UXBRIDGE, 107
TORONTO STREET SOUTH**

Jonathan Benczkowski was present as the authorized agent representing the owner of the property.

- Michelle McCarthy introduced the application and summarized the relief requested.
- Jonathan Benczkowski indicated that the relief requested is to permit an accessibility ramp at the front of the property as required by the Ontario Building Code.
- Lynn Barkey posed a question to applicant regarding the existing ramp and steps situated in the front yard of the building.
- Mr. Benczkowski stated that the existing ramp and steps are not to be expanded further than what is currently constructed.
- Ms. McCarthy posed as question to the applicant regarding the timing of the building permit and construction of the accessibility ramp
- Mr. Benczkowski responded that the accessibility ramp was added to the building following the issuance of the building permit.
- Mr. Benczkowski further indicated that he has no issues with the proposed conditions as provided with the planning report.
- Ms. McCarthy indicated that the Lake Simcoe Region Conservation Authority provided comments with no objection to the proposed variance provided that the applicant pays the applicable review fee. Ms. McCarthy further noted that comment was received from the Uxbridge Fire Department with no concerns about the proposed variances.

Written Comments

Report from Development Services – See File

Uxbridge Fire Department – See File

Lake Simcoe Region Conservation Authority – See File

DECISION

Moved by Frank Mazzotta, Seconded by Ted Shepherd that Application A41/2024 – **1925029 ONTARIO LIMITED, PT TORONTO ST, PL 83 PT 2, 40R14320; PT LT 16 N OF MILL ST & PT LT 19 BLK E PL 83 AS IN D392290 ; UXBRIDGE, 107 TORONTO STREET SOUTH**. Relief from *Section 5.1(k)*, to permit an uncovered accessibility ramp and uncovered steps with an associated porch to project a maximum of 3.71 metres into the established front yard BE APPROVED 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 uncovered accessibility ramp and uncovered steps with an associated porch in the front yard under the approval of Application A41/2024 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 within one year of the final date of appeal of A41/2024.
3. That the applicant satisfy the requirements of the Lake Simcoe Region Conservation Authority letter dated Friday, November 29, 2024.

CARRIED

A42/2024 – BRENDAN & ALYSSA WADE - PT LT 3 BLK B PL 83 PT 1, 40R4982 ; TOWNSHIP OF UXBRIDGE, 104 MECHANIC STREET

Nicholas Delli Benedetti was present as the authorized agent representing the owner of the property.

- Michelle McCarthy introduced the application and summarized the relief requested.
- Nicholas Delli Benedetti indicated that the proposal is to allow for a small extension to the existing garage to extend further into the front yard.

- Ms. McCarthy stated that the Lake Simcoe Region Conservation Authority indicated that as the property was outside of their regulated area, they would not be providing comment. Ms. McCarthy further noted that comment was received from the Uxbridge Fire Department with no concerns with the proposed variances.
- Mr. Delli Benedetti indicated that he has no concerns with the conditions imposed.

Written Comments

Report from Development Services – See File

Uxbridge Fire Department – See File

Lake Simcoe Region Conservation Authority – See File

DECISION

Moved by Lynn Barkey, Seconded by Ted Shepherd that Application A42/2024 – **BRENDAN & ALYSSA WADE, PT LT 3 BLK B PL 83 PT 1, 40R4982 ; TOWNSHIP OF UXBRIDGE, 104 MECHANIC STREET**. Relief from *Section 5.1(d)*, to permit a maximum lot coverage of all accessory buildings of 9 percent BE APPROVED 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 addition to the existing accessory building under the approval of Application A42/2024 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 within one year of the final date of appeal of A42/2024.

CARRIED

Other business

ADOPTION OF HEARING SCHEDULE FOR 2025

- Marc Anthony Miller presented the 2025 hearing date schedule for committees' approval.
- Michelle McCarthy posed a question to staff regarding the applications for the January 2025 hearing.
- Michael Klose responded that there are applications already received for the January 15th 2025 hearing.
- Lynn Barkey stated that he has a conflict with the June 18th 2025 meeting of the proposed schedule.

DECISION

Moved by Lynn Barkey, Seconded by Frank Mazzotta that the 2025 Hearing Date Schedule as presented BE APPROVED.

CARRIED

FINAL MEETING OF COMMITTEE MEMBER - MICHELLE MCCARTHY

- Gail Sanderson of 7909 Durham Road 30 thanked Michelle McCarthy for her role as Chair of the Committee of Adjustment.

ADJOURNMENT

The meeting adjourned at 7:30 pm

Michelle McCarthy

Michelle McCarthy, Chair

Marc Anthony Miller

Marc Anthony Miller, Planning Technician