

MINUTES OF COMMITTEE OF ADJUSTMENT

The 3rd meeting of 2017, the Committee of Adjustment for the Township of Uxbridge was held at 7:00 p.m. on Wednesday April 19, 2017 in the Council Chambers, Municipal Offices, Uxbridge, Ontario.

PRESENT

Marion Norton – Chair
Ed Chillman
Brock Clark
Robert Harrison
Rob Miller
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 Ed Chillman, that the minutes of March 15, 2017 hearing be approved, as presented.

A7/2017-Simon Bridle, Lots 86, 86 Plan 64, (Uxbridge), 14996 Regional Rd 1

Simon Bridle was present as the owner of the property. He is proposing a single storey garage 89.9 m² in size. There are no other accessory structures on the property except for a shed. The garage will be used for his personal items from the residence.

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-15/17 of Emilia Gruyters, Planning Technician-Secretary Treasurer Development Services re Committee of Adjustment Application No. A7/2017, Relief from the Maximum Total Gross Floor Area of all Accessory Buildings & Structures, Lots 86 & 87,

Plan 64 (Uxbridge) 14996 Regional Road 1- Simon Bridle
MOVED by Deputy Mayor Molloy

"THAT the Planning Technician-Secretary Treasurer receive Report DS-15/17 of Emilia Gruyters for information;
AND THAT prior to the Committee of Adjustment making a decision with respect to Application A7/2017, 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 accessory building shall not be used for human habitation, commercial or industrial purposes. An agreement between the Township and the owner be entered into to ensure this requirement;

CARRIED

The owner did not have issues with the conditions read.

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

Ed Chillman asked about the existing accessory structures on the property. The small garden shed will remain and the canvas structure will be removed.

Marion Norton asked about whether heat water or hydro will be installed in the building. There would be no heat or water. The applicant would like to begin construction as soon as possible.

DECISION

Moved by Robert Harrison, Seconded by Ed Chillman that application A7/2017 By Simon Bridle, Lots 86, 86 Plan 64, (Uxbridge), 14996 Regional Rd 1, Relief from Section 5.1.d to permit a total gross floor area of all accessory buildings and structures on a lot of 89.9 m² for a variance of 29.9 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:

The accessory building shall not be used for human habitation, commercial or industrial purposes. An agreement between the Township and the owner be entered into to ensure this requirement.

The approval of the variance shall apply only to the total gross floor area as contemplated under Application A7/2017.

The owner/applicant shall obtain a building permit for the construction within one (1) year of the final date of appeal of Application A7/2017.

The construction under the approval of Application A7/2017 shall be in substantial conformity with the design and location of the plans submitted with the application.

The costs of fulfilling the conditions shall be the responsibility of the owner.

CARRIED

A8/2017-1093560 Ontario Ltd.-Fabio Furlan, Part Lot 28 Concession 6 40R-29450 Part 2, 184 Toronto St S

A9/2017- 1093560 Ontario Ltd.-Fabio Furlan, Part Lot 28 Concession 6 40R-29450 Part 1 (Uxbridge) 23 A Cemetery Rd

Fabio Furlan was present as the owner of the property.

A motion was made by Ed Chillman to hear the applications together. Brock Clark seconded the motion.

Fabio explained the property known as 23 A Cemetery Rd was purchased in 2016 and an application was made to the Region of Durham land division committee to sever the property to create one additional lot. He has consulted with the neighbouring properties and they would like to see a single storey built on the two properties.

Fabio presented a list of signatures from the neighbours supporting the application.

Written Comments

Report from Development Services – See File

Fire Department – See File

Lake Simcoe Region Conservation Authority – See File

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

Report DS-16/17 of Emilia Gruyters, Planning Technician-Secretary

Treasurer Development Services re Committee of Adjustment Applications A8/2017 & A9/2017, Relief from the Maximum Lot Coverage, Part Lot 28 Concession 6, 40R-29450, Part 2 (Uxbridge) 184 Toronto Street South and Part Lot 28, Concession 6, 40R-29450 Part 1 (Uxbridge) 23 A Cemetery Road- 1093560 Ontario Ltd.- Fabio Furlan

MOVED by Councillor Bryan

"THAT the Planning and Economic Development Committee receive Report DS-16/17 of Emilia Gruyters, Planning Technician, regarding Committee of Adjustment Applications A8/2017 & A9/2017 for information;

AND THAT the Committee of Adjustment be advised that the Planning and Economic Development Committee does not support Applications A8/2017 and A9/2017."

