

## MINUTES OF COMMITTEE OF ADJUSTMENT

The 3rd meeting (Virtual) of 2022, the Committee of Adjustment for the Township of Uxbridge was held at 7:00 p.m. on Wednesday May 18, 2022.

### PRESENT

Joanna Fast-Chair  
Michelle McCarthy-Vice Chair  
Gerri Lynn O'Connor  
Cathie Proulx  
Frank Mazzotta  
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.**

Joanna Fast – 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 Gerri Lynn O'Connor, Seconded by Michelle McCarthy, that the minutes of April 20, 2022, hearing be approved as presented.

### **A32/2021- Hans Steel Canada – Shenshu Zhang (Agent) Lots 3-6 Plan 40M-1679 (Uxbridge) 6 Sangster Rd**

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Alan Zhu was present as representative of the company. Shenshu Zhang was present as the agent for the application.

Joanna Fast summarized the variances.

Alan Zhu explained the variances and the need for the new building.

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

Mr. Zhang did not have any concerns with the conditions of approval should the application be granted.

Joanna inquired about the dotted line identified as underground. This area is the location of the underground water storage tank for storm water management.

Gerri Lynn O'Connor asked about the number of employees presently working at the company. There are 25 individuals employed and this number will increase to an additional 30 employees once the new building is constructed for a total of 55. The total number of parking spaces available will be 130.

Michelle McCarthy stated the calculations for the landscaped open space appears low is it accurate. The south side of the building is planting and around the existing building is a soft surface and the area between the existing building and the proposed is paved.

### **Written Comments**

Report from Fire Department –See File

Report from Development Services – See File

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

Report DS-61/21 of Emilia Gruyters Planning Technician, Secretary Treasurer  
Committee of Adjustment

re Relief from the Minimum Front Yard Depth  
Relief from the Minimum Exterior Side Yard Width  
Relief from Minimum Setback from the Street Centreline  
Relief from the Parking Space Requirement  
Relief from the Maximum Lot Coverage of All Buildings  
Relief from the Maximum Floor Space Index  
Relief from the Minimum Landscape Open Space  
Relief from the Maximum Height  
Relief from the Use of the Exterior Side Yard  
Relief from the Parking Area Location  
Relief from the Landscape Location

Lot 3-6 40M-1679 (Uxbridge)  
6 Sangster Rd Hans Steel Canada - Shenshu Zhang (Agent)  
Moved by Councillor Snooks  
Seconded by Councillor Beach

THAT Report DS-61/21 of Emilia Gruyters, Planning Technician be received for information;

AND THAT prior to the Committee of Adjustment making a decision with respect to Application A32/2021, 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. The owner/applicant shall obtain a building permit within one (1) year of the final date of appeal of Application A32/2021.
2. The owner/applicant shall obtain approval from the Region of Durham Health Department.
3. The owner/applicant shall enter into an amending site plan agreement with the Township of Uxbridge.
4. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant;

**CARRIED**

#### **DECISION**

Moved by Gerri-Lynn O'Connor Seconded by Cathie Proulx that Application A32/2021 by Hans Steel Canada – Shenshu Zhang (Agent) Lots 3-6 Plan 40M-1679 (Uxbridge) 6 Sangster, Relief from Section 4.18.2.c.i to permit a front yard depth (Anderson Blvd) of 6.0 m for a variance of 9.0 m, Relief from Section 4.18.2.f.iv to permit a minimum setback from the street centerline of a Township Rd (Anderson Blvd) of 19.5 m for a variance of 5.6 m, (Sangster Rd) of 32.4 m for a variance of 7.4 m, Relief from Section 5.15 to permit a minimum number of parking spaces of 130 for a variance of 73 spaces, Relief from section 4.18.2.c.ii to permit an exterior side yard width (York-Durham Line) of 13.1 m for a variance of 1.9 m and an exterior side yard width of Sangster Rd of 13.6 m for a variance of 1.4 m, Relief from section 4.18.9.27.b.ii to permit a maximum lot coverage of 39.2 % for a variance of 9.2 %, Relief from section 4.18.9.27.b.iii to permit a maximum floor space index of .41 for a variance of 0.11, Relief from section 4.18.9.27.b.iv to permit a minimum landscape open space of 21.7 % for a variance of 28.3%, Relief from section 4.18.2.h to permit a maximum building height of 19.0 m for a variance of 7.0 m, Relief from section 4.18.6 to allow exterior yard to be obstructed with parking, Relief from section 5.15.e.iii to permit parking area in the exterior yard, **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 Zoning By-law is being maintained.**
4. **The intent of the Official Plan is being maintained.**

