

## MINUTES OF COMMITTEE OF ADJUSTMENT

The meeting (Virtual) of 2025, the Committee of Adjustment for the Township of Uxbridge was held at 7:00 p.m. on Wednesday February 12<sup>th</sup>, 2025.

### PRESENT

Frank Mazzotta – Chair

Lynn Barkey – Vice Chair

Ken May

Ted Shepherd

Anthony Woodruff

Marc Anthony Miller - Secretary-Treasurer & Planning Technician

Michael Klose – Chief Building Official

### 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.

Frank Mazzotta – 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.**

### VOTING ON MINUTES

Moved by Lynn Barkey seconded by Ted Shepherd, that the minutes of the January 15<sup>th</sup>, 2024, hearing be approved as presented.

### **A1/2025 – DARREN & MICHELLE PLUMMER - PT LT 34 CON 7 UXBRIDGE PT 1,40R7024 ; UXBRIDGE, 7445 O'NEIL ROAD**

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Darren & Michelle Plummer were present as the applicants and owners of the property

- Frank Mazzotta introduced the application and explained the nature of the proposal. Mr. Mazzotta further described the buildings currently situated on the lot.
- Michelle Plummer presented the proposed use of the building and the amount of relief being requested as part of the variance. Ms. Plummer explained

the reason for requesting the proposed variance and the establishment of the home business.

- Darren Plummer provided further information on the proposal, describing the history of the use proposed. Mr. Plummer added that the original proposed Kennel and Dog Daycare use has since been changed following discussions with Township staff. Mr. Plummer explained that the Township Zoning By-law permits pet grooming as a Home Industry use which is to be located in an accessory building and shall also contain an area dedicated to personal storage. Mr. Plummer stated that he is aware of the letters of comment addressed to the Committee concerning the proposed variance.
- Lynn Barkey posed a question to staff regarding the maximum allowable gross floor area for accessory buildings on lots of different sizes.
- Marc Anthony Miller responded, indicating that the By-law provides additional maximum allowable gross floor area measurements for lots of different areas.
- Michael Klose stated that, as provided in Section 5 of the Zoning By-law, between two and four hectares of lot area, a lot is permitted a maximum of 200 square meters total of accessory building gross floor area. Mr. Klose added that on lots above eight hectares, 250 square meters of gross floor area is permitted.
- Anthony Woodruff posed a question to the applicants as to whether they've read and understood the staff report and the conditions proposed.
- Mr. Plummer responded, stating that he is willing to make any arrangements necessary to build the proposed building. Mr. Plummer added that he has had numerous discussions with Township staff as well from other agencies such as the Lake Simcoe Region Conservation Authority and the Regional Health Department regarding the proposed building and use. Mr. Plummer stated that Committee Chair Frank Mazzotta conducted a site visit and inspected the proposed building location. Mr. Plummer concluded by stating that he is willing to make any arrangements necessary to ensure that the building is built correctly.
- Mr. Mazzotta posed a question to Anthony Woodruff regarding the question he originally posed and whether he was satisfied with the answer Mr. Plummer presented.
- Mr. Woodruff stated that the question posed was to ensure that the applicants are aware of the regulations of the Zoning By-law as they are outlined in the Development Services Staff Report.

- Mr. Mazzotta asked staff the basis of the conditions in the report and whether the applicants would be required to remain in conformity with the points raised throughout the report.
- Mr. Miller stated that the Committee can make a decision to impose the conditions outlined in the Staff Report. Mr. Miller added that such conditions are established based on the analysis of the four tests of a Minor Variance and the content and context of the report.
- Mr. Mazzotta stated that he conducted a site visit on the property and understands the proposal of the applicant.
- Gail Sanderson of 7909 York Durham Line, Uxbridge, posed a question to the Committee regarding the applicant's proposal and the regulation imposed pertaining to accessory building Gross Floor Area.
- Mr. Mazzotta stated that the Zoning By-law provides a maximum Gross Floor Area requirement for accessory buildings. Mr. Mazzotta added that the applicant's proposal results in a total Gross Floor Area of all accessory buildings larger than the maximum. Therefore, the applicant is required to apply for relief from this provision of the by-law.
- Ms. Sanderson stated that she posed the question to ensure that the applicant would have sufficient area for the proposed use and would not be subject to further variances at a later date.
- Mr. Mazzotta stated that the Committee considers an application for relief as presented by the applicant. Any further variation from the proposal will be considered at that time and would be dependent upon the future decision of the applicant.
- Mr. Mazzotta stated that seven letters of correspondence were received from members of the public concerning the application. Mr. Mazzotta stated that all except for the first letter received were in support of the application. Mr. Mazzotta summarized the concerns raised by the first letter received dated February the 6<sup>th</sup>, 2025. Mr. Mazzotta stated that the issue of building Gross Floor Area has been addressed. Mr. Mazzotta summarized the second point regarding the secondary entrance. Mr. Mazzotta stated that with respect to unfinished landscaping, this is an issue to be raised with Township Staff by a complainant. Regarding the fourth point, Mr. Mazzotta stated that the Committee was provided with an arborist report, and he fully understands what is being proposed and removed as part of the application and has no questions. Mr. Mazzotta added that the concern of increased traffic on the street is a matter to be addressed with the Township should the proposal result in added traffic. Mr. Mazzotta asked the Committee if they had any questions or concerns with the letter received and the points raised in the letter.

