

MINUTES OF COMMITTEE OF ADJUSTMENT

The 5th meeting of 2016, the Committee of Adjustment for the Township of Uxbridge was held at 7:00 p.m. on Wednesday May 18, 2016 in the Council Chambers, Municipal Offices, Uxbridge, Ontario.

PRESENT

Marion Norton – Chair
Ed Chillman
Brock Clark
Robert Harrison
Cathie Proulx
Emilia Gruyters-Secretary Treasurer

ABSENT

Rob Miller

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.

Minutes were not available for this meeting.

A7/2016- John & Joanne Fraser, Part Lot 20 Concession 5, 40R-17939 Part 3 (Uxbridge), 543 Wagg Rd

John Fraser was present as the owner of the property. He was proposing a 45' x 75' storage/repair shop. There would not be animals on the property. The building would be located 65' away from the dwelling. A different location would require the removal of trees. The building would not be visible from the road. He has spoken to the neighbours. He has placed stakes in the ground to show the location of the new building.

Marion Norton was concerned about his description of "repair". John stated it would be only to complete minor repairs on this equipment.

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 23/16 of Emilia Gruyters, Planning Technician re Committee of Adjustment Application A7/2016, Relief from the Interior Side Yard Width, Part Lot 20, Concession 5, 40R-17939, Part 3 – 543 Wagg Road – John and Joanne Fraser

MOVED by Mayor O'Connor

“THAT the Planning and Economic Development Committee receive Report DS-23/16 of Emilia Gruyters, Planning Technician for information;

AND THAT it is recommended that prior to the Committee of Adjustment making a decision with respect to Application A7/2016, they should be satisfied that the proposed variances 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:

1. A Natural Heritage Study be submitted to address Part III and IV of the Oak Ridges Moraine Plan.
2. The approval of the variance apply only to the storage building contemplated under Application A7/2016.
3. The applicant obtain a building permit for the accessory storage building within one (1) year of the final date of appeal of Application A7/2016.
4. The interior side yard width proposed for the new building be in conformity with or greater than the setback of 22.0 m as approved through application A7/2016.”

CARRIED

After further review of the location of the property, a Natural Heritage Study would not be required and would be removed from the conditions.

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

Marion asked when the construction would take place. The applicant wanted to start as soon as possible. The applicant was unsure if the building would be heated but would install in- floor heating. There would be no plumbing. He stated the building would be

used to store bicycles, a boat and other items used to maintain the property. He said the property is cultivated by a farmer but the farm equipment would not be stored in the new building.

A discussion took place about the accuracy of the information provided on the application. The use of the building was described as a farm building on the application but after further discussions with the owner the actual use of the building is an accessory building for the residence. The variance should be requested for the total gross floor area of an accessory building and not the interior side yard setback for a farm building.

The members had no further questions.

DECISION

Moved by Brock Clark, Seconded by Cathie Proulx that application A7/2016 by John & Joanne Fraser, Part Lot 20 Concession 5, 40R-17939 Part 3 (Uxbridge), 543 Wagg Rd, Relief from Section 4.4.3.c.iii to permit an interior side yard width of 22.0 m for a variance of 8.0 m, **NOT BE APPROVED** as applied for the following reasons:

1. **The application is not minor in nature.**
2. **The development of the land is not appropriate and desirable.**
3. **The intent of the By-law is not being maintained.**
4. **The intent of the Official Plan is not being maintained.**

CARRIED

**A8/2016-2115247 Ontario Inc. – Lynda Trudel, Plan 83 Block 4 Lot 21(Uxbridge)
113 Main St N**

Michael Forte was present as the husband's owner of the property. Donald Jones was present as the agent for the application.

By-law enforcement has issued orders to remove the building because of its poor condition. The zoning by-law does not allow any new buildings on the property. The new building would be further away from the flood plain but a minor variance is required to permit the construction.

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 25/16 of Emilia Gruyters, Planning Technician re Committee of Adjustment Application A8/2016, Relief from Section 4.16.7.2 to permit a New Building, Plan 83, Block 4 Lot 21 (Uxbridge) – 113 Main Street North – 2115247 Ontario Inc. – Lynda Trudel

MOVED by Mayor O'Connor

“THAT the Planning and Economic Development Committee receive Report DS-25/16 of Emilia Gruyters, Planning Technician for information;

AND THAT it is recommended that prior to the Committee of Adjustment making a decision with respect to Application A8/2016, 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. Prior to the issuance of the building permit for the new building, the owner/ applicant satisfy the requirements of the LSRCA with respect to A8/2016.
2. The owner/ applicant enter into a site plan development agreement with the Township of Uxbridge;
3. The costs of fulfilling the above conditions shall be borne by the applicant/ owner.”

CARRIED

Cathie Proulx clarified the information by asking whether the same foot print would be used and what the number of stories would be. The same footprint would be used and there would be a second story added. The use of the building would be offices and retail.

Ed Chillman asked about the changes to the elevation due to the existing sloping grades on the property. The drainage will be designed with little changes to the grades.

Brock Clark clarified the extent of the property boundaries. The existing fenced area was the entire property.

There were no further questions.

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

DECISION

Moved by Ed Chillman, Seconded by Robert Harrison that application A8/2016 by 2115247 Ontario Inc. – Lynda Trudel Plan 83 Block 4 Lot 21 (Uxbridge), 113 Main St N, Relief from Section 4.16.7.2 to permit a new 2 storey building 120 m² footprint with a front yard setback of 9.0 m, 0.9 m from the north side yard setback, 16.0 m from the rear lot line, and 6.0 m from the side yard setback, **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.**

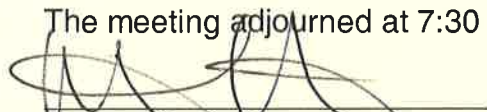
Conditional Upon:

1. Prior to the issuance of the building permit for the new building, the owner/applicant satisfy the requirements of the LSRCA with respect to A8/2016.
2. The owner/applicant enter into a site plan development agreement with the Township of Uxbridge.
3. The costs of fulfilling the above conditions shall be borne by the applicant/owner.

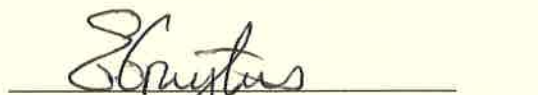
CARRIED

ADJOURNMENT

The meeting adjourned at 7:30 pm



Marion Norton- Chairperson



Emilia Gruyters- Secretary Treasurer