

MINUTES OF COMMITTEE OF ADJUSTMENT

The meeting (Virtual) of 2023, the Committee of Adjustment for the Township of Uxbridge was held at 7:00 p.m. on Wednesday February 21, 2024.

PRESENT

Michelle McCarthy – Chair
Frank Mazzotta
Ed Chillman
Lynn Barkey
Ted Shepherd
Kyle Rainbow, Director of Development Services
AJ Singh, Planning Technician-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, none were identified.

Michelle McCarthy – 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 Frank Mazzotta, seconded by Lynn Barkey, that the minutes of the December 13th, 2023 hearing be approved as presented.

A1/2024 – Brundale Fine Homes Ltd., LT 643, BLK 53 PL 30; PT LT 642, BLK 53 PL 30 AS IN D94103, 25 Jonathan Street

Tony Bruno and Laura Kumic were present as the applicants of the variances on the property. Jim Kotsopoulos was present as the agent and representative of the owners of the property.

- Michelle McCarthy summarized the application.
- Jim Kotsopoulos identified the need for the variances, stating that the proposed lot frontages would fit in with the existing neighborhood character.
- Ms. McCarthy posed a question to the applicant regarding the development of the semi-detached houses on the property.
- Mr. Kotsopoulos indicated that the development of single detached houses was proposed, considering the existing fabric of the neighborhood.

- Ms. McCarthy posed another question regarding the massing and scale of the development and asked if the elevations were submitted along with the application.
- Kyle Rainbow answered the question, stating that the file had gone through the Land Division Process, and the applicant had provided the elevations of the development as part of the Land Division Application.
- Lynn Barkey asked who would develop the proposed walkway.
- Mr. Rainbow answered that the Township would be responsible for developing the walkway.
- Mr. Barkey asked another question concerning the reduction of the side yard setback for Part 2 and its effect on the neighboring property.
- Mr. Rainbow indicated that the new lot is in keeping with the new development in the town.
- Ted Shepherd and Ms. McCarthy suggested obtaining the Land Division Files associated with the Minor Variance Applications.
- Mr. Rainbow agreed to the suggestion.
- Ms. McCarthy stated that the Lake Simcoe Region Conservation Authority indicated that the property is located outside of the regulated area, and approval is not required.
- Mr. Kotsopoulos indicated no objection to the conditions as outlined in the staff report.

Written Comments

Report from Development Services – See File

Lake Simcoe Region Conservation Authority – See File

Fire Department – See File

DECISION

Moved by Ted Shepherd, Seconded by Ken May that Application A1/2024- Brundale Fine Homes Ltd., LT 643, BLK 53 PL 30; PT LT 642, BLK 53 PL 30 AS IN D94103, 25 Jonathan Street, Relief from Section 4.9.2.b.i to permit a minimum lot frontage of 13.52

m for a variance of 3.48 m, Relief from Section 4.9.2.c.iii to permit a minimum interior side yard (other side) of 0.6 m for a variance of 0.9 m, and Relief from Section 4.9.2.f. to permit a maximum lot coverage of 32% for a variance of 2%, BE APPROVED 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 Zoning By-law is being maintained.**
4. **The intent of the Official Plan is being maintained.**

Conditional upon:

1. The proposed minimum lot frontage under the approval of Application A1/2024 shall be in substantial conformity with the design & location of the plans submitted with the application.
2. The owner / applicant shall satisfy all conditions of the variance no later than one year from the end of the of the appeal period established under the Planning Act.
3. The owner/applicant shall obtain a building permit application within one year of the final date of appeal of A1/2024.
4. The approval of the variances shall apply only to the areas contemplated under Application A1/2024.

CARRIED

A2/2024 – Brundale Fine Homes Ltd., LT 643, BLK 53 PL 30; PT LT 642, BLK 53 PL 30 AS IN D94103, 25 Jonathan Street (Part 2)

Tony Bruno and Laura Kumic were present as the applicants of the variances on the property. Jim Kotsopoulos was present as the agent and representative of the owners of the property. This application is in relation to the previous application A30/2023.

- The matter to this application was heard in conjunction with the previous application A30/2023.

Written Comments

Report from Development Services – See File

Lake Simcoe Region Conservation Authority – See File

Fire Department – See File

DECISION

Moved by Ted Shepherd, Seconded by Ken May that Application A2/2024- Brundale Fine Homes Ltd., LT 643, BLK 53 PL 30; PT LT 642, BLK 53 PL 30 AS IN D94103, 25 Jonathan Street (Part 2), Relief from Section 4.9.2.b.i to permit a minimum lot frontage of 13.52 m for a variance of 3.48 m, Relief from Section 4.9.2.c.iii to permit a minimum interior side yard (other side) of 0.6 m for a variance of 0.9 m, and Relief from Section 4.9.2.f. to permit a maximum lot coverage of 32% for a variance of 2%, BE APPROVED 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 Zoning By-law is being maintained.**
- 4. The intent of the Official Plan is being maintained.**

Conditional upon:

1. The proposed minimum lot frontage under the approval of Application A2/2024 shall be in substantial conformity with the design & location of the plans submitted with the application.
2. The owner / applicant shall satisfy all conditions of the variance no later than one year from the end of the of the appeal period established under the Planning Act.
3. The owner/applicant shall obtain a building permit application within one year of the final date of appeal of A2/2024.
4. The approval of the variances shall apply only to the areas contemplated under Application A2/2024.

