

MINUTES OF COMMITTEE OF ADJUSTMENT

The 5th meeting (Virtual) of 2021, the Committee of Adjustment for the Township of Uxbridge was held at 7:00 p.m. on Wednesday May 19, 2021.

PRESENT

Joanna Fast-Chair
Gerri Lynn O'Connor
Michelle McCarthy
Rob Miller
Frank Mazzotta
Emilia Gruyters-Secretary Treasurer

ABSENT

Cathie Proulx

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 Michelle McCarthy, Seconded by Frank Mazzotta, that the minutes of April 21, 2021 hearing be approved as presented.

A15/2021- Ron & Joanne Wilson, Lot 4 Plan M889(Uxbridge), 3 Harrison Dr

Ron and Joanne Wilson were present as the owners of the property. Ron explained there as only one washroom and their father was presently living with them.

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.

The members discussed condition #6 added by Council in their memo. The condition was changed to read “That nearby trees and root systems closest to Avonlea Road be protected to the greatest extent possible”. This change was carried by all members.

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-27/21 of Emilia Gruyters Planning Technician, Secretary
Treasurer Committee of Adjustment

re Committee of Adjustment Application A15/2021 - Relief from
Minimum Yard Dimensions — Lot 4, Plan M889 – 3 Harrison Dr. -
Ron & Joanne Wilson

Moved by: Mayor Barton

THAT Report DS-27/21, as amended, of Emilia Gruyters,
Planning Technician, be received for information;

AND THAT prior to the Committee of Adjustment making a decision
with respect to Application A15/2021, 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 addition under the approval of Application A15/2021 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 A15/2021.
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 addition contemplated under Application A15/2021.

5. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.
6. That nearby trees and root systems closest to Avonlea Road be protected.

CARRIED

DECISION

Moved by Gerri-Lynn O'Connor, Seconded by Michelle McCarthy that Application A15/2021 by Ron & Joanne Wilson, Lot 4 Plan M889 (Uxbridge), 3 Harrison Dr, Relief from Section 4.8.2.c.ii to permit an exterior side yard width of 5.8 m for a variance of 4.2 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 addition under the approval of Application A15/2021 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 A15/2021.
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 addition contemplated under Application A15/2021.
5. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.
6. That nearby trees and root systems closest to Avonlea Road be protected to the greatest extent possible.

CARRIED

A16/2021- Janet Patterson, Lot 26 Plan 40M1483(Uxbridge), 114 Munro Cres

Janet Patterson was present as the owner of the property. She explained she wanted to replace the existing deck with a sunroom. She has informed the adjacent neighbours of the construction and there were no concerns expressed. The roof of the addition would not be higher than the existing dwelling and should not impact anyone.

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-28/21 of Emilia Gruyters Planning Technician, Secretary Treasurer
Committee of Adjustment

Re Committee of Adjustment Application A16/2021 - Relief from Minimum Yard
Dimensions — Lot 26, Plan 40M 1483114 Munro Cres. - Janet Patterson

Moved by: Councillor Popp

THAT Report DS-28/21 of Emilia Gruyters, Planning Technician, be received for
information;

AND THAT prior to the Committee of Adjustment making a decision with respect to
Application A16/2021, 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 addition under the approval of Application A16/2021 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 A16/2021.

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 addition contemplated under Application A16/2021.
5. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

CARRIED

DECISION

Moved by Frank Mazzotta, Seconded by Rob Miller that Application A16/2021 by Janet Patterson, Lot 26 Plan 40M1483(Uxbridge), 114 Munro Cres, Relief from Section 4.9.c.v.iii to permit a rear yard depth of 5.4 m for a variance of 2.6 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 the addition under the approval of Application A16/2021 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 A16/2021.
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 addition contemplated under Application A16/2021.
5. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

CARRIED

A17/2021- Kayleen Yakeley, Glenna & Jeanie Turner-Daniel Ceron (Agent), Pt Lot 31 Concession 4 40R880 Part 1 & 2(Uxbridge), 428 Brewster Rd, A18/2021- Kayleen Yakeley-Daniel Ceron (Agent), Pt Lot 32 Concession 4 (Uxbridge),14239 Concession Rd 4

Daniel Ceron was present as the agent for the applications. He described the need for the land division application and that no new lots were being created.

The agent 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-29/21 of Emilia Gruyters Planning Technician, Secretary Treasurer
Committee of Adjustment

re Committee of Adjustment Applications A17/2021 and A18/2021, Relief from Minimum Lot Area Requirements — Pt Lot 31, Concession 4, 40R880 Part 1 & 2 - 428 Brewster Rd.. Kayleen Yakeley, Glenna & JeanieTurner-Daniel Ceron (Agent) - Pt Lot 32, Concession 4, 14239 Concession Rd 4Kayleen Yakeley-Daniel Ceron (Agent)

Moved by: Councillor Ruona

THAT Report DS-29/21 of Emilia Gruyters, Planning Technician, be received for information;

AND THAT prior to the Committee of Adjustment making a decision with respect to Application A17/2021 and A18/2021 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. In the event that the other conditions of approval of the related consent application (LD 076/2020 & 077/2020) are not satisfied, the decision of the Committee of Adjustment for these applications shall be deemed null and void.

CARRIED

DECISION

Moved by Michelle McCarthy, Seconded by Rob Miller that Application A17/2021 by Kayleen Yakeley, Glenna & Jeanie Turner-Daniel Ceron (Agent), Pt Lot 31 Concession 4 40R880 Part 1 & 2, (Uxbridge), 428 Brewster Rd, Relief from Section 4.4.2.a to permit a minimum lot area of 38.9 ha for a variance of 1.1 ha, **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 076/2020 & 077/2020) are not satisfied, the decision of the Committee of Adjustment for these applications shall be deemed null and void.

CARRIED

DECISION

Moved by Michelle McCarthy, Seconded by Rob Miller that Application A18/2021 by Kayleen Yakeley-Daniel Ceron (Agent), Pt Lot 32 Concession 4 (Uxbridge), 14239 Concession Rd 4, Relief from Section 4.4.2.a to permit a minimum lot area of 39.7 ha for a variance of 0.3 ha, **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 076/2020 & 077/2020) are not satisfied, the decision of the Committee of Adjustment for these applications shall be deemed null and void.

CARRIED

A19/2021- Shane & Elena Davenport, Pt Lot 26 Concession 2 40R19024 Part 3, 4(Uxbridge), 42 Kester Lane

Shane and Elena Davenport were present as the owners of the property. Shane felt the Chair had explained the application completely and had nothing further to add.

Gerri-Lynn inquired about whether they had spoken to the neighbours to the south. The owner had not but knew the public notices were sent out as notification.

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

Gail Sanderson from 7909 Durham Rd 30 was present in the audience. She asked how close the existing trees were to the new structure. It would be approximately 15 ft.

DECISION

Moved by Frank Mazzotta, Seconded by Gerri-Lynn O'Connor that Application A19/2021 by Shane & Elena Davenport, Pt Lot 26 Concession 2 40R19024 Part 3, 4(Uxbridge), 42 Kester Lane, Relief from Section 5.1.d to permit a total gross floor area of all accessory buildings and structures on a lot of 111.5 m² for a variance of 51.5 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 construction of the garage under the approval of Application A19/2021 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 A19/2021.
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 A19/2021.

5. The 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

ADJOURNMENT

The meeting adjourned at 8:00

Joanna Fast
Chair

Emilia Gruyters-Secretary
Treasurer