

MINUTES OF COMMITTEE OF ADJUSTMENT

The 8th meeting (Virtual) of 2021, the Committee of Adjustment for the Township of Uxbridge was held at 7:00 p.m. on Wednesday September 15, 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 August 18, 2021 hearing be approved as presented.

A4/2021-Graham Banks & Janet Hemming, Plan 83 Blk 000 Part lot 1, 2, 19, 40R-16666 Part 5 (Uxbridge) 30 Main Street South

Graham Banks and Janet Hemming were present as owners of the property. Mr. Banks explained he has been before the Committee of Adjustment a few times now and they have changed their proposal to request the construction of a dwelling only which requires a variance for the total lot coverage of 36.3 %.

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.

Gerri-Lynn O'Connor asked where his classic cars and other items would be stored now that the garage will not be rebuilt.

The classic cars would not be stored on this site. They own 2 small vehicles and one would be stored in the existing garage.

Gerri-Lynn O'Connor stated she has very grave concerns about the development and future development of the site.

Frank Mazzotta asked Ms. O'Connor to clarify further so he could understand her concerns.

Ms. O'Connor explained the first application far exceeded the overall coverage. She has no concerns with the plans presented today but reminded the owner the driveway could not be used for parking.

Joanna Fast reminded the members they could only look at the proposal before them tonight.

Written Comments

Report from Fire Department –See File

Report from Development Services – See File

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

Report DS-51/21 of Emilia Gruyters Planning Technician, Secretary Treasurer
Committee of Adjustment

re Relief from Maximum Lot Coverage -Plan 83 Blk 000 Part Lot 1, 2, 19, 40R-16666
Part 5- 30 Main St S. -Graham Banks & Janet Hemming

Moved by Councillor Popp

Seconded by Councillor Highet

THAT Report DS-51/21 of Emilia Gruyters, Planning Technician/Committee of
Adjustment Secretary be received for information;

AND THAT prior to the Committee of Adjustment making a decision with respect to
Application A4/2021, 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 dwelling under the approval of Application A4/2021 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 A4/2021.
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 dwelling and accessory building contemplated under Application A4/2021.
5. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

DECISION

Moved by Gerri-Lynn O'Connor Seconded by Cathie Proulx that Application A4/2021 by Graham Banks & Janet Hemming, Plan 83 Blk 000 Part lot 1, 2, 19, 40R-16666 Part 5 (Uxbridge) 30 Main Street South, Relief from Relief from Section 4.10.2.1.f to permit a maximum lot coverage of all buildings of 36.3 % for a variance of 6.3 %, **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 dwelling under the approval of Application A4/2021 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 A4/2021.
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 dwelling and accessory building contemplated under Application A4/2021.
5. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

CARRIED

A30/2021- Richard & Jana Clements, Pt Lot 20 Concession 4 40R23880 Part 6 & 8 (Uxbridge), 4829 Concession Rd 4

Richard and Jana Clements were present as the owners of the property. He presently stores his classic cars in tents on the property. There is a lot of dust from the nearby pit and he would like to protect the cars.

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.

Gerri-Lynn O'Connor asked about the 4 large trucks and trailers on the property and whether they would be stored in the garage. These items would not be stored in the new structure. In addition, the garage will be in front of the shed and the side yards would line up.

Frank Mazzotta identified an error on the map provided by the Treasurer. It should be the middle lot shown on the map . The secretary treasurer noted this error and would make the correction.

Written Comments

Report from Fire Department – See File

Report from Development Services – See File

The Council of the Township of Uxbridge provided the following comments;

**Report DS-52/21 of Emilia Gruyters Planning Technician,
Secretary Treasurer Committee of Adjustment**

re Relief from Lot Coverage and Height - Pt Lot 20 Concession 4, 40R23880 Parts 6 & 8, 4829 Concession 4- Richard & Jana Clements

Moved by Councillor Beach
Seconded by Councillor Ruona

THAT Report DS-52/21 of Emilia Gruyters, Planning Technician/Committee of Adjustment Secretary be received for information;

AND THAT prior to the Committee of Adjustment making a decision with respect to Application A30/2021, 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 accessory structure under the approval of Application A30/2021 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 A30/2021.
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 accessory building contemplated under Application A30/2021.
5. The accessory building 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.

DECISION

Moved by Cathie Proulx, Seconded by Gerri-Lynn O'Connor that Application A30/2021 by Richard & Jana Clements, Pt Lot 20 Concession 4 40R23880 Part 6 & 8 (Uxbridge), 4829 Concession Rd 4, Relief from Section 5.1.d.i to permit a to permit a total gross floor area of all accessory buildings and structures on a lot of 186.0 m² for a variance of 26.0 m² and to permit an interior side yard setback of 1.4 m for a variance of 1.6 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 accessory structure under the approval of Application A30/2021 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 A30/2021.

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 accessory building contemplated under Application A30/2021.
5. The accessory building 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

A31/2021- Good Life Developments Ltd-Mark Calicchia, Lot 149 Block U Plan 83, (Uxbridge) 237 Brock St W

Mark Calicchia was present as the owner of the property. He is planning to tear down the existing carport and build an attached garage with living space above.

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

Mieke Busman from 22 Beach St N was present in the audience. She referred to her letter she submitted to the Secretary Treasurer.

Mr. Caliccia stated he was not building a mammoth structure and just wanted to improve what was existing.

Gerri-Lynn O'Connor confirmed whether the 2 trees on the west side of the property will remain. The owner had no plans to remove them.

Frank Mazzotta inquired about the ownership of the trees.

Ms. O'Connor added they were Township owned.

Further discussions about the protection of the trees resulted in a request to add a recommendation in the approved conditions.

Written Comments

Report from Fire Department – See File

Report from Development Services – See File

The Council of the Township of Uxbridge provided the following comments;

**Report DS-53/21 of Emilia Gruyters Planning Technician,
Secretary Treasurer Committee of Adjustment**

re Relief from Minimum Yard Dimensions, Relief from Minimum Setback from Street Centreline -Lot 149 Block U Plan 83- 237 Brock St W -Good Life Developments-Mark Calicchia

Moved by Councillor Snooks
Seconded by Councillor Popp

THAT Report DS-53/21 of Emilia Gruyters, Planning Technician/Committee of Adjustment Secretary be received for information;

AND THAT prior to the Committee of Adjustment making a decision with respect to Application A31/2021, 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 A31/2021 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 A31/2021.
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 A31 /2021.
5. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

DECISION

Moved by Cathie Proulx, Seconded by Gerri-Lynn O'Connor that Application A31/2021 by Good Life Developments Ltd-Mark Calicchia, Lot 149 Block U Plan 83, (Uxbridge) 237 Brock St W, Relief from Section 4.9.2.c.ii to permit an exterior side yard depth of 1.5 m for a variance of 6.5 m, Relief from Section 4.9.2.g.iv to permit a minimum setback from street centreline of a Township road of 11.5 m for a variance of 6.5 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 construction of the addition under the approval of Application A31/2021 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 A31/2021.
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 A31 /2021.
5. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.
6. Any trees within the public right-of-way be protected to the satisfaction of the Township.

CARRIED

ADJOURNMENT

The meeting adjourned at 8:00 pm

Joanna Fast
Chair

Emilia Gruyters-Secretary
Treasurer