

Committee of Adjustment Meeting
AGENDA

Monday, July 16, 2018, 5:00 pm
Tecumseh Town Hall
www.tecumseh.ca

Pages

- 1. Call to Order**
- 2. Roll Call**
- 3. Disclosure of Pecuniary Interest**
- 4. Minutes**
 - a. Minutes of the regular Committee of Adjustment meeting dated Monday, June 18, 2018 3 - 9
- 5. Submissions**
 - a. Agenda Cover Map 10 - 10
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 - c. Severance Application B-10/18 - Wannabe Radical Inc., Walker Road 15 - 16
 - d. Severance Application B-11/18 - Winnifred Porter, 312 Coronado Drive 17 - 18
 - e. Severance Application B-12/18 - Craig Gemus, 6930 8th Concession 19 - 20
 - f. Minor Variance Application A-13/18 - James and Christine LeBel, 578 St. Pierre Street 21 - 22
 - g. Minor Variance Application A-14/18 - Michael & Wendy Pollard, 1449 Poisson Street 23 - 24
 - h. Severance Application B-13/18 - Lori Mastellotto, 12401 St. Thomas Street 25 - 26
 - i. Minor Variance Application A-15/18 - Lori Mastellotto, 12401 St. Thomas Street 27 - 28
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- 6. Deferrals**
- 7. New Business**
- 8. Old Business**

9. Adjournment

**THE CORPORATION OF THE TOWN OF TECUMSEH
MINUTES OF THE COMMITTEE OF ADJUSTMENT MEETING**

A regular meeting of the Committee of Adjustment was held on Monday, June 18, 2018 at the Municipal Building, 917 Lesperance Road, Tecumseh, Ontario at 5:00 p.m.

I CALL TO ORDER

The Chairperson calls the meeting to order at 5:00 p.m.

II ROLL CALL

PRESENT:	Chairperson:	Tom Fuerth
	Vice-Chairperson:	Paul Morand
	Members:	Lori Chadwick
		Lee Anne Doyle
		Jim Mackie
		Tom Marentette
		Tony Muscedere
	Manager, Planning	Chad Jeffery
	Secretary-Treasurer	Donna Ferris

ABSENT: None

III DISCLOSURE OF PECUNIARY INTEREST

There is no disclosure of interest made.

IV MINUTES

1. Minutes of the regular Committee of Adjustment meeting held Monday, May 14, 2018.

Motion: (CA-27/18) Moved by Lee Anne Doyle
Seconded by Jim Mackie

That the Minutes of the regular Committee of Adjustment meeting held Monday, May 14, 2018 be adopted, as amended.

Carried

V SUBMISSIONS

The following submissions were heard:

Application for Minor Variance A-10/18 – Carl & Karen Baillargeon, 2563 Banwell Road

Interested parties present: Carl Baillargeon

The purpose of the Application is to request relief from the following subsections of Zoning By-law 85-18:

1. Subsection 5.27.1 d) i) establishes that accessory buildings in residential zones shall not exceed 10 percent of total lot area or 90.0 square metres (969.0 sq. ft.) and no individual structure shall exceed 70.0 square metres (753.0 sq. ft.); and
2. Subsection 5.27.1 e) i) establishes that accessory buildings in residential zones shall not exceed 4.57 metres (15.0 ft.) in height.

The Applicant is requesting relief to construct an accessory building 9.75 metres (32.0 ft.) by 15.24 metres (50.0 ft.) totaling 148.64 square metres (1600.0 sq. ft.) in area resulting in a total area of accessory buildings of 163.17 square metres (1756.38 square feet) and having a height of 5.32 metres (17.46 ft.). The subject property contains an existing accessory structure of approximately 14.53 square metres (156.38 sq. ft.) which will remain and three existing storage containers, green houses and a garden shed which will all be removed.

The subject property is designated Residential in the Sandwich South Official Plan and zoned Residential Zone 1(R1) in the Sandwich South Zoning By-law. See sketch attached.

Notice of hearing for the above submission was circulated to landowners within a radius of 60 metres (200 feet) of the subject property (a list of said owners is on file). Notice of Hearing with a sketch attached was sent to the Applicant, each Council Member, Clerk, Public Works and Engineering Department, Planning and Building Services, Fire Department and all required agencies and to each member of the Committee of Adjustment.

CORRESPONDENCE

ERCA: No objection.

County of Essex: Permits are required and a copy of the decision is requested.

DISCUSSION

Carl Baillargeon appears before the Committee to discuss the Application. Carl Baillargeon advises that since the time of the Application, the green houses have been torn down. Mr. Baillargeon also indicates that the farm has been in the family for over 150 years but he would like to clean up the yard, remove the storage containers and construct an accessory building 40 feet by 32 feet with a 10-foot lean-to on the east side to provide shade from the sun. Mr. Baillargeon also indicates that the area at the rear of property is currently being used as a volleyball court but a garden is proposed for the area in the future.

Lee Anne Doyle inquires as to why the Applicant is not able to comply with the height requirement of the Zoning By-law. Carl Baillargeon informs the Committee that he requires the height in order to install a car hoist and for storage purposes including family antiques. He indicates that the car hoist is strictly for personal use (hobby) and will not be used to for the purposes of an automotive repair business.

