

MINUTES OF COMMITTEE OF ADJUSTMENT

The 9th meeting of 2017, the Committee of Adjustment for the Township of Uxbridge was held at 7:00 p.m. on Wednesday September 20, 2017 in Board Room A, Municipal Offices, Uxbridge, Ontario.

PRESENT

Marion Norton – Chair
Ed Chillman
Rob Miller
Brock Clark
Robert Harrison
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.

Marion Norton – Chairperson read the following:

Under the Freedom of Information and Protection of Privacy Act under the Environmental Assessment 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 Brock Clark, Seconded by Robert Harrison, that the minutes of July 19, 2017 hearing be approved, as presented.

Moved by Ed Chillman, Seconded by Robert Harrison, that the minutes of August 16, 2017 hearing be approved, as presented.

A33/2017– John Bodolai, Lot 35 Plan 40M 2256, 70 Oakside Drive

John Bodolai was present as the owner of the property. He purchased the property with a deck in the rear yard. There are a lot of bugs and he wishes to remove the deck and construct a sunroom addition. He stated the rear yard depth will be greater once the addition is constructed. He stated the neighbours support the application.

Written Comments

Fire Department – See File

Report from Development Services – See File

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

Report DS-53/17 of Emilia Gruyters, Planning Technician Development

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

Report DS-53/17 of Emilia Gruyters, Planning Technician Development Services re Committee of Adjustment Application A33/2017, Relief from the Rear Yard Depth, Relief from the Maximum Lot Coverage of All Buildings, Lot 35, 40M 2256 (Uxbridge), 70 Oakside Drive - John Bodolai

MOVED by Councillor Molloy

"THAT the Planning and Economic Development Committee receive Report DS-53/17 of Emilia Gruyters, Planning Technician-Development Services for information;

AND THAT prior to the Committee of Adjustment making a decision with respect to Application A33/2017, they should be satisfied that the proposed variance meet 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:

AND THAT prior to the framing stage of the construction, the owner's Ontario Land Surveyor shall submit a survey to the Township Building Department verifying the rear yard depth approved through the Committee of Adjustment Decision A33/2017.

AND THAT the approval of the variance shall apply only to the sunroom addition contemplated under Application A33/2017.

AND THAT the addition constructed under the approval of Application A33/2017 shall be in substantial conformity with the design and location of the plans submitted with the application.

AND THAT the owner/applicant shall obtain a building permit application for the construction within one (1) year of the final date of appeal of Application A33/2017."

The owner did not have issues with the conditions of approval.

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

The members discussed the application and felt there would not be an intrusion to the neighbours because of the row of cedars on the property.

DECISION

Moved by Robert Harrison, Seconded by Ed Chillman that application A33/2017 by John Bodolai, Lot 35 Plan 40M 2256 (Uxbridge), 70 Oakside Drive, Relief from Section 4.9.2.c.iv to permit a rear yard depth of 4.5 m for a variance of 3.5 m, Relief from Section 4.9.4.30.a.iv to permit a maximum lot coverage of all buildings of 43.2 % for a variance of 1.2 %, **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. Prior to the framing stage of the construction, the owner's Ontario Land Surveyor shall submit a survey to the Township Building Department verifying the rear yard depth approved through the Committee of Adjustment Decision A33/2017.
2. The approval of the variance shall apply only to the sunroom addition contemplated under Application A33/2017.
3. The addition constructed under the approval of Application A33/2017 shall be in substantial conformity with the design and location of the plans submitted with the application.
4. The owner/applicant shall obtain a building permit application for the construction within one (1) year of the final date of appeal of Application A33/2017.

A34/2017– Nikki Francies, Lot 351 Block MM Plan 83 40R-3479 Part 2, 50 Victoria Drive

Nikki was present as the owner of the property. She purchased the property 8 years ago and 2 years ago when the addition was constructed, the shed was replaced because it was in bad condition. She presented a letter from the neighbours in support of the application.

Written Comments

Fire Department – See File

Report from Development Services – See File

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

Report DS-54/17 of Emilia Gruyters, Planning Technician Development Services re Committee of Adjustment Applications A34/2017, Relief from the Rear Yard Depth, Lot 351, Block MM Plan 83, 40R-3479, Part 2 (Uxbridge), 50 Victoria Drive - Nikki Francies

MOVED by Councillor Bryan

"THAT the Planning and Economic Development Committee receive Report DS-54/17 of Emilia Gruyters, Planning Technician-Development Services for information;

AND THAT prior to the Committee of Adjustment making a decision with respect to Application A34/2017, they should be satisfied that the proposed variance meet 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:

AND THAT the approval of the variance shall apply only to the shed contemplated under Application A34/2017."

CARRIED

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

An objection letter was read (See file).

Marion asked if the shed was the same size and location as the old one. It was and has existed for 18 years prior to being torn down.

Further discussions by the members indicated the application needed to be tabled to add the maximum lot coverage of all buildings for the property.

DECISION

Moved by Brock Clark, Seconded by Rob Miller that application A34/2017 by Nikki Francies, Lot 351 Block MM Plan 83 40R-3479 Part 2 (Uxbridge), 50 Victoria Drive, Relief from Section 5.1.h.ii to permit a rear yard depth of 0.3 m for a variance of 0.9 m, **BE TABLED UNTIL NOVEMBER 15, 2017 TO ADD THE VARIANCE FOR THE MAXIMUM LOT COVERAGE OF ALL BUILDINGS.**

CARRIED

ADJOURNMENT

The meeting adjourned at 7:30 pm



Marion Norton- Chairperson



Emilia Gruyters- Secretary
Treasurer