CARRIED

The owner had no concerns about the conditions of approval.

Mr. Visconti from 22 Cemetery Rd was present in the audience. He supported the application because a bungalow would be compatible with the existing adjacent dwellings.

Brock confirmed the development would remain as a single storey dwelling. The owner could build a two storey dwelling but it would have to comply with the zoning requirements including coverage. The approval of this application was for an increased coverage requirement for a single storey dwelling.

DECISION

Moved by Brock Clark, Seconded by Ed Chillman that application A8/2017 and A9/2017 by 1093560 Ontario Ltd.-Fabio Furlan, Part Lot 28 Concession 6 40R-29450 Part 2, 184 Toronto St S, A9/2017- 1093560 Ontario Ltd.-Fabio Furlan Part Lot 28 Concession 6 40R-29450 Part 1 (Uxbridge) 23 A Cemetery Rd, Relief from Section 4.9.2.f to permit a maximum lot coverage of all buildings of 33.4 % for a variance of 3.4 %. Relief from Section 4.9.2.f to permit a maximum lot coverage of all buildings of 37.6 percent for a variance of 7.6 %, **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:

An agreement shall be entered into with the owner that addresses the requirements for lot creation for 184 Toronto St S and 23 A Cemetery Road and to also address the requirements of the Township's Allocation Policy for the lots. This agreement is required to be registered.

The applicant/owner shall provide a professional grading/site plan prior to the issuance of a building permit.

The maximum lot coverage variance for the construction shall be in substantial conformity with the variance proposed by the applications.

The dwellings proposed on the two lots shall be in substantial conformity with the plans submitted with the minor variance application.

The applicant shall obtain a building permit for the dwellings within one (1) year of the final date of appeal of Application A8/2017 and A9/2017.

Comments from the Lake Simcoe Region Conservation Authority shall be provided to determine if there are any concerns with the proposal.

Comments from the Region of Durham Health Department shall be provided to determine if there are any concerns with the proposal.

The costs of fulfilling the conditions shall be the responsibility of the owner/ applicant.

CARRIED

Reasons for the Decision:

This application meets the committee of adjustment requirements.

This application meets the plan and by-law intent.

A10/2017- Patrick Mulrooney & Tina Kazarian, Part Lot 25 Concession 5, 40R-4741 Part 1(Uxbridge), 529 Regional Highway 47

Patrick Mulrooney was present as the owner of the property. The property was purchased in 2016 and presently a dwelling with an attached garage is being built on the property. The dwelling has been constructed away from the flood plain area at the rear of the property and as a result there isn't a lot of space at the front on the property. The family has 7 vehicles and five daughters and an additional garage is needed on the property. The front yard was the only location for the needed space.

Written Comments

Report from Development Services – See File

Lake Simcoe Region Conservation Authority – See File

Fire Department – See File

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

Report DS-17/17 of Emilia Gruyters, Planning Technician-Secretary
Treasurer Development Services re Committee of Adjustment
Application A10/2017, Relief from the Minimum Front Yard Depth,
Part Lot 25, Concession 5, 40R-4741, Part 1 (Uxbridge)- 529
Regional Highway 4 7 - Patrick Mulrooney and Tina Kazarian

MOVED by Deputy Mayor Molloy
"THAT the Planning Technician-Secretary Treasurer receive
Report DS-17/17 of Emilia Gruyters for information;

AND THAT prior to the Committee of Adjustment making a
decision with respect to Application A10/2017, 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 front yard depth as contemplated under Application A10/2017;

CARRIED

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

The applicant did not have concerns with the approved conditions.

Ed asked about the distance of the garage from the well. The owner stated the
garage would be built on a floating pad and there would not be any footings. The
distance would meet the requirements.