Tom Fuerth inquires as to the number of storage containers, structures and sheds on the property. Carl Baillargeon informs the Committee that all of the structures, storage containers and sheds will be removed from the property except the one garden shed closes to the house. He indicates that he requires the storage containers and structures to provide storage until such time as the new accessory building is constructed and then they will be removed from the property. Carl Baillargeon advises the Committee that he wants to beatify the property.

Lori Chadwick questions the Applicant as to whether or not the upper level of the accessory building will be used for living space and is informed that the space will not be used for living area. Lori Chadwick also inquires with Administration as to whether or not the construction of the proposed structure and the removal of the existing accessory buildings will result in a reduction of lot coverage. Administration advises that the total lot coverage will be a reduction. Lori Chadwick also questions the Applicant as to the reasoning for the location of the proposed accessory structure and is informed that he wished for the structure to be away from the property line and that they are proposing a garden at the rear of the property for charity work.

Tom Fuerth notes that the County of Essex requires a minimum setback for any proposed structures on this property must be 85 feet from the centre of the right of way of County Road 43 and suggest that the Committee take that into consideration when rendering a decision.

Motion: (CA-28/18) Moved by Paul Morand
Seconded by Tom Marentette

That Application A-/18 is granted subject to the accessory building be constructed in the location as depicted on the sketch.

Carried

REASONS

The Application meets the four tests of a minor variance in that it is desirable for the appropriate development or use of the land, building or structure, the general intent and purpose of the Official Plan and Zoning by-law is maintained and the variance is minor in nature. It is also noted that the Committee is supportive of the Application with the understanding that the storage containers and other structures are to be removed from the property save and except the one garden shed nearest to the residence.

Application for Minor Variance A-11/18 – Nickolas Krsterski (on behalf of Owner – Tom Kauric), 11629 County Road 42

Interested parties present: Nickolas Krsterski, Agent for the Applicant

The purpose of the Application is to request relief from subsection 12.2.1 a) of Zoning By-law 85-18 which establishes that any property zoned CM-1, that is intended to be used for an auto sales use, shall have a minimum lot frontage of 48.5 metres. The subject property is an irregular-shaped lot which has a lot frontage (as defined in Zoning By-law 85-18) of 36.5 metres. The applicant wishes to operate an auto sales use from the subject property. See sketch attached for further information.

The subject property is designated "Business Park" in the Sandwich South Official Plan and zoned "Commercial/Industrial Zone (CM-1)" in the Sandwich South Zoning By-law 85-18.

Notice of hearing for the above submission was circulated to landowners within a radius of 60 metres (200 feet) of the subject property (a list of said owners is on file). Notice of Hearing with a sketch attached was sent to the Applicant, each Council Member, Clerk, Public Works and Engineering Department, Planning and Building Services, Fire Department and all required agencies and to each member of the Committee of Adjustment.

CORRESPONDENCE

ERCA: No objection but will require an ERCA permit.

County of Essex: No response.

DISCUSSION

Nickolas Krsterski appears before the Committee to discuss the Application. Lori Chadwick inquiries as to the number of vehicles the Applicant is intending on having on the site. Nickolas Krsterski indicates that there will be approximately 20-25 cars on the site. Nicholas Krsterski also advises that the reason he is moving his business is to lessen the dust as his current location is not paved. 70 percent of the vehicles will be parked in the front for display and the remaining vehicles in the rear of the property. He indicates that he is only renting half of the property as well as the office space in the building. There is another business operating out of the other half of the property. Lori Chadwick inquiries from Administration as to whether the property is governed by Site Plan Control. Chad Jeffery advises that the property is not subject to Site Plan Control. Chad Jeffery also advises that another application for a narrower lot was granted on the south side of County Road 42 for an automobile/trucking establishment. Chad Jeffery indicates that the Applicant is merely seeking to move his establishment to a paved location to lessen the dust and washing of the vehicles.

Tom Marentette inquiries as to the nature of the other businesses that are operating out of the site. The Applicant advises that the one business conducts stone works on the right side of the business and the left side of the building is used for storage for the owner of the property who goes to Florida during the winter months and only has the odd project that he works only during the remaining months in the year. Tom Marentette inquiries as to whether car washing and/or auto repairs will be conducted on the site and the Applicant advises the only car washing will be done on site for the vehicles he is selling. Auto repairs will be conducted off site at an auto repair shop in the area. Car washing will not be available for the public. Tom Marentette also inquires as to whether or not there is sufficient parking space. The Applicant advises that he will work with the other tenants on the site and do his best to make it work.

Tom Fuerth inquires as to whether or not the frontage is an impediment to the operation of car sales. Chad Jeffery advises that auto sales is a permitted use in the Zoning By-law and that the Zoning By-law attempts to regulate uses through the provisions of the By-law. Tom Marentette questions the ability of the property to be used for multi-use business and is advised by the Applicant the business on the left has been operating there for approximately 6 years and that they are only at the site a couple of times a week as they both have full time jobs aside from the masonry business. He also states that he would have approximately 15 cars in the front of the property and that he has a willingness to make the logistics of the site work for the sale of vehicles.