**Conditional Upon:**

1. The owner/applicant shall obtain a building permit within one (1) year of the final date of appeal of Application A32/2021.
2. The owner/applicant shall obtain approval from the Region of Durham Health Department.
3. The owner/applicant shall enter into an amending site plan agreement with the Township of Uxbridge.

**CARRIED**

**A3/2022— Peter Hardie, Natasha Hardie, Julian Hardie, Mark Hardie-Shane Gregory (Agent), Part Lot 35 Concession 6 40R-12974 Part 2 (Uxbridge), 647 B Ravenshoe Rd**

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Shane Gregory was present as the agent for the application.

The Chair summarized the variances.

Mr. Gregory explained the process through which he wanted to defer the application from the April meeting to confirm the legal description as being part 2 on 40R-12974 and as a result determining the lot is a vacant.

**Written Comments**

Report from Fire Department –See File

Report from Development Services – See File

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

Report DS-09/22 of Emilia Gruyters Planning Technician, Secretary Treasurer  
Committee of Adjustment

re Committee of Adjustment Application No. A3/2022 – Relief from Frontage on an Improved Road-Part Lot 35 Concession 6 40R-12974 Part 1-647 B Ravenshoe Rd-  
Peter Hardie, Natasha Hardie, Julian Hardie & Mark Hardie-Shane Gregory (Agent)

Moved by Councillor Ruona

THAT Report DS-09/22 of Emilia Gruyters, Planning Technician be received for information;

AND THAT prior to the Committee of Adjustment making a decision with respect to Application A3/2022, 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. The structure under the approval of Application A3/2022 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 1 year of the final date of appeal of A3/2022.
3. The owner/applicant shall obtain approval from Lake Simcoe Region Conservation Authority.
4. The owner/applicant shall obtain approval from the Region of Durham Health Department.
5. The owner/applicant shall satisfy all conditions of the variance no later than 1 year from the end of the appeal period established under the Planning Act.
6. The approval of the variance shall apply only to the dwelling contemplated under application A3/2022.
7. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

**Carried**

The members discussed and approved condition 2 be extended to 2 years to obtain a building permit application because of the necessary approval from LSRCA.

## **DECISION**

Moved by Gerri-Lynn O'Connor Seconded by Michelle McCarthy that Application A3/2022 by Peter Hardie, Natasha Hardie, Julian Hardie, Mark Hardie-Shane Gregory (Agent), Part Lot 35 Concession 6 40R-12974 Part 2 (Uxbridge), 647 B Ravenshoe Rd, Relief from Section 5.7 to permit the construction of a single-family dwelling 315.8 m<sup>2</sup> in size on a lot which does not have frontage upon an improved public road, **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 Zoning By-law is being maintained.**
4. **The intent of the Official Plan is being maintained.**

**Conditional Upon:**

1. The structure under the approval of Application A3/2022 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 1 year of the final date of appeal of A3/2022.
3. The owner/applicant shall obtain approval from Lake Simcoe Region Conservation Authority.
4. The owner/applicant shall obtain approval from the Region of Durham Health Department.
5. The owner/applicant shall satisfy all conditions of the variance no later than 1 year from the end of the appeal period established under the Planning Act.
6. The approval of the variance shall apply only to the dwelling contemplated under application A3/2022.
7. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

**CARRIED**

**A9/2022— John & Donna Hoover, Part Lot 8 Concession 2, 40R21187 Part 1 & 2(Uxbridge), 2499 Concession 2**

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John Hoover was present as the property owner.

Joanna Fast summarized the variances.

The owners did not have any concerns with the conditions of approval should the application be granted.

