

## 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 June 12<sup>th</sup>, 2024.

### PRESENT

Michelle McCarthy – Chairperson  
Ken May  
Ted Shepherd  
Ed Chillman  
Kyle Rainbow, Director of Development Services  
Marc Anthony Miller, Planning Technician – Secretary/Treasurer

### 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 Ted Shepherd, seconded by Ed Chillman, that the minutes of the May 15<sup>th</sup>, 2024 hearing be approved as presented.

### **A18/2024 – Helen Sienerth Part Lots 60, 61 & 62, Block L, Plan 83 AS IN D488576; S/T INTEREST IN D426380 ; UXBRIDGE, 35 Beech Street North**

---

Kathleen Nichols was present as the applicant and representative of the owners of the property. Helen Sienerth was present as the owner of the property.

- Michelle McCarthy summarized the application.
- Kathleen Nichols presented the application, summarizing the variances being requested and indicating that she has consulted with neighbors and arborists regarding the proposed structure. Ms. Nichols also stated that property will be expanded through the purchase of more land.
- Ted Shepherd asked the applicant if the proposed purchase of more land will impact the variances being requested.

- Ms. Nichols responded that should land to the rear of the property be acquired, and the lot expanded, a variance would still be required for the lot coverage of the proposed accessory building.
- Ms. McCarthy asked the applicant if they have spoken to neighbours regarding the proposal.
- Ms. Nichols stated that some neighbours have been consulted.
- Ms. McCarthy noted that comment was received from the Uxbridge Fire Department with no objection to the proposed variance.
- The applicant indicated that they have read the staff report and the conditions as outlined in the report.

### **Written Comments**

Township of Uxbridge Fire Department – See File

Report from Development Services – See File

### **DECISION**

Moved by Ken May, Seconded by Ted Shepherd that Application A18/2024 - Helen Sienerth Part Lots 60, 61 & 62, Block L, Plan 83 AS IN D488576; S/T INTEREST IN D426380 ; UXBRIDGE, 35 Beech Street North, Relief from Section **5.1(d)** lot coverage of an accessory building of **16.34%** for a variance of **11.34%** & height of an accessory building of **6.5m** for a variance of **1.5m**, Relief from Section 5.1(h) Relief from **Section 5.1(h)(i)** setback of an accessory building from the interior side yard of **0.61m** for a variance of **0.59m**, 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 Accessory Structure in the rear yard under the approval of Application A18/2024 shall be in substantial conformity with the design & location of the plans submitted with the application.

2. The owner/applicant shall register with the Township in accordance with By-law 99-107 as a Two Unit Dwelling.
3. The owner/applicant shall demonstrate that the existing Accessory Structure has been demolished prior to this approval being final, or shall enter into an Development Agreement which includes a requirement to demolish the Accessory Structure following final inspection of the proposed Accessory Structure.
4. The owner/applicant shall obtain a building permit application within one year of the final date of appeal of A18/2024.
5. The owner/applicant shall satisfy all conditions of the variance no later than one year from the end of the of the appeal period established under the Planning Act.
6. The approval of the variances shall apply only to the areas contemplated under Application A18/2024.

**CARRIED**

**A19/2024 – Kelsey & Meghan Krushel, Lot 6, Plan 446 ; UXBRIDGE, 138 Planks Lane**

---

Dana Evans was present as the agent and representative of the owners of the property. Kelsey and Meghan Krushel were present as the owners of the property.

- Michelle McCarthy summarized the application.
- Dana Evans presented the application, indicating that the proposed two storey garage structure will not be used as a secondary residential unit and that neighbouring residents have been consulted.
- Ted Shepherd posed a question to the applicant regarding the use of the proposed structure.
- Ms. Evans indicated that the proposed structure will not be used as a secondary dwelling unit and that the proposed structure will be used as storage.
- Kyle Rainbow added that the Township allows for up to three dwelling units per lot within the urban area.
- Ms. McCarthy noted that comment was received from the Uxbridge Fire Department with no objection to the proposed variance.

- The applicant indicated that they have read the staff report and the conditions as outlined in the report.

## **Written Comments**

Report from Development Services – See File

Township of Uxbridge Fire Department – See File

## **DECISION**

Moved by Ted Shepherd, Seconded by Ken May that Application A19/2024 - **Kelsey & Meghan Krushel, Lot 6, Plan 446 ; UXBRIDGE**, 138 Planks Lane, Relief from Section **5.1(d)** lot coverage of an accessory building of **15.3%** for a variance of **10.3%** & height of an accessory building of **6.14m** for a variance of **1.14m**, Relief from **Section 5.1(h)(i)** setback of an accessory building from the interior side yard of **0.60m** for a variance of **0.60m** 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 Accessory Structure in the rear yard under the approval of Application A19/2024 shall be in substantial conformity with the design & location of the plans submitted with the application.
2. The owner/applicant shall demonstrate that the existing Accessory Structure has been demolished prior to this approval being final, or shall enter into an Development Agreement which includes a requirement to demolish the Accessory Structure following final inspection of the proposed Accessory Structure.
3. The owner/applicant shall obtain a building permit application within one year of the final date of appeal of A19/2024.
4. The owner/applicant shall satisfy all conditions of the variance no later than one year from the end of the of the appeal period established under the Planning Act.