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Lori Chadwick inquiries as to the frontage of the lot the Applicant is currently operating his business and is advised by Administration that it is 50 metres. Tom Fuerth notes from the sketch provided and based on the definition of the Zoning By-law the frontage of the property is 36.5 metres as a result of the day-light corner but in all practicality the property width is 44.5 metres. Administration confirms that the measurements provided on the sketch are based on the definition of frontage as defined in the Zoning By-law. Chad Jeffery also advises that as the side lot lines are not parallel as a result of the daylight corner, the frontage is established at 36.5 metres. Administration also advises that the daylight corner was created for a future right of way. The Applicant advises that once he moves to the new location, he will be upgrading the category of vehicles he sells therefore he will be buying fewer vehicles as they will cost more for him to purchase. Tom Fuerth confirms with the Applicant that there are two other tenants operating businesses from the property. The right half of the property is leased to the masonry company, the owner uses the shop on the left side of the property for odd jobs and he leases the remaining left side of the building including the office and parking spaces in both the front and rear of the property. The Applicant advises that if additional parking is required, perhaps a deal can be worked out with the masonry company. Tom Fuerth also confirms with Administration that the use of the property is auto sales and services.

Tom Marentette inquires as to whether the Engineering Department provided any comments or requirements if mechanical services are provided on site and in particular as it pertains to the disposal of used motor oil. Administration advises that the Engineering Department provided no comments but indicates that the Building Department may have concerns with respect to Building Code matters however no comments were submitted with respect to waste management. Tom Marentette inquires if an oil separator would be installed or systems in place for waste management. The Applicant advises that he is not in a position to hire a mechanic for on-site automotive services therefore oil changes will not be conducted on site.

Lori Chadwick inquires as to the use of the property to the west and south which has the daylight corners for a proposed right of way and the significance of the (H) symbol. Lori Chadwick expresses concern with the proposed sight lines for egress/ingress and the impact of granting the minor variance and that, in her opinion, would adversely affect future development. Administration advises that although the property's frontage does not meet the regulations of the Zoning By-law, the fact that the property widens to 44.5 metres, Administration feels that the property is able to accommodate the use anticipated. Administration further advises that the property is currently being used for Agricultural purposes and that the removal of the (H) symbol in addition to the requirements contained within the relevant Official Plan, the Holding (H) symbol would not be removed until such time as it has been demonstrated to the satisfaction of the Town's Engineer that adequate municipal sanitary sewage capacity is available. At this point in time, there is no sanitary sewage capacity in the Sandwich South area and until such time as a servicing study is undertaken, therefore no future development can be conducted.

The Chair reminds the Committee that the decision of the Committee is to be based on the four tests.

Lori Chadwick would like it noted that she is opposed to the approval of the minor variance.

Motion: (CA-29/18) Moved by Tony Muscedere
Seconded by Tom Marentette

That Application A-/18 is granted.

Carried

REASONS

The Application meets the four tests of a minor variance in that it is desirable for the appropriate development or use of the land, building or structure, the general intent and purpose of the Official Plan and Zoning by-law is maintained and the variance is minor in nature. The Committee also notes that the Applicant is not making any changes to the property and notes that the County of Essex outlines in their comments the requirement for permits should any changes to the existing entrances or structures be undertaken.

Application for Severance B-09/18 – Leo & Karen Demarce, 12315 to 12337 St. Denis Street

Interested parties present: Ashley Caldwell, Law Student with Brisebois Law Office,
Solicitor for the Applicants and Leo Demarce, Applicant

The purpose of the Application is to request consent to sever a 557 sq. metre (6,000 sq. foot) parcel of land occupied by an existing residential dwelling (12337 St. Dennis Street) (outlined in pink on attached sketch) and to retain a 873 sq. metre (9,400 sq. foot) parcel of land occupied by three existing residential dwelling units (outlined in yellow on attached sketch).

Both the proposed severed and retained lots are designated "Residential" in the Tecumseh Official Plan and zoned "Residential Zone 2 (R2)" in the Tecumseh Zoning By-law 1765.

The proposed consent is required in order to re-establish the lotting pattern that existed prior to the subject lands merging into one large lot as a result of common ownership. As a condition of consent, the proposed severed lot will require relief (through Minor Variance Application A-12/18 which is being heard concurrently) to permit a minimum lot area of 557 sq. metres, whereas the current minimum lot area established in the R2 zone is 650 sq. metres.

Notice of hearing for the above submission was circulated to landowners within a radius of 60 metres (200 feet) of the subject property (a list of said owners is on file). Notice of Hearing with a sketch attached was sent to the Applicant, each Council Member, Clerk, Public Works and Engineering Department, Planning and Building Services, Fire Department and all required agencies and to each member of the Committee of Adjustment.

CORRESPONDENCE

ERCA: No objection.

County of Essex: No response.