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

**Written Comments**

Report from Fire Department –See File

Report from Development Services – See File

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

Report DS-1422 of Emilia Gruyters Planning Technician, Secretary Treasurer  
Committee of Adjustment

re Committee of Adjustment Application No. A6/2022 -Relief from Lot Coverage-Lot 14  
Pla 40M-2219-6 Sugar Bush Lane-Michael & Jill Bailey

Moved by: Councillor Pop  
Seconded by Councillor Garrod

THAT Report DS-14/22 of Emilia Gruyters, Planning Technician be  
received for information;

AND THAT prior to the Committee of Adjustment making a decision  
with respect to Application A6/2022, 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. The structure proposed under the approval of Application A6/2022 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 1 year of the final date of appeal of A6/2022.
3. The owner/applicant shall satisfy all conditions of the variance no later than 1 year from the end of the appeal period established under the Planning Act.
4. The approval of the variance shall apply only to the accessory structure contemplated under application A6/2022.
5. The owner/applicant shall submit an NHS to the satisfaction of the Township of Uxbridge prior to the issuance of a building permit.
6. The accessory structure shall not be used for human habitation, industrial or commercial uses.

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

**Carried**

**DECISION**

Moved by Michelle McCarthy Seconded by Frank Mazzotta that Application A6/2022 by Michael & Jill Bailey, Lot 14 Plan 40M-2219(Uxbridge), 6 Sugarbush Lane, Relief from Section 5.1.d to permit a total gross floor area of all accessory buildings and structures on a lot of 140.5 m<sup>2</sup> for a variance of 80.5 m<sup>2</sup>, **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 Zoning By-law is being maintained.**
4. **The intent of the Official Plan is being maintained.**

**Conditional Upon:**

1. The structure proposed under the approval of Application A6/2022 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 1 year of the final date of appeal of A6/2022.
3. The owner/applicant shall satisfy all conditions of the variance no later than 1 year from the end of the appeal period established under the Planning Act.
4. The approval of the variance shall apply only to the accessory structure contemplated under application A6/2022.
5. The owner/applicant shall submit an NHS to the satisfaction of the Township of Uxbridge prior to the issuance of a building permit.
6. The accessory structure shall not be used for human habitation, industrial or commercial uses.
7. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

**CARRIED**

**A7/2022— Shawn & Christina Foley-David Huie(Agent), Plan 83 Blk 66 Pt Lot J,K 40R10302 Part 1(Uxbridge), 30 Third Ave S**

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Shawn Foley was present as the owner of the property. David Huie was present as the agent for the application.

Joanna Fast summarized the variances.

Frank Mazzotta asked if the existing fence line represented the property line. This was accurate.

Frank expressed concern regarding the ownership of the trees affected by the development. He felt the trees would suffer and die and the opinion of an arborist should be obtained.

Ravi Patel an associate of RN Design Ltd was present and stated some trees will have to be removed however the proposed dwelling does meet the 1.2 m interior side yard setback requirement. They will do their best to save trees.

Joanna asked for confirmation of the ownership of the trees. Discussions about a tree inventory plan or consent from the adjacent property owner took place.

Shawn asked if the trees were his whether he could remove them. The trees could be removed.

The owner stated he has spoken to the adjacent property owner and has expressed no concerns.

The members requested a letter from the adjacent owner be obtained stating he had no objections to tree removal or injury to the trees.

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

The owner did not have concerns with the recommendations should the application be approved.

### **Written Comments**

Report from Fire Department –See File

Report from Development Services – See File

The Council of the Township of Uxbridge provided the following comments

THAT Report DS-15/22 of Emilia Gruyters, Planning Technician be received for information;

re Committee of Adjustment Application No. A7/2022, Relief from maximum lot coverage, Relief from Lot Coverage of Accessory Structures -Plan 83 Blk 66 Pt Lot J, K 40R103 Part 1-30 Third Ave S-Shawn & Christina Foley-David Huie (Agent)

Moved by Councillor Garrod  
Seconded by Councillor Snooks

AND THAT prior to the Committee of Adjustment making a decision with respect to Application A7/2022, 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. The structures proposed under the approval of Application A7/2022 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 1 year of the final date of appeal of A7/2022.
3. The owner/applicant shall satisfy all conditions of the variance no later than 1 year from the end of the appeal period established under the Planning Act.
4. The approval of the variance shall apply only to the dwelling and detached garage contemplated under application A7/2022.
5. The accessory structure shall not be used for human habitation, industrial or commercial uses.
6. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