- Mr. Mazzotta posed a question to the applicant regarding the proposed septic system.
- Mr. Plummer stated that he has been in conversation with the Regional Health Department regarding a proposed septic on the lot. Mr. Plummer stated the Health Department provided the sizing figure for a septic system. The system is to be a separate system from the system servicing the dwelling. Mr. Plummer stated that the proposal will be using the existing well on the property.
- Mr. Mazzotta stated that commenting letters were received from the Uxbridge Fire Department, Lake Simcoe Region Conservation Authority, Durham Region Health Department, Regional Development Advisory Services and Metrolinx with no objection to the application.
- Mr. Mazzotta asked the applicant if they have read the conditions as outlined in the staff report.
- Mr. Plummer stated that he is unaware of the proposed conditions.
- Mr. Miller presented the conditions to the applicant.
- Mr. Plummer asked a question regarding the third condition outlined in the Development Services Staff report and added that they intend to add additional trees to the front of the property to act as a visual buffer.
- Mr. Mazzotta stated that Staff will review the Tree Preservation Plan as suggested in the third conditions of the staff report.

### **Written Comments**

Report from Development Services – See File

Uxbridge Fire Department – See File

Lake Simcoe Region Conservation Authority – See File

Regional Development Advisory Services – See File

Region of Durham Health Department – See File

Metrolinx – See File

Letter from Resident (Feb 11, 2025) – See File

Letter from Resident (Feb 11, 2025) – See File

Letter from Resident (Feb 11, 2025) – See File

Letter from Resident (Feb 10, 2025) – See File

Letter from Resident (Feb 10, 2025) – See File

Letter from Resident (Feb 9, 2025) – See File

Letter from Resident (Feb 6, 2025) – See File

## **DECISION**

Moved by Ken May, Seconded by Ted Shepherd that Application A1/2025 – **DARREN & MICHELLE PLUMMER - PT LT 34 CON 7 UXBRIDGE PT 1,40R7024 ; UXBRIDGE, 7445 O’NEIL ROAD**. Relief from **Section 5.1(d)(i)** to permit a maximum total Gross Floor Area of **279 square metres** for all accessory buildings and structures on a lot, except swimming pools and farm implement sheds. 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. Approval of Application A1/2025 for the proposed accessory building shall apply solely to the property subject to the application and shall be in substantial conformity with the design, location as indicated on the applicant's submitted plans, refer to Exhibit #2, Exhibit #3.
2. The owner/applicant shall obtain a building permit within one year of the final date of appeal of A1/2025.
3. The owner/applicant shall provide a Tree Preservation Plan to the satisfaction of Township Staff, prior to the issuance of a building permit, which shall include, but not limited to, mitigation measures to protect the remaining vegetation and trees on the lot.

**CARRIED**

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## OTHER BUISNESS

### Gail Sanderson of 7909 York Durham Line

- Ms. Sanderson solely congratulated Committee member Frank Mazzotta for his appointment as Chair of the Committee of Adjustment.
  - Mr. Mazzotta thanked Ms. Sanderson for her congratulations and recognized the appointment of member Lynn Barkey to the position of Vice-Chair of the Committee.
  - Ms. Sanderson posed a question to staff regarding the election of a new Committee member.
  - Mr. Miller responded that the opening was posted on the Township website and has since closed, and that staff will be processing the applications received.
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## ADJOURNMENT

The meeting adjourned at 7:52 pm

*Frank Mazzotta*

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Frank Mazzotta, Chair

*Marc Anthony Miller*

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Marc Anthony Miller, Planning Technician