Application for Minor Variance A-12/18 – Leo and Karen Demarce, 12337 St. Denis Street

Interested parties present: Ashley Caldwell, Law Student with Brisebois Law Office,
Solicitor for the Applicants and Leo Demarce, Applicant

The purpose of the Application is to request relief from subsection 7.1.3 a) of Tecumseh Zoning By-law 1746 which establishes a minimum lot area of 650 sq. metres. The proposed relief accommodates the severance of a 557 sq. metre lot that is being proposed by way of Consent Application B-09/18 (which is being heard concurrently) (see sketch attached). An existing residential dwelling occupies the lands subject to this application.

The subject property is designated "Residential" in the Tecumseh Official Plan and zoned "Residential Zone 2 (R2)" in the Tecumseh Zoning By-law 1746.

Notice of hearing for the above submission was circulated to landowners within a radius of 60 metres (200 feet) of the subject property (a list of said owners is on file). Notice of Hearing with a sketch attached was sent to the Applicant, each Council Member, Clerk, Public Works and Engineering Department, Planning and Building Services, Fire Department and all required agencies and to each member of the Committee of Adjustment.

CORRESPONDENCE

ERCA: No objection.

County of Essex: No response.

DISCUSSION

Ashley Caldwell of the Brisebois Law Office and Leo Demarce appear before the Committee to discuss the Applications. Tom Fuerth inquires as to when the properties merged. Was it prior to ownership or was it during ownership? Leo Demarce advises it was after he purchased the properties. He indicates that he purchased the duplex in approximately 1998-99 and then he purchased the house next door in 2000. It was sometime after that, that the properties merged. Ashley Caldwell confirms that they are not sure when the merged. Leo Demarce informs the Committee that the addresses for the duplex is 12325 and 12323 St. Denis Street, the garage is 12315 St. Denis Street and the single family home is 12337 St. Denis Street. Mr. Demarce indicates that he was unaware that the properties had merged because he was still receiving two tax bills and the problem arose when he was attempting to obtain a 2nd mortgage for the duplex

through the title insurance process. Chad Jeffery explains how the lots merged as a result of common ownership under the Planning Act.

Motion: (CA-30/18) Moved by Lee Anne Doyle
Seconded by Tony Muscedere
That Applications B-09/18 and A-12/18 are granted.

Carried

REASONS

The Application is in keeping with the Official Plan policies for the Town of Tecumseh as well as Zoning By-law 1746.

The Application meets the four tests of a minor variance in that it is desirable for the appropriate development or use of the land, building or structure, the general intent and purpose of the Official Plan and Zoning By-law is maintained and the variance is minor in nature.

The Committee also notes that the lands merged as a result of common ownership, the Applicants are not changing anything from the existing situation and that the Applications are as a result of a legal matter not a land use matter.

CONDITIONS

1. That at the time the conveyance is prepared for certification, two (2) copies of the reference plan by an Ontario Land Surveyor as well as digital files (.pdf and .dwg) with the .dwg files being in **NAD 83 format (UTM Zone 17 Metric)**, which has been numbered, dated, signed and registered must be submitted to the Town;
2. That at the time the conveyance is presented for certification, a tax certificate from the Treasurer of the Town or evidence showing all taxes for the current year paid in full, as well as any and all arrears owing on the total parcel;
3. That the appropriate documents for the conveyance be prepared in triplicate (3) suitable for registration, all copies to have original signatures, with one copy to remain as a record with the Town;
4. That any cost in excess of the \$575.00 non-refundable application fee, incurred to process this application such as legal and engineering fees, appraisal reports, etc. shall be the responsibility of the applicant and shall be payable to the Town of Tecumseh where applicable, prior to final consent;
5. That the Applicant apply for and be granted a minor variance providing relief from subsection 7.1.3 a) of Zoning By-law 1746 to permit a 557 square metre lot.
6. That the above conditions be fulfilled on or before June 19, 2019 prior to this severance being finalized.

VI DEFERRALS

VII NEW BUSINESS

2018 OACA Conference

Lee Anne Doyle and Tom Fuerth provide the Committee members with a written summary of the workshops they attended at the OACA Conference held in Niagara Falls on June 4th and 5th, 2018. Lee Anne Doyle highlights some key updates provided in the Modernizing the Municipal Act workshop such as the requirement to file written declarations with respect to the Municipal Conflict of Interest Act even if a member is absent from a meeting. Lee Anne Doyle also points out that Bill 68 requires accountability and transparency harassment training for Committee members. Effective March 1, 2019 Codes of Conduct for Committee members in addition to the appointment of an Integrity Commissioner is required. Discussion ensues regarding the LPAT Rules of Procedure (April 3, 2018) and the impacts with respect to Committees of Adjustment. Chad Jeffery indicates that he will obtain additional information and report back to the Committee. Lee Anne Doyle also shares with the Committee the importance of making clear and concise decisions with reasons and that fairness and impartiality/no pre-judgement and or prejudice should be applied to all Applications.

All in the members concur regarding the benefits and the value of the information obtained from attending the OACA Conference.

The Committee members also request information on the appointment process to the Committee of Adjustment as the term expires at the end of the year.