5. The approval of the variances shall apply only to the areas contemplated under Application A19/2024.

**CARRIED**

**A20/2024 – Manuela Meyer, Lot 10 Block XX Plan 83 TOWNSHIP OF UXBRIDGE,  
77 Mill Street**

---

Karyn Miller was present as the agent and representatives of the owner of the property.  
Manuela Meyer was present as the owner of the property.

- Michelle McCarthy summarized the application and the variances being requested as part of the application.
- Karyn Miller introduced the application, indicating the reasons for the relief sought.
- Ken May posed a question regarding the types of variances being sought as part of this application.
- Michelle McCarthy responded that the applicants are seeking relief from the minimum front yard depth and the minimum setback from street centreline.
- Ted Shepherd posed a question regarding the addition of a car port as indicated on the site plan for the proposed variances.
- Karyn Miller indicated that the proposed car port is not part of the variances being requested and that, the construction of the car port does not require any additional variances.
- Ms. McCarthy noted that comment was received from the Uxbridge Fire Department with no objection to the proposed variance.
- The applicant indicated that they have read the staff report and understand the conditions as outlined in the report.

**Written Comments**

Report from Development Services – See File

Township of Uxbridge Fire Department – See File

**DECISION**

Moved by Ken May, Seconded by Ed Chillman that Application A20/2024 - Manuela Meyer, Lot 10 Block XX Plan 83 TOWNSHIP OF UXBRIDGE, 77 Mill Street, Relief from **Section 4.10.2.1(c)(i)** front yard depth of **4.7m** for a variance of **3.3m**. Relief from **Section 4.10.2.1(g)(iv)** setback from street centerline of **9.1m** for a variance of **8.9m** 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 Covered Porch and Vestibule in the front yard under the approval of Application A20/2024 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 A20/2024.
3. The owner / applicant shall satisfy all conditions of the variance no later than one year from the end of the of the appeal period established under the Planning Act.
4. The approval of the variances shall apply only to the areas contemplated under Application A20/2024.

**CARRIED**

**A22/2024 – Maurizio Bertato (2326559 Ontario Ltd.), Part Lots 456, 457, 458, Block WW AND PT TORONTO ST, CLOSED BY BYLAW UX14743, PL H50065, Part 1, 40R10679 ; UXBRIDGE, 16 Cemetery Road**

Hailey Weatherbee was present as the agent and representative of the owners of the property. Maurizio Bertato was present as the owner of the property.

- Michelle McCarthy introduced the application, summarizing the variances being requested. Ms. McCarthy indicated that Committee has already approved a variance on the property which has since lapsed.
- Hailey Weatherbee summarized the application, clarifying that relief being sought in this application is different from the variance approval received in May

of 2023. Ms. Weatherbee indicated that the massing of the property will be unchanged compared to the previously approved variance.

- Ms. McCarthy posed a question to the applicant regarding the coverage of the proposed “Porte Cochere” as indicated in the provided drawings.
- Ms. Weatherbee confirmed that the coverage of the proposed “Porte Cochere” will not contribute to the overall lot coverage as it will be uncovered.
- Ms McCarthy noted that comment was received from the Lake Simcoe Region Conservation Authority indicating that a permit will no longer be required for this development.
- Ms. McCarthy noted that comment was received from the Durham Region Health Department indicating no objection to the proposed development subject to the satisfaction of a condition as indicated in their comments.
- Ms. McCarthy noted that comment was received from the Fire Department indicating no objection to the proposed variance.
- Kyle Rainbow indicated that the comments received from the Durham Region Health Department were received after the Committee was provided with the report.
- Ken May indicated that the comments received from the Durham Region Health Department do not indicate any requirements for decommissioning the existing well.
- Maurizio Bertato indicated that the existing well has been decommissioned.
- Ken May made a motion to approve the variances proposed subject to the conditions as indicated in the Staff Report with the addition of the condition imposed by the Durham Region Health Department and, an additional condition requiring confirmation that the existing private well has been decommissioned.
- The applicant indicated that they have read the staff report and the conditions as outlined in the report and understand the additional conditions imposed by Committee.

## **Written Comments**

Report from Development Services – See File

Township of Uxbridge Fire Department – See File

## **DECISION**

Moved by Ken May, Seconded by Ted Shepherd that Application A22/2024 - Maurizio Bertato (2326559 Ontario Ltd.), **Part Lots 456, 457, 458, Block WW AND PT TORONTO ST, CLOSED BY BYLAW UX14743, PL H50065, Part 1, 40R10679 ; UXBRIDGE**, 16 Cemetery Road, Relief from **Section 4.9.2(f)** total lot coverage of **36.6%** for a variance of **6.6%**. Relief from **Section 5.1(d)** lot coverage of an accessory building of **13.32%** for a variance of **8.32%** & height of an accessory building of **6.4m** for a variance of **1.4m**. 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 new 2-storey single family dwelling unit and a detached garage under the approval of Application A22/2024 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 A22/2024.
3. The owner / applicant shall satisfy all conditions of the variance no later than one year from the end of the of the appeal period established under the Planning Act.
4. The approval of the variances shall apply only to the areas contemplated under Application A22/2024.
5. The existing private sewage system is properly abandoned as per best management practices.
6. The owner/applicant provide confirmation that the existing private well has been decommissioned.

**CARRIED**

### **Other business**

**None**

---



**ADJOURNMENT**

The meeting adjourned at 7:50 pm

*Michelle McCarthy*

---

Michelle McCarthy, Chair

*Marc Anthony Miller*

---

Marc Anthony Miller, Planning  
Technician