



REPORT

Development Services - Planning

TO: Mayor and Members of Council

FROM: Emilia Gruyters Planning Technician, Secretary Treasurer Committee of Adjustment

DATE: August 8, 2022

REPORT: DS-40/22

FILE NO. A16/2022 Committee of Adjustment Application

SUBJECT: Relief from Lot Coverage, Interior & Rear Yard Lot Line – Part Lot 15 Concession 3 40R9041 Part 2 -3880 Concession 4-Keith Hoover-Hailey Weatherbee (Agent)

BACKGROUND:

The subject lands are in Part Lot 15 Concession 3 40R9041 Part 2 (3880 Concession 4) in the Township of Uxbridge. The subject parcel is 4046.8 m² in size and supports a dwelling, shed and storage structure with attached shed. The owner wishes to demolish the existing shed and construct an accessory building 374.7 m² in size. A variance is required for the interior and rear lot line setback of 0.61 m. A variance is required for the total gross floor area of all accessory buildings and structure of 434.0 m². The surrounding parcels are residential.

Conformity with Official Plan

The lands are designated as “Hamlet Area” in the Township of Uxbridge Official Plan and in the Region of Durham Official Plan. The residential use conforms to the intent of the Official Plan.

Compliance with Zoning By-law

The lands are zoned “Residential Cluster (RC)” in Zoning By-law 81-19, as amended. The use conforms to the intent of the Zoning By-law.

DISCUSSION:

The owners are seeking permission to increase the total gross floor area of all buildings and structures on a lot from 60.0 m² to 434.0 m². A further variance is required to reduce the interior and rear lot line setback from 1.2 m to 0.61 m. The new building will store the owner's collection of cars.

A minor variance is appropriate if it can meet the four-test established under the Planning Act. The following outlines an evaluation of the proposed variance in relation to the four tests:

Minor

The meaning of minor is a test based on the degree of potential impact on the adjacent properties. The development could be considered minor in nature since the subject lands are heavily forested and may not be seen from the adjacent properties.

Desirable for the appropriate development or use of the land

The application represents desirable and appropriate development of the lands since it will provide storage for the owner's vehicles.

Reflects the general intent and purpose of the Official Plan

The application meets the intent of the Official Plan as the use is recognized and permitted within the designation.

Reflects the general intent and purpose of the Zoning By-law

The application meets the intent of the Zoning By-law as the use is recognized and permitted within the designation.

RECOMMENDATION

THAT Report DS-40/22 be received for information;

AND THAT prior to the Committee of Adjustment making a decision with respect to Application A16/2022, 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 proposed accessory structure under the approval of Application A16/2022 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 A16/2022.

3. The owner / applicant shall satisfy all conditions of the variance no later than 1 year from the end of the 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 A16/2022.
5. The accessory structure shall not be used for human habitation, commercial or industrial uses.

Respectfully Submitted by:



Emilia Gruyters
Planning Technician
Secretary Treasurer
Committee of Adjustment