VIII UNFINISHED BUSINESS

IX ADJOURNMENT

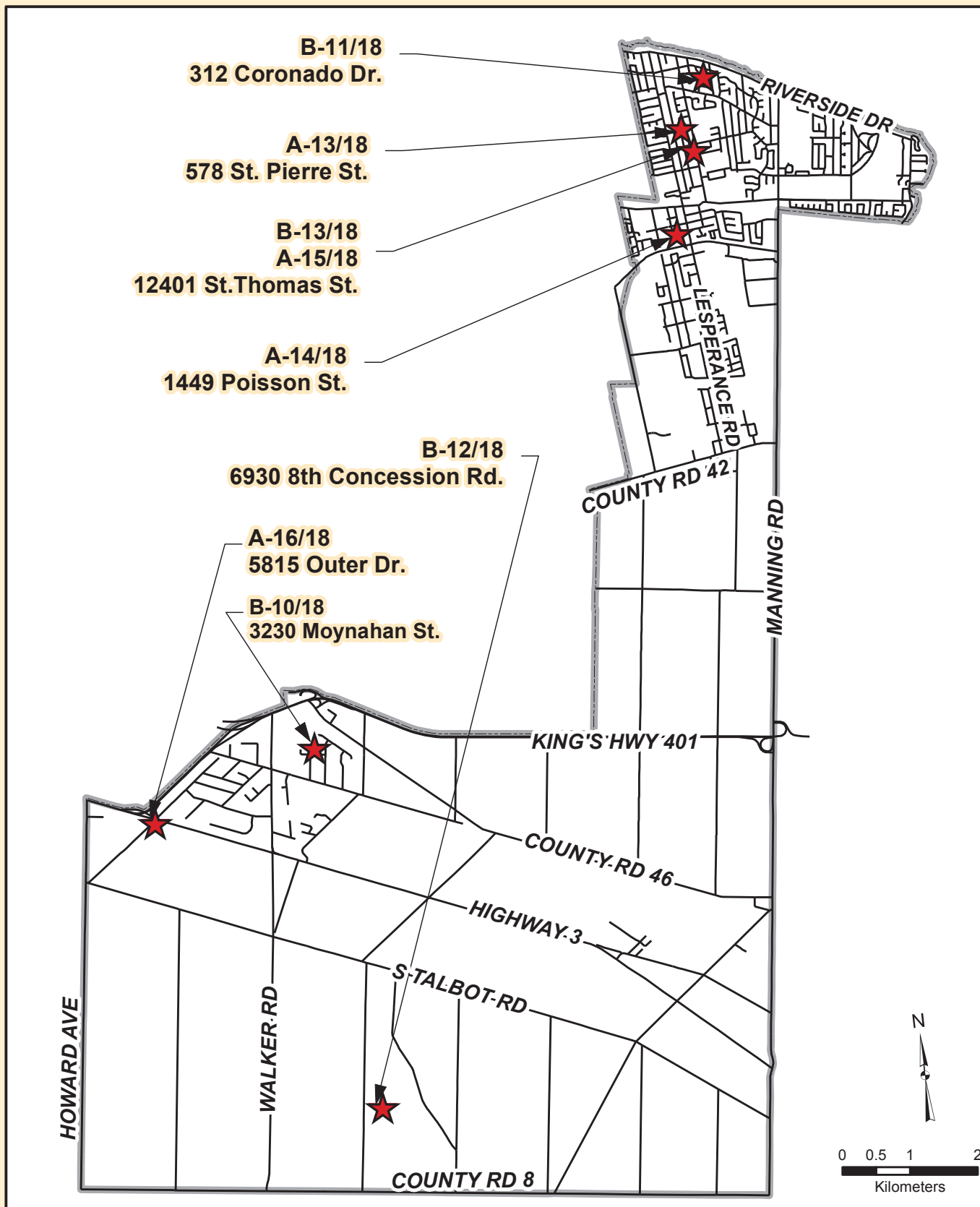
Motion: (CA-31/18) Moved by Lee Anne Doyle
Seconded by Lori Chadwick

That there being no further business the June 18th, 2018 regular meeting of the Committee of Adjustment now adjourn at 6:30 p.m.

Carried

Tom Fuerth, Chairperson

Donna Ferris, Secretary-Treasurer



Prepared By:
Tecumseh Planning and
Building Department



Subject Properties

July 16, 2018
Committee of
Adjustment Meeting
Key Map

**Town of Tecumseh
Committee of Adjustment
Regular Meeting
Monday, July 16, 2018
5:00 p.m.
Tecumseh Town Hall**

AGENDA

I CALL TO ORDER

II ROLL CALL

III DISCLOSURE OF PECUNIARY INTEREST

IV MINUTES

1. Minutes of the regular Committee of Adjustment meeting dated Monday, June 18, 2018.

V SUBMISSIONS

5:00 p.m.

Severance Application – B-10/18 – Wannabe Radical Inc., Walker Road

The purpose of the Application is to request consent to sever a 1.09 hectare (2.7 acre) vacant industrial parcel of land (highlighted in red on the sketch attached) and add it to the abutting 0.98 hectare (2.43 acre) parcel, municipally known as 3230 Moynahan Street (shaded in red on the sketch attached).

The properties are designated Business Park in the Sandwich South Official Plan and zoned Industrial (M1) in the Sandwich South Zoning By-law.

