

## **MINUTES OF COMMITTEE OF ADJUSTMENT**

The meeting (Virtual) of 2025, the Committee of Adjustment for the Township of Uxbridge was held at 7:00 p.m. on Monday December 22, 2025.

### **PRESENT**

Frank Mazzotta – Chair

Lynn Barkey

Joanna Fast

Ken May

Anthony Woodruff

Marc Anthony Miller – Senior Planning Technician, Secretary-Treasurer

### **CALL TO ORDER**

The meeting was called to order at 7:06 pm.

The Chairperson asked if any of the members had a pecuniary interest in tonight's applications, none were identified.

Frank Mazzotta – 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.**

### **VOTING ON MINUTES**

Lynn Barkey advised that he was not included as "present" on the minutes of the November 12<sup>th</sup>, 2025, hearing.

Marc Anthony Miller stated that he will correct the error to the draft minutes.

Moved by Lynn Barkey, seconded by Anthony Woodruff, that the minutes of the November 12<sup>th</sup>, 2025 hearing be approved with the correction to the error.

### **A18/2025 – Carl DeBarros – LT 286, BLK FF, PL 83, 1A South Balsam Street**

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Carl DeBarros was present as the applicant and property owner.

- Frank Mazzotta introduced the application and explained the nature of the proposal. Mr. Mazzotta described the relief from the zoning provisions requested as part of the application.

- Mr. Mazzotta provided the applicant with the opportunity to speak to the proposal.
- Carl DeBarros had nothing additional to add to the initial introduction.
- Mr. Mazzotta asked if Mr. DeBarros could provide more information regarding the context of the building itself and his intentions respecting the use.
- Mr. DeBarros explained that the proposal is for a residential dwelling about 2400 square feet of living space with an attached two car garage to be used personally. Mr. DeBarros stated that he believes the proposed dwelling to be architecturally befitting of the surrounding community. Mr. DeBarros added that the proposed setbacks are in line with other residential dwellings in the neighborhood.
- Lynn Barkey provided comments on the application. Mr. Barkey stated that he views this application as executing the previous decisions made on applications A27/2023 and A28/2023, which were considered following a consent application approved by the Region of Durham at the time. Mr. Barkey stated that these applications dealt with relief which were not seen by the Committee as a great reduction. Mr. Barkey stated that the proposal appears to be compatible with neighboring properties, and responds to the dimensions of the lot, previously approved by the Committee.
- Joanna Fast provided comments on the application. Joanna Fast agreed that all the variances are generally compatible with adjacent properties, and stated that the Committee will hear and consider the concerns of residents attending the hearing.
- Ken May posed a question respecting the grading on the north side of the property, inquiring about the presence of a retaining wall.
- Mr. DeBarros explained that there is an existing retaining wall on the property. Mr. DeBarros stated that the site grading will be brought up to align with adjacent properties, thus the existing retaining wall will be removed. Mr. DeBarros added that there may be a need for a retaining wall to the rear of the property.
- Anthony Woodruff added that the comments from the Township Consultant Engineer address the matter respecting the retaining wall and provide recommendations to Township Staff on the need for grading and site servicing plans.
- Mr. Mazzotta introduced two residents who have registered to speak to the proposal.

- Margaret Wall, resident of 206 Brock Street West, Uxbridge, located east of the subject property, expressed her concern over the retaining wall causing drainage onto her property. Ms. Wall inquired about the direction that the retaining wall will be sloped.
- Carl DeBarros stated that there will be gradual grading towards the east property line, however a swale may be provided to inhibit run off onto the adjacent property.
- Margaret Wall expressed further concern over the size of the proposed residential dwelling, stating that it is larger than what exists in the neighborhood. Mrs. Wall stated that if the Committee feels that variances are acceptable, then she has no further concerns.
- Lynn Barkey posed a question to staff whether the site grading plan would form part of the building permit submission.
- Marc Anthony Miller stated that at the building permit review stage, the grading plan will be circulated to the Township consultant engineer. Mr. Miller stated that the same engineer will review site grading and drainage to ensure no impact on adjacent properties.
- Mr. Mazzotta introduced the second individual registered to speak to the application.
- Gail Sanderson, resident of 7909 Durham Road 30, Uxbridge, asked if the residential dwelling and the garage are attached or detached, as they appear differently on the submitted drawings.
- Mr. Miller responded, stating that the two are connected according to the drawings. Mr. Miller explained that there is an opening on the site plan drawings which depict access between the garage and the house but the two remain connected.
- Mrs. Sanderson sought clarification on the siting of the dwelling and garage in relation to the street line.
- Mr. Miller added that the house does project further into the front yard, but both the house and the garage remain connected.
- Mrs. Sanderson asked the Committee about the need for minor variances in the case of the proposed application.
- Mr. Mazzotta asked Mr. DeBarros to explain the need for the variances and the larger footprint.

