

MINUTES OF COMMITTEE OF ADJUSTMENT

The 6th meeting (Virtual) of 2021, the Committee of Adjustment for the Township of Uxbridge was held at 7:00 p.m. on Wednesday June 16, 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 Gerri-Lynn O'Connor, Seconded by Frank Mazzotta, that the minutes of May 19, 2021 hearing be approved as presented.

A20/2021- Audrey Hakonson, Plan 40M-2256 Part of BLK 107 40R23858 Part 1(Uxbridge) 43 Apple Tree Cres

Audrey Hakonson was present as the owner of the property. She wanted to construct the sunroom addition to enjoy the sunshine without actually being outdoors.

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.

A letter of objection was read by the Chair (See File).

A letter of support was read by the Chair (See File).

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-35/21 of Emilia Gruyters Planning Technician,
Secretary Treasurer Committee of Adjustment

re Committee of Adjustment Application A20/2021, relief from Minimum Rear Yard Requirement - Plan 40M-2256 Part of BLK 107 40R23858 Part 1, 43 Apple Tree Cres - Audrey Hakonson

Moved by Councillor Snooks
Seconded by Councillor Beach

THAT Report DS-35/21 of Emilia Gruyters, Planning Technician, Secretary Treasurer Committee of Adjustment, be received for information;

AND THAT prior to the Committee of Adjustment making a decision with respect to Application A20/2021 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 Bylaw, the following conditions should be established:

1. The construction of the addition under the approval of Application A20/2021 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 A20/2021.
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 addition contemplated under Application A20/2021.
5. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

CARRIED

DECISION

Moved by Gerri-Lynn O'Connor, Seconded by Cathie Proulx that Application A20/2021 by Audrey Hakonson, Plan 40M-2256 Part of BLK 107 40R23858 Part 1(Uxbridge) 43 Apple Tree Cres, Relief from Section 4.11.4.15.a.v to permit a rear yard depth of 5.8 m for a variance of 1.7 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 addition under the approval of Application A20/2021 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 A20/2021.
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 addition contemplated under Application A20/2021.
5. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

CARRIED

A21/2021- Detlef W. Ott, Part Lot 1 Concession 7(Uxbridge), 718-722 Davis Dr.

Detlef Ott was present as the owner of the property. This change would not impact what is seen on the property. It is internal storage in one of the buildings.

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-36/21 of Emilia Gruyters Planning Technician, Secretary Treasurer
Committee of Adjustment

re Committee of Adjustment Application A21/2021, relief from Rural Exception No. 39-
Part Lot 1 Concession 7, 718-722 Davis Dr Detlef W. Ott

Moved by Councillor Ruona
Seconded by Councillor Popp

THAT Report DS-36/21 of Emilia Gruyters, Planning Technician, Secretary Treasurer
Committee of Adjustment, be received for information;

AND THAT prior to the Committee of Adjustment making a decision with respect to
Application A21/2021 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 Bylaw, the following conditions should be established:

1. The owner/applicant shall apply for a building permit for a change of use permit.
2. 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.
3. The approval of the variance shall apply only to the existing metal clad building
contemplated under Application A21/2021.
4. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

CARRIED

DECISION

Moved by Frank Mazzotta, Seconded by Michelle McCarthy that Application A21/2021
by Detlef W. Ott, Part Lot 1 Concession 7(Uxbridge), 718-722 Davis Dr., Relief from
Section 4.4.5.39.b.ii to permit the existing metal clad building to be used to store items
not intended to be sold by auction, **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 owner/applicant shall apply for a building permit for a change of use permit.
2. 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.
3. The approval of the variance shall apply only to the existing metal clad building contemplated under Application A21/2021.
4. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

CARRIED

A22/2021- Greg & Danielle Wood, Part Lot 16 Concession 3 (Uxbridge), 6 Tindall Lane

Greg Wood was present as the owner of the property. There was a need for a larger building due to a larger family.

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-37/21 of Emilia Gruyters Planning Technician, Secretary Treasurer Committee of Adjustment re Committee of Adjustment Application A22/2021, Relief from Minimum Yard Requirements- Part Lot 16 Concession 3, 6 Tindall Lane - Greg & Danielle Wood

Moved by Councillor Beach

Seconded by Councillor Highet

THAT Report DS-37/21 of Emilia Gruyters, Planning Technician, Secretary Treasurer Committee of Adjustment be received for information;

AND THAT prior to the Committee of Adjustment making a decision with respect to Application A22/2021 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 Bylaw, the following conditions should be established:

1. The addition under the approval of Application A22/2021 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 A22/2021.
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 addition as it impacts the front yard depth and setback from the street centreline contemplated under Application A22/2021.
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 A22/2021 by Greg & Danielle Wood, Part Lot 16 Concession 3 (Uxbridge), 6 Tindall Lane, Relief from Section 4.8.2.c.i to permit a minimum front yard depth of 9.5 m for a variance of 0.5 m, Relief from Section 4.8.2.f.iv to permit a minimum setback from street centerline from a Township Road of 19.5 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 By-law is being maintained.**
4. **The intent of the Official Plan is being maintained.**

Conditional Upon:

1. The addition under the approval of Application A22/2021 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 A22/2021.
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 addition as it impacts the front yard depth and setback from the street centreline contemplated under Application A22/2021.
5. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

CARRIED

A23/2021- Kyle Walker & Tara Houison, Lot 64 Plan 40M-2151(Uxbridge), 44 Joseph St

Kyle Walker and Tara Houison were present as owners of the property. They were proposing an uncovered deck with a sunroom addition below. The lot line adjacent to the sunroom addition changes direction and becomes closer to the structure and is interpreted as the side yard of the lot and hence a variance is required.