5:05 p.m.

Severance Application – B-11/18 – Winnifred Porter, 312 Coronado Drive

The purpose of the Application is to sever a 656 square metre (0.16 acre) parcel of residential land (outlined in red) and consolidate it with the abutting residential lot to the east, municipally known as 12735 Keith Avenue, creating a lot with an area of 1356 square metres (0.34 acres) and a frontage of 25.5 metres (83.7 feet). The proposed retained lot, municipally known as 312 Coronado Drive, has an area of 944 square metres (0.23 acres) (outlined in green) and a frontage of 22.9 metres (75.1 feet).

The proposed severed and retained parcels are designated Residential in the Tecumseh Official Plan and zoned Residential Zone 1 (R1) in the Tecumseh Zoning By-law.

5:10 p.m.

Severance Application B-12/18 – Craig Gemus, 6930 8th Concession

The purpose of the Application is to request consent to sever a surplus dwelling lot having a frontage of 116 metres (380.6 feet), a depth of 126 metres (413.4 feet) and a lot area of 1.46 hectares (3.6 acres) (outlined in red). The severed lands contain a house, a man-made landscape pond and an accessory building. The proposed retained lot will have a frontage of 64 m (210 feet), an irregular depth and a total area of 18.03 hectares (44.55 acres) (outlined in green).

The lands are designated Agricultural in the Sandwich South Official Plan and zoned Agricultural (A) in the Sandwich South Zoning By-law. See attached sketch.

5:15 p.m.

Minor Variance Application A-13/18 – James and Christine LeBel, 578 St. Pierre Street

The purpose of the Application is to request relief from Subsection 5.25.1 d) i) of Zoning By-law 1746 which establishes that accessory buildings in residential zones shall not exceed 10 percent of total lot area or 90.0 square metres (968.75 square feet) in area, whichever is lesser, and no individual accessory building or structure shall exceed 70.0 square metres (753.0 square feet) in area. The Applicant is requesting relief to permit the addition of a 16.35 square metre (176 square foot) overhang to an accessory building currently under construction resulting in the individual accessory building being 85.84 metres (924 square feet) and a total area of all accessory buildings of 93.27 square metres (1004 square feet).

The subject property is designated Residential in the Tecumseh Official Plan and zoned Residential Zone 2 (R2) in the Tecumseh Zoning By-law.

5:20 p.m.

Minor Variance Application A-14/18 – Michael & Wendy Pollard, 1449 Poisson Street

The purpose of the Application is to request relief from Subsection 7.3.22 e) of Zoning By-law 1746 which establishes a maximum total lot coverage of 40 percent. The Applicant is proposing to construct a 10.68 square metre (115 square foot) sunroom resulting in total lot coverage of 45 percent.

The subject property is designated Residential in the Tecumseh Official Plan and zoned Residential Zone 2 (R2-22) in the Tecumseh Zoning By-law.

5:25 p.m.

Severance Application B-13/18 – Lori Mastellotto, 12401 St. Thomas Street

The purpose of the Application is to request consent to sever a vacant residential lot having a frontage of 17.2 metres (56.5 feet), a depth of 34.75 metres (114 feet) and a lot area of 598.4 square metres (6441.1 square feet) (outlined in red). The proposed retained lot, containing an existing dwelling, will have a frontage of 18.75 metres (61.5 feet), a depth of 34.75 metres (114 feet) and a total area of 651.3 square metres (7010.5 square feet) (outlined in green). Application for Minor Variance A-15/18 is being heard concurrently with this Application to address the undersized severed parcel.

The lands are designated Residential in the Tecumseh Official Plan and zoned Residential Zone 2 (R2) in the Tecumseh Zoning By-law. See attached sketch.

5:25 p.m.

Minor Variance Application A-15/18 – Lori Mastellotto, 12401 St. Thomas Street

The purpose of the Application is to request relief from the following subsections of Zoning By-law 1746:

1. Subsection 7.1.3. a) which establishes a minimum lot area for a single-unit detached dwelling is 650 square metres (6996.54 square feet). As a result of Severance Application B-13/18, which is being heard concurrently with this Application, the severed lot will have an approximate area of 598 metres (6441 square feet); and
2. Subsection 7.1.5 establishes a maximum total lot coverage of 30 percent. The Applicant is proposing to construct a 719 square metre (2358.5 square foot) residential dwelling resulting in total lot coverage of 36.6 percent.

The subject property is designated Residential in the Tecumseh Official Plan and zoned Residential Zone 2 (R2) in the Tecumseh Zoning By-law. See sketch attached.

5:30 p.m.

Minor Variance Application A-16/18 – Eco-Developments 2016 Inc., 5815 Outer Drive

The purpose of the application is to obtain relief from Subsection 14.1.5 of Zoning By-law 85-18 which establishes a maximum lot coverage of 40 percent in an industrial zone. The Applicant proposes to construct a 7037.41 square metre (75,750 square foot) industrial building resulting in 48 percent lot coverage.

The property is designated Business Park in the Sandwich South Official Plan and zoned Industrial (M1-24) in the Sandwich South Zoning By-law. See sketch attached.