Brock confirmed the building would be a single storey.

Marion asked about the accuracy of the front yard setback of 7.6 m. The owner
was confident it is accurate. The building would have hydro installed but not heat
or water. The owner wanted to construct the building as soon as possible.

DECISION

Moved by Ed Chillman, Seconded by Rob Miller that application A10/2017 by
Patrick Mulrooney & Tina Kazarian, Part Lot 25 Concession 5, 40R-4741 Part
1(Uxbridge), 529 Regional Highway 47, Relief from Section 4.4.2.c.i to permit a
front yard depth of 7.6 m for a variance of 7.4 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:

The approval of the variance shall apply only to the front yard depth as contemplated under Application A10/2017.

The owner/applicant shall obtain a building permit for the construction within one (1) year of the final date of appeal of Application A10/2017.

The construction under the approval of Application A10/2017 shall be in substantial conformity with the design and location of the plans submitted with the application.

The costs of fulfilling the conditions shall be the responsibility of the owner

CARRIED

A11/2017- Ethel Wright – Ralph Grander Part Lot 35 Concession 7 40R-28562 Part 2 (Uxbridge) 715 Ravenshoe Rd
A12/2017- Ethel Wright – Ralph Grander Part Lot 35 Concession 7 40R-28562 Part 1 (Uxbridge) 713 Ravenshoe Rd

Ethel Wright was present as the owner of the property. Ralph Grander was present as the agent for the application.

A motion was made by Rob Miller and Seconded by Robert Harrison that the applications be heard together.

Ralph explained he was asked to help in the process to create an additional lot. The availability of space for the septic system on the lot was available and an application to land division at the region of Durham was initiated. The LD application was approved conditionally provided the lots could meet the requirements of the zoning by-law. Variances are needed for the lot frontage and lot area requirements.

Written Comments

Report from Development Services – See File

Fire Department – See File

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

Report DS-18/17 of Emilia Gruyters, Planning Technician-Secretary Treasurer Development Services re Committee of Adjustment Applications A11/2017 & A12/2017, Relief from the Minimum Lot Frontage, Relief from Interior Side Yard Width, Relief from the Minimum Lot Area, Part Lot 35, Concession 7, 40R-28562, Part 1, 2 (Uxbridge)- 713 Ravenshoe Road and 715 Ravenshoe Road Ethel Wright - Ralph Grander

MOVED by Deputy Mayor Molloy

"THAT the Planning Technician-Secretary Treasurer receive Report DS-18/17 of Emilia Gruyters for information;

AND THAT prior to the Committee of Adjustment making a decision with respect to Application A11/2017 and A12/2017, 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;

AND THAT in the event that the other conditions of approval of the related consent application are not satisfied, the decision of the Committee of Adjustment for these applications shall be deemed null and void."

CARRIED;

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

The applicant did not have concerns with the approved conditions.

DECISION

Moved by Ed Chillman, Seconded by Robert Harrison that application A11/2017 by Ethel Wright – Ralph Grander Part Lot 35 Concession 7 40R-28562 Part 2 (Uxbridge) 715 Ravenshoe Rd, Relief from Section 4.8.2.b to permit a minimum lot frontage of 27.4 m for a variance of 7.6 m, Relief from Section 5.1.h.ii to recognize an interior side yard width of the existing garage of 0.6 m for a variance of 0.6 m and application A12/2017 Ethel Wright – Ralph Grander Part Lot 35 Concession 7 40R-28562 Part 1 (Uxbridge) 713 Ravenshoe Rd, Relief from Section 4.8.2.b to permit a minimum lot frontage of 22.8 m for a variance of 12.2 m, Relief from Section 4.8.2.a to permit a minimum lot area of 2,293 m² for a variance of 707.0 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:

In the event that the other conditions of approval of the related consent application are not satisfied, the decision of the Committee of Adjustment for these applications shall be deemed null and void.

CARRIED

ADJOURNMENT

The meeting adjourned at 8:30 pm



Marion Norton- Chairperson



Emilia Gruyters- Secretary
Treasurer