The owners 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-38/21 of Emilia Gruyters Planning Technician, Secretary Treasurer Committee of Adjustment re Committee of Adjustment Application A23/2021, Relief from Minimum Yard Requirements- Lot 64 Plan 40M-2151, 44 Joseph St- Kyle Walker & Tara Houison

Moved by Councillor Popp
Seconded by Councillor Beach

THAT Report DS-38/21 of Emilia Gruyters, Planning Technician, Secretary Treasurer Committee of Adjustment be received for information;

AND THAT prior to the Committee of Adjustment making a decision with respect to Application A23/2021 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 Bylaw, the following conditions should be established:

1. The addition under the approval of Application A23/2021 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 A23/2021.
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 addition contemplated under Application A23/2021.
5. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

CARRIED

DECISION

Moved by Cathie Proulx, Seconded by Michelle McCarthy that Application A23/2021 by Kyle Walker & Tara Houison, Lot 64 Plan 40M-2151(Uxbridge), 44 Joseph St, Relief from Section 4.9.4.28.a.vi to permit a minimum rear yard depth of 7.5 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 By-law is being maintained.**
- 4. The intent of the Official Plan is being maintained.**

Conditional Upon:

1. The addition under the approval of Application A23/2021 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 A23/2021.

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 addition contemplated under Application A23/2021.
5. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

CARRIED

A24/2021- Basil & Christine Henriques, Lot 10 Plan 40M-2318(Uxbridge), 21 Bagshaw Cres

Basil Henriques was present as the owner of the property. The garage was required to store a full size pick up truck. It would be built on a slab foundation which is the standard size and exceeds the maximum total gross floor area.

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

Michelle McCarthy asked staff if a grading plan would be required for building permit. A grading plan would be reviewed if deemed necessary. The owner stated no change in grades would take place. Documents to show grading would not change would be acceptable.

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-39/21 of Emilia Gruyters Planning Technician, Secretary Treasurer
Committee of Adjustment

re Committee of Adjustment Application A24/2021, Relief from Lot Coverage & Height-
Lot 10 Plan 40M-2318, 21 Bagshaw Cres - Basil & Christine Henriques

Moved by Councillor Ruona
Seconded by Councillor Beach

THAT Report DS-39/21, of Emilia Gruyters, Planning Technician, Secretary Treasurer Committee of Adjustment, be received for information;

AND THAT prior to the Committee of Adjustment making a decision with respect to Application A24/2021 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 Bylaw, the following conditions should be established:

- 1 . The detached garage under the approval of Application A24/2021 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 A24/2021.
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 detached garage contemplated under Application A24/2021.
5. The accessory structure shall not be used for industrial, commercial or human habitation.
6. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

CARRIED

DECISION

Moved by Frank Mazzotta, Seconded by Gerri-Lynn O'Connor that Application A24/2021 by Basil & Christine Henriques, Lot 10 Plan 40M-2318(Uxbridge), 21 Bagshaw Cre, Relief from Section 5.1.d to permit a total gross floor area of all accessory buildings and structures on a lot of 69.7 m² for a variance of 9.7 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 . The detached garage under the approval of Application A24/2021 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 A24/2021.
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 detached garage contemplated under Application A24/2021.
5. The accessory structure shall not be used for industrial, commercial or human habitation.
6. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

CARRIED

A25/2021- Jim & Allison Prsa, Pt Blk 8 40M2638 40R30305 Parts 71 & 72 (Uxbridge), 19 Harry Thornton Lane

Allison Prsa was present as the owner of the property. She wanted to construct an uncovered deck with a pergola.

The chair reminded the owner and members LSRCA approval would be required and would be added to the conditions of approval.

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.

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-40/21 of Emilia Gruyters Planning Technician, Secretary Treasurer
Committee of Adjustment

re Committee of Adjustment Application A25/2021 - Relief from Unenclosed Porches, Balconies, Steps Or Patios- Pt Blk 8 40M2638 40R30305 Parts 71 & 72 , 19 Harry Thornton Lane – Jim & Allison Prsa

Moved by Councillor Popp
Seconded by Councillor Beach

THAT Report DS-40/21 of Emilia Gruyters, Planning Technician, Secretary Treasurer Committee of Adjustment, be received for information;

AND THAT prior to the Committee of Adjustment making a decision with respect to Application A25/2021 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 Bylaw, the following conditions should be established:

1. The construction of the deck under the approval of Application A25/2021 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 A25/2021.
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 deck contemplated under Application A25/2021.
5. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

CARRIED

DECISION

Moved by Michelle McCarthy, Seconded by Frank Mazzotta that Application A25/2021 by Jim & Allison Prsa, Pt Blk 8 40M2638 40R30305 Parts 71 & 72 (Uxbridge), 19 Harry Thornton Lane, Relief from Section 5.1.k to permit a maximum projection into the required yard of 4.2 m for a variance of 2.7 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 A25/2021 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 A25/2021.
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 deck contemplated under Application A25/2021.
5. The owner/ applicant obtain approval from the LSRCA prior to the issuance of a building permit.
6. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

CARRIED

ADJOURNMENT

The meeting adjourned at 8:00

Joanna Fast
Chair

Emilia Gruyters-Secretary
Treasurer