VI DEFERRALS

VII NEW BUSINESS

VIII OLD BUSINESS

IX ADJOURNMENT

**NOTICE OF PUBLIC HEARING
OF APPLICATION FOR SEVERANCE**

TOWN OF TECUMSEH COMMITTEE OF ADJUSTMENT

Applicant: **Wannabe Radical Inc.**

Location of Property: **Walker Road; Part Lot 12, Concession 7
Parts 1 & 2, 12R-13378; former Twp. Sandwich South**

Purpose of Application: **Severance**

The purpose of the Application is to request consent to sever a 1.09 hectare (2.7 acre) vacant industrial parcel of land (highlighted in red on the sketch attached) and add it to the abutting 0.98 hectare (2.43 acre) parcel, municipally known as 3230 Moynahan Street (shaded in red on the sketch attached). The properties are designated Business Park in the Sandwich South Official Plan and zoned Industrial (M1) in the Sandwich South Zoning By-law.

TAKE NOTICE that an application under the above file number will be heard by the Committee on the date, time and place shown below:

**TOWN OF TECUMSEH MUNICIPAL BLDG.
917 LESPERANCE
TECUMSEH, ONTARIO
ON**

Monday, the 16th day of July, 2018 at 5:00 p.m.

PUBLIC HEARING

You are entitled to attend this public hearing in person to express your views about this application or you may be represented by counsel for that purpose. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are requested to inform that person of this hearing. If you wish to make written comments on this application they may be forwarded to the Secretary-Treasurer of the Committee at the Town of Tecumseh, 917 Lesperance Road, Tecumseh, Ontario N8N 1W9.

FAILURE TO ATTEND HEARING

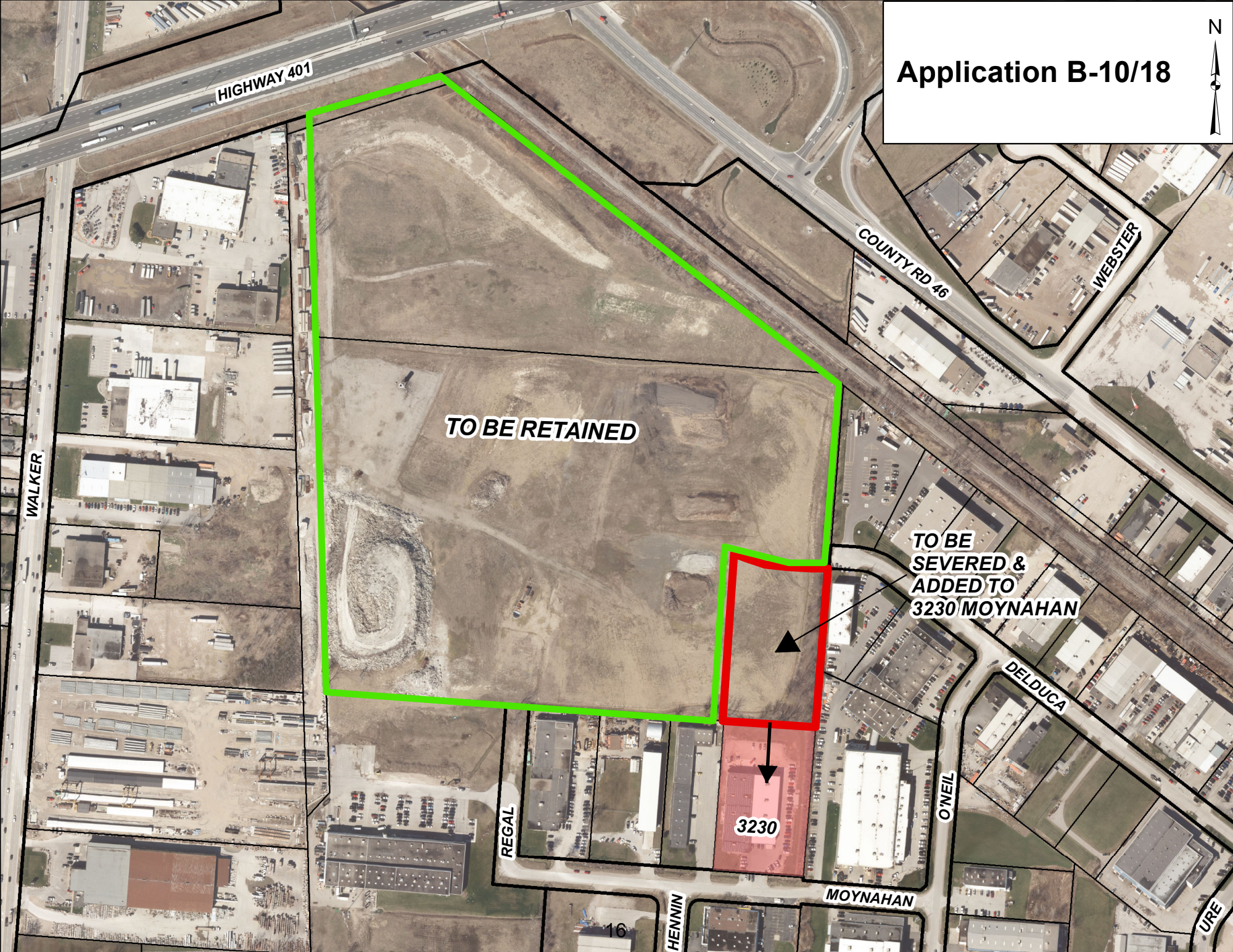
If you do not attend at the hearing it may proceed in your absence (including possible amendments to the original request) and, except as otherwise provided in the Planning Act, you will not be entitled to any further notice in the proceedings.