CARRIED

A3/2024 – Walter Ferreira and Janey Worton, LOT 5, PLAN 40M-1980, 10 Kester Lane

Walter Ferreira was present as the applicant and owner of the property.

- Michelle McCarthy summarized the application.

- Walter Ferreira identified the need for the variance and explained the proposal.
- Frank Mazzotta asked the applicant about the grading and existing trees.
- Mr. Ferreira explained the grading for the proposal and mentioned that existing trees will be removed, and he plans to plant Cedar trees for additional privacy.
- Mr. Mazzotta and Ken May posed a question regarding the Septic System, asking if Mr. Ferreira plans to relocate the existing shed instead of demolishing it.
- Mr. Ferreira answered the question, stating that he is discussing with his architect and engineer whether the Septic System needs to be moved in case of relocating the existing shed.
- Kyle Rainbow added that the Durham Region reviews the Septic System in the case of any development on rural properties.
- Ms. McCarthy stated that the Lake Simcoe Region Conservation Authority indicated that the property is located outside of the regulated area, and approval is not required.
- Ms. McCarthy further stated that the Fire Department raised no objections.
- Mr. Ferreira indicated no objections to the conditions as outlined in the staff report.

Written Comments

Report from Development Services – See File

Lake Simcoe Region Conservation Authority – See File

Region of Durham Health Department – See File

Fire Department – See File

DECISION

Moved by Frank Mozzotta, Seconded by Lynn Barkey that Application A3/2024- Walter Ferreira and Janey Worton, LOT 5, PLAN 40M-1980, 10 Kester Lane, Relief from Section 5.1.d to permit maximum Gross Floor Area of 224 sqm for a variance of

164sqm, and to permit maximum height of 7.6 m for a variance of 2.6 m, BE APPROVED 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 Zoning By-law is being maintained.**
4. **The intent of the Official Plan is being maintained.**

Conditional upon:

1. The proposed Accessory Structure in the rear yard under the approval of Application A3/2024 shall be in substantial conformity with the design & location of the plans submitted with the application.
2. The owner/applicant shall demonstrate that the existing Accessory Structure has been demolished prior to this approval being final, or shall enter into an Development Agreement which includes a requirement to demolish the Accessory Structure following final inspection of the proposed Accessory Structure.
3. The owner/applicant shall obtain a building permit application within one year of the final date of appeal of A3/2024.
4. The owner/applicant shall satisfy all conditions of the variance no later than one year from the end of the of the appeal period established under the Planning Act.
5. The approval of the variances shall apply only to the areas contemplated under Application A3/2024.

CARRIED

A4/2024 – Paul Winkel And Karen Winkel, PCL 53-1 SEC 40M1477; LT 53 PL 40M1477 (UXBRIDGE); S/T A RIGHT AS IN LT364790, 12 Carmody Lane

Paul Winkel and Karen Winkel were present as the applicants and owners of the property.

- Michelle McCarthy summarized the application.
- Paul Winkel identified the need for the variance and explained the proposal.

- Ms. McCarthy stated that the Lake Simcoe Region Conservation Authority indicated that the property is located outside of the regulated area, and approval is not required.
- Ms. McCarthy further stated that the Fire Department raised no objections.
- Mr. Winkel and Ms. Karen Winkel indicated no objection to the conditions as outlined in the staff report.

Written Comments

Report from Development Services – See File

Lake Simcoe Region Conservation Authority – See File

Fire Department – See File

DECISION

Moved by Ken May, Seconded by Lynn Barkey that Application A4/2024- Paul Winkel And Karen Winkel, PCL 53-1 SEC 40M1477; LT 53 PL 40M1477 (UXBRIDGE); S/T A RIGHT AS IN LT364790, 12 Carmody Lane, Relief from Section 4.9.2.f to maximum Lot Coverage of 40.9% for a variance of 10.9%, BE APPROVED 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 Zoning By-law is being maintained.**
- 4. The intent of the Official Plan is being maintained.**

Conditional upon:

1. The proposed covered deck in the rear yard under the approval of Application A4/2024 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 one year of the final date of appeal of A4/2024.
3. The owner/applicant shall satisfy all conditions of the variance no later than one year from the end of the of the appeal period established under the Planning Act.
4. The approval of the variances shall apply only to the areas contemplated under Application A4/2024.

CARRIED

Other business

In Person Meetings

Kyle Rainbow indicated that other Township has a capability to hold meetings in hybrid format. Members of the Committee expressed their opinions regarding the format. Pros and cons of both virtual and in-person meetings were discussed thoroughly. It was agreed upon that virtual meetings provide flexibility and broader access for the members and public to participate. After a comprehensive discussion, it was resolved that the Committee of Adjustment Meetings will be conducted virtually until further notice.

ADJOURNMENT

The meeting adjourned at 7:56 pm

Michelle McCarthy

Michelle McCarthy

Aj Singh

Aj Singh, Planning Technician/
Secretary Treasurer