**CARRIED**

**DECISION**

Moved by Gerri-Lynn O'Connor Seconded by Michelle McCarthy that Application A7/2022 by Shawn & Christina Foley-David Huie(Agent), Plan 83 Blk 66 Pt Lot J,K 40R10302 Part 1(Uxbridge), 30 Third Ave S, Relief from Section 4.9.2.f to permit a maximum lot coverage of all buildings of 325.3 m<sup>2</sup> (31.8 %) for a variance of 7.7 m<sup>2</sup>

(1.8%), Relief from Section 5.1.d to permit a total lot coverage of all accessory buildings and structures on a lot of 81.3 m<sup>2</sup> (7.7 %) for a variance of 28.7 m<sup>2</sup> (2.7%), **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 Zoning By-law is being maintained.**
4. **The intent of the Official Plan is being maintained.**

**Conditional Upon:**

1. The structures proposed under the approval of Application A7/2022 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 1 year of the final date of appeal of A7/2022.
3. The owner/applicant shall satisfy all conditions of the variance no later than 1 year from the end of the appeal period established under the Planning Act.
4. The approval of the variance shall apply only to the dwelling and detached garage contemplated under application A7/2022.
5. The accessory structure shall not be used for human habitation, industrial or commercial uses.
6. The owner/applicant shall obtain a letter from the adjacent property owner(s) stating no objections to the removal or injury of trees.
7. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

**CARRIED**

**A8/2022— Sean & Christina Selose, Lot 26 Concession 3(Uxbridge), 380 O’Beirn Rd**

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Sean Selose was present as the owner of the property.

Joanna Fast summarized the variances.

Sean explained the proposed building will store an antique car collection which is presently located elsewhere.

The members discussed the need for a Natural Heritage Study. The requirement was not included in the recommendations but should have been because of the property's designation in the ORMCP.

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

The owner did not have concerns with the recommendations should the application be approved.

### **Written Comments**

Report from Fire Department –See File

Report from Development Services – See File

The Council of the Township of Uxbridge provided the following comments

THAT Report DS-16/22 of Emilia Gruyters, Planning Technician be received for information;

re Committee of Adjustment Application No. A8/2022, Relief from Maximum Lot Coverage & Height, - Lot 26 Concession 3-380 O'Beirn Rd-Sean & Christine Selose

Moved by Councillor Beach  
Seconded by Councillor Highet

AND THAT prior to the Committee of Adjustment making a decision with respect to Application A8/2022, 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. The structure proposed under the approval of Application A8/2022 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 1 year of the final date of appeal of A8/2022.
3. The owner/applicant shall satisfy all conditions of the variance no later than 1 year from the end of the appeal period established under the Planning Act.
4. The approval of the variance shall apply only to the detached accessory structure contemplated under application A8/2022.
5. The accessory structure shall not be used for human habitation, industrial or commercial uses.
6. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

AND THAT the structure be finished to look more like an agricultural building rather than an industrial building.

**CARRIED**

**DECISION**

Moved by Frank Mazzotta Seconded by Michelle McCarthy that Application A8/2022 by Sean & Christina Selose, Lot 26 Concession 3(Uxbridge), 380 O'Beirn Rd Relief from Section 5.1.d to permit a total gross floor area of all accessory buildings and structures on a lot of 446.0 m<sup>2</sup> for a variance of 246.0 m<sup>2</sup>, **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 Zoning By-law is being maintained.**
4. **The intent of the Official Plan is being maintained.**

**Conditional Upon:**

1. The structure proposed under the approval of Application A8/2022 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 1 year of the final date of appeal of A8/2022.
3. The owner/applicant shall satisfy all conditions of the variance no later than 1 year from the end of the appeal period established under the Planning Act.
4. The approval of the variance shall apply only to the detached accessory structure contemplated under application A8/2022.
5. The accessory structure shall not be used for human habitation, industrial or commercial uses.
6. The owner/applicant submit a Natural Heritage Study(NHS) prior to the issuance of a building permit.
7. The costs of fulfilling the conditions shall be the responsibility of the owner/applicant.

**CARRIED**

## **ADJOURNMENT**

The meeting adjourned at 8:30 pm

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Joanna Fast  
Chair

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Emilia Gruyters-Secretary  
Treasurer