

MINUTES OF COMMITTEE OF ADJUSTMENT

The 4th meeting (Virtual) of 2021, the Committee of Adjustment for the Township of Uxbridge was held at 7:00 p.m. on Wednesday April 21, 2021.

PRESENT

Joanna Fast-Chair
Gerri Lynn O'Connor
Michelle McCarthy
Cathie Proulx
Frank Mazzotta
Emilia Gruyters-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 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 Cathie Proulx, Seconded by Michelle McCarthy, that the minutes of March 17, 2021 hearing be approved as presented.

A10/2021- Heather Lynn Stewart-Andrew Craddock (Agent), Lot 34 Concession 7 40R6216 Part 14-16(Uxbridge), 18 Colby Road

Heather Stewart was present as the owner of the property. Andrew Craddock was present as the agent for the application. The original dwelling was demolished due to a fire and the existing setbacks are legal non-conforming. The owner wanted to extend a part of the foundation which requires the variance. LSRCA has approved the construction and the building department has reviewed the building permit application.

The owner had no concerns with the conditions of approval should the application be approved.

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

Written Comments

Report from Fire Department –See File

Report from Development Services – See File

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

Report DS-16/21 of Emilia Gruyters Planning Technician, Secretary Treasurer
Committee of Adjustment

re Relief from Minimum Yard Dimensions- Lot 34 Concession 7 40R6216 Part
14-16, 18 Colby Rd – Heather Lynn Steward - Committee of Adjustment
Application No. A10/2021

Moved by: Councillor Garrod

THAT Report DS-16/21, of Emilia Gruyters, Planning Technician, be received
for information;

AND THAT prior to the Committee of Adjustment making a decision with
respect to Application A10/2021, 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 construction of addition under the approval of Application
A10/2021 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 A10/2021.
3. The owner / applicant shall satisfy all conditions of the variance no
later than 1 year from the end of the of the appeal period
established under the Planning Act.
4. The approval of the variance shall apply only to the front yard
depth contemplated under Application A10/2021.

CARRIED

DECISION

Moved by Frank Mazzota, Seconded by Cathie Proulx that Application A10/2021 by Heather Lynn Stewart, Lot 34 Concession 7 40R6216 Part 14-16(Uxbridge), 18 Colby Road, Relief from Section 4.8.2.c.i to permit a front yard depth of 2.4 m for a variance of 7.6 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 By-law is being maintained.**
- 4. The intent of the Official Plan is being maintained.**

Conditional Upon:

1. The construction of addition under the approval of Application A10/2021 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 A10/2021.
3. The owner / applicant shall satisfy all conditions of the variance no later than 1 year from the end of the of the appeal period established under the Planning Act.
4. The approval of the variance shall apply only to the front yard depth contemplated under Application A10/2021.

CARRIED

A11/2021- Anthony Norton, Pt Blk 9 40M2638 40R30305 Parts 103 & 104)(Uxbridge), 10 Harry Thornton Lane

Anthony Norton was present as the owner of the property. He explained he wanted to construct a deck which did not meet the zoning by-law requirements because the existing rear yard did not permit a greater encroachment.

The owner had no concerns with the conditions of approval should the application be approved.

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

Written Comments

Report from Fire Department – See File

Report from Development Services – See File

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

Report DS-17/21 of Emilia Gruyters Planning Technician, Secretary Treasurer
Committee of Adjustment

re Relief from Unenclosed Porches, Balconies, Steps Or Patios- Part Blk 9
40M2638 40R30305 Parts 103 & 104– 10 Harry Thornton Lane-Anthony
Norton - Committee of Adjustment Application No. A11/2021

Moved by: Councillor Popp

THAT Report DS-17/21, of Emilia Gruyters, Planning Technician, be received
for information;

AND THAT prior to the Committee of Adjustment making a decision with
respect to Application A11/2021, 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 construction of the deck under the approval of Application A11/2021 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 A11/2021.
3. The owner / applicant shall satisfy all conditions of the variance no later than 1 year from the end of the of the appeal period established under the Planning Act.
4. The approval of the variance shall apply only to the deck contemplated under Application A11/2021.
5. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

CARRIED

DECISION

Moved by Michelle McCarthy, Seconded by Cathie Proulx that Application A11/2021 by Anthony Norton, Pt Blk 9 40M2638 40R30305 Parts 103 & 104)(Uxbridge), 10 Harry Thornton Lane, Relief from Section 5.1.k to permit a maximum projection into the required yard of 3.1 m for a variance of 1.2 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 By-law is being maintained.**
4. **The intent of the Official Plan is being maintained.**

Conditional Upon:

1. The construction of the deck under the approval of Application A11/2021 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 A11/2021.
3. The owner / applicant shall satisfy all conditions of the variance no later than 1 year from the end of the of the appeal period established under the Planning Act.
4. The approval of the variance shall apply only to the deck contemplated under Application A11/2021.
5. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

CARRIED

A12/2021- Brad Steckley, Pt Lot 616-618 & 620-622 Plan 30 Blk 52 40R25334 Part 2(Uxbridge), 71 Centre Rd

Brad Steckley was present as the owner of the property. He explained the building was required for the storage on the property. The new construction was discussed with the adjacent neighbours.