- Mr. DeBarros stated that when he purchased the lot, he had the intention of building a house similar to the plans that were provided by the previous property owner. The purpose of which was to simplify the approvals process for the dwelling.
- Mrs. Sanderson posed a follow-up question, asking why the initial approval authority would approve drawings that would not meet zoning requirements.
- Mr. Mazzotta stated that from a Provincial policy perspective, the role of the Committee is to consider any variations to the Zoning By-law that meet the 4 tests of the Planning Act and can be considered minor in nature.
- Joanna Fast added that the proposal represents infill development of an established lot. Ms. Fast explains that as the subject lot was created from a larger lot, it is often challenging to meet all the zoning standards. Ms. Fast expresses that the variances requested appear to be minor in nature. Ms. Fast added that the Township Zoning By-law dates from 1981, and the standards within reflect bigger lots. As such, Ms. Fast states, minor adjustments must be considered for current developments.
- David Surlaya, resident of 210 Brock St West, Uxbridge introduced himself to the Committee. Mr. Surlaya stated that he has concerns with the drainage and the possibility of encroachment onto his property to the North. Mr. Surlaya asked the applicant if there is a way to center the building on the lot to give more even space on both the north and south sides to make maintenance easier.
- Mr. DeBarros stated that he has not considered centering the dwelling on the lot. Mr. DeBarros stated that he would like any risks of drainage to be resolved. Mr. DeBarros stated silt fence will be installed to mitigate sediment runoff during the construction process.
- Mr. Mazzotta asked Mr. Miller to speak to the process of approvals for permits.
- Mr. Miller stated that Town staff would receive a permit application, including a grading plan, circulated to the Township consultant engineer. The engineer would ensure appropriate on-site drainage. Mr. Miller then added that the approved plans would be stamped and form part of the building plan, implying that the applicant must adhere to the grading as it was approved through the permit.
- Mr. Barkey notes that the Township Zoning By-law allows for a 1.2 meter setback from the interior side lot line, and the relief being sought is for 1.1 metres, therefore the reduction in the required setback is minor.

- Mr. Woodruff asked staff for clarification respecting the order of approvals and review for the site grading plan. Mr. Woodruff asked staff if the same consultant engineer would review the grading plan at the time of permit.
- Mr. Miller answered that building staff will receive a copy of the decision of this application, and, the same consultant engineer will comment on the grading plan. Mr. Miller stated that building staff will be aware of the decision and conditions of the Committee.
- Mr. Mazzotta stated that comments were received from Lake Simcoe Region Conservation Authority, Toronto Region Conservation Authority, Metrolinx, Regional Community Growth Division, and Township of Uxbridge Building Department with no objection or comments to the proposed variance.
- Mr. Mazzotta added that comments were received from AECOM, the Township Consultant Engineer, requiring additional information which will be provided throughout the approvals process with the Township and reviewed by Staff.
- Mr. DeBarros confirmed that he has received the planning report and the five conditions outlined in the staff report.

## **Written Comments**

Report from Development Services – See File

Lake Simcoe Region Conservation Authority – See File

Toronto Region Conservation Authority – See File

Regional Community Growth Division – See File

Regional Works Department - See File

Metrolinx – See File

AECOM – See File

## **DECISION**

Moved by Lynn Barkey, Seconded by Anthony Woodruff that Application A18/2025 – C. DeBarros, PART LOT 281, BLOCK FF, PLAN 83; PART 2, 40R32550, 1A South Balsam Street, relief from section 4.9.2(c)(i) to permit a minimum front yard depth of 4.5 metres; section 4.9.2(c)(iii)(a) to permit a minimum interior side yard depth from the north property

line of 1.1 metres; section 4.9.2(c)(iv) to permit a minimum rear yard depth of 6.0 metres; section 4.9.2(f) to permit a maximum total lot coverage of 34 percent; Section 5.1(k) to permit a covered porch to project a maximum of 4.9 metres into the required front yard; Section 4.9.2(g)(iv) to permit a minimum setback from a Township Road of 15.5 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. That the variances shall apply only to the proposed dwelling, as generally sited and outlined on the applicants submitted plans (refer to Exhibits #2, #3, #4, #5, #6 and #7).
2. That the property owner obtains an Entrance Permit from the Township's Public Works Department for the proposed access, prior to the issuance of a Building Permit.
3. That the property owner shall submit a Grading and Servicing Plan, to the satisfaction of Township Staff, prior to the issuance of a building permit, which addresses matters such as, but not limited to storm, sanitary and water connections for the proposed house; details as to how the existing retaining wall will be terminated between the garage and building to the north; the addition of a swale along the south property line; how any broken or damaged sidewalk bays are to be replaced following the construction.
4. That the property owner consult with and obtain approval from Canada Post and Township Staff for the relocation of the community mailboxes.
5. That the property owner shall provide a new street tree along South Balsam Street to the satisfaction of the Township, details of which shall be provided in the required grading plan.

**CARRIED**

## OTHER BUISNESS

### 2026 Committee of Adjustment Schedule

- Mr. Mazzotta presented the 2026 schedule as provided by the Secretary-Treasurer.
- Lynn Barkey stated that Mr. Miller was provided with dates that he will have difficulty attending.
- Mr. Miller confirmed that he has received those dates.
- Joanna Fast asked if the 2026 election year will impact any of the dates on the Committee calendar.
- Mr. Miller stated that the election year will impact some of the Committee dates, specifically, December 16<sup>th</sup> 2026 and January 13<sup>th</sup> 2027.
- Mr. Mazzotta asked for a motion to approve the draft schedule for the 2026 Committee of Adjustment.
- Moved by Ken May, seconded by Joanna Fast that the 2026 Committee of Adjustment calendar be approved as presented.

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## ADJOURNMENT

The meeting adjourned at 7:53 pm

*Frank Mazzotta*

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Frank Mazzotta, Chair

*Marc Anthony Miller*

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Marc Anthony Miller, Secretary Treasurer