Gerri-Lynn O'Connor questioned the use of the existing Quonset and other buildings on the property. These buildings would be removed once the new building was constructed. There would be no living quarters above the garage.

Michelle McCarthy inquired about the existing driveway and whether one would be needed to the new structure. The existing garage would serve as a drive through to access the rear yard. A new driveway would be extended.

The members discussed adding a condition to remove the existing accessory buildings once the new building was complete.

The owner had no concerns with the conditions of approval should the application be approved.

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

DECISION

Moved by Gerri-Lynn O'Connor, Seconded by Cathie Proulx that Application A12/2021 by Brad Steckley, Pt Lot 616-618 & 620-622 Plan 30 Blk 52 40R25334 Part 2(Uxbridge), 71 Centre Rd, Relief from Section 5.1.d to permit a total lot coverage of all accessory buildings and structures of 7.0 % (65.3 m²) for a variance of 2.0 % (18.6 m²) and to permit a building height of 5.3 m for a variance of 0.3 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 By-law is being maintained.**
4. **The intent of the Official Plan is being maintained.**

Conditional Upon:

1. The construction of the garage under the approval of Application A12/2021 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 A12/2021.
3. The owner / applicant shall satisfy all conditions of the variance no later than 1 year from the end of the of the appeal period established under the Planning Act.
4. The approval of the variance shall apply only to the garage contemplated under Application A12/2021.

5. The owner/applicant shall remove the existing accessory structures after the construction of the new garage.
6. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

CARRIED

A13/2021- Glenn & Carolyn Wagner-Ralph Grander (Agent), Lot 37 Plan 40M-2320 (Part 1 on Sketch) (Uxbridge), 69 Campbell Drive

Ralph Grander was present as the agent of the application. This is a land division file that was tabled from a meeting due to concerns with the storm water management plan and trees along the rear lot line and Township tree. An arborist report at LD showed no impact to the trees and the Township tree would be replaced.

Gerri-Lynn inquired about the incomplete information in the application regarding drainage. A pre-liminary drainage plan was submitted at LD and one would be provided for the building permit application.

Michelle McCarthy asked about plans for the new lot. A drainage plan and a conceptual plan not exceeding lot coverage of 30% was submitted during the LD process.

The applicant had no concerns with the conditions of approval should the application be approved.

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

DECISION

Moved by Cathie Proulx, Seconded by Frank Mazzotta that Application A13/2021 Glenn & Carolyn Wagner-Ralph Grander (Agent), Lot 37 Plan 40M-2320 (Part 1 on Sketch) (Uxbridge), 69 Campbell Drive, Relief from Section 4.9.2.b.i to permit a minimum lot frontage of 16.1 m for a variance of 0.8 m, Relief from Section 4.9.2.f to permit a maximum lot coverage of all buildings of 32.0 % for a variance of 2.0 %, **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 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 (LD 008/2021) are not satisfied, the decision of the Committee of Adjustment for the lots shall be deemed null and void.

CARRIED

A14/2021-Glenn & Carolyn Wagner-Ralph Grander (Agent), Lot 37 Plan 40M-2320 (Part 2 on Sketch)(Uxbridge), 69 Campbell Drive

Ralph Grander was present as the agent of the application. He felt the LD application was successful because it was close to meeting the minimum lot frontage and lot area in the zoning by-law.

The committee discussed adding a condition to satisfy all conditions within 1 year. The agent felt the condition could be met.

DECISION

Moved by Michelle McCarthy, Seconded by Gerri-Lynn O'Connor that Application A14/2021 Glenn & Carolyn Wagner-Ralph Grander (Agent), Lot 37 Plan 40M-2320 (Part 2 on Sketch) (Uxbridge), 69 Campbell Drive, Relief from Section 4.9.2.b.i to permit a minimum lot frontage of 13.5 m for a variance of 3.5 m, Relief from Section 4.9.2.a.i to permit a minimum lot area of 541.0 m² for a variance of 9.0 m² Relief from Section 4.9.2.a.i to permit a minimum lot area of 541.0 m² for a variance of 9.0 m² ,**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 By-law is being maintained.**
4. **The intent of the Official Plan is being maintained.**

Conditional Upon:

1. An agreement shall be entered into with the owner that addresses the requirements for lot creation and to also address the requirements of the Township's Allocation Policy for the lot. This agreement is required to be registered.

2. The applicant/owner shall obtain a site plan application prior to the issuance of a building permit.
3. The costs of fulfilling the conditions shall be the responsibility of the owner/ applicant.
4. The owner / applicant shall satisfy all conditions of the variance no later than 1 year from the end of the of the appeal period established under the Planning Act.

CARRIED

ADJOURNMENT

The meeting adjourned at 8:00

Joanna Fast
Chair

Emilia Gruyters-Secretary
Treasurer