NOTICE OF DECISION

If you wish to be notified of the decision of the Town of Tecumseh Committee of Adjustment in respect to this application, you must submit a written request to the Secretary-Treasurer to the Committee of Adjustment. This will also entitle you to be advised of a possible Local Planning Appeal Tribunal Hearing. Even if you are the successful party, you should request a copy of the decision since the Town of Tecumseh Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the Applicant or another member of the public. To appeal the decision to the Local Planning Appeal Tribunal, send a letter to the Secretary-Treasurer outlining the reasons for appeal. You must enclose the appeal fee of \$300.00 for each application appealed, paid by cheque, made payable to the Ontario Minister of Finance.

Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment

Dated this 28th day of June, 2018



**NOTICE OF PUBLIC HEARING
OF APPLICATION FOR SEVERANCE**

TOWN OF TECUMSEH COMMITTEE OF ADJUSTMENT

Applicant: **Winnifred Porter**

Location of Property: **312 Coronado
Lot 161 & Part Lots 159, 160 & 162, Plan 1183**

Purpose of Application: **Severance**

The purpose of the Application is to sever a 656 square metre (0.16 acre) parcel of residential land (outlined in red) and consolidate it with the abutting residential lot to the east, municipally known as 12735 Keith Avenue, creating a lot with an area of 1356 square metres (0.34 acres) and a frontage of 25.5 metres (83.7 feet). The proposed retained lot, municipally known as 312 Coronado Drive, has an area of 944 square metres (0.23 acres) (outlined in green) and a frontage of 22.9 metres (75.1 feet). The proposed severed and retained parcels are designated Residential in the Tecumseh Official Plan and zoned Residential Zone 1 (R1) in the Tecumseh Zoning By-law.

TAKE NOTICE that an application under the above file number will be heard by the Committee on the date, time and place shown below:

**TOWN OF TECUMSEH MUNICIPAL BLDG.
917 LESPERANCE
TECUMSEH, ONTARIO
ON**

Monday, the 16th day of July, 2018 at 5:05 p.m.

PUBLIC HEARING

You are entitled to attend this public hearing in person to express your views about this application or you may be represented by counsel for that purpose. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are requested to inform that person of this hearing. If you wish to make written comments on this application they may be forwarded to the Secretary-Treasurer of the Committee at the Town of Tecumseh, 917 Lesperance Road, Tecumseh, Ontario N8N 1W9.

FAILURE TO ATTEND HEARING

If you do not attend at the hearing it may proceed in your absence (including possible amendments to the original request) and, except as otherwise provided in the Planning Act, you will not be entitled to any further notice in the proceedings.

NOTICE OF DECISION

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Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment

Dated this 28th day of June, 2018

Application B-11/18



KEITH

12735

**TO BE SEVERED
AND ADDED TO
ABUTTING LOT**

CORONADO

**TO BE
RETAINED**

BURDICK

**NOTICE OF PUBLIC HEARING
OF APPLICATION FOR SEVERANCE**

TOWN OF TECUMSEH COMMITTEE OF ADJUSTMENT

Applicant: **Craig Gemus**

Location of Property: **6930 8th Concession: N. Pt. Lot 2, 8th Conc.
(former Sandwich South Township)**

Purpose of Application: **Severance**

The purpose of the Application is to request consent to sever a surplus dwelling lot having a frontage of 116 metres (380.6 feet), a depth of 126 metres (413.4 feet) and a lot area of 1.46 hectares (3.6 acres) (outlined in red). The severed lands contain a house, a man-made landscape pond and an accessory building. The proposed retained lot, will have a frontage of 64 m (210 feet), an irregular depth and a total area of 18.03 hectares (44.55 acres) (outlined in green). The lands are designated Agricultural in the Sandwich South Official Plan and zoned Agricultural (A) in the Sandwich South Zoning By-law. See attached sketch.

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**TOWN OF TECUMSEH MUNICIPAL BLDG.
917 LESPERANCE
TECUMSEH, ONTARIO
ON**

Monday, the 16th day of July, 2018 at 5:10 p.m.

PUBLIC HEARING

You are entitled to attend this public hearing in person to express your views about this application or you may be represented by counsel for that purpose. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are requested to inform that person of this hearing. If you wish to make written comments on this application they may be forwarded to the Secretary-Treasurer of the Committee at the Town of Tecumseh, 917 Lesperance Road, Tecumseh, Ontario N8N 1W9.

FAILURE TO ATTEND HEARING

If you do not attend at the hearing it may proceed in your absence (including possible amendments to the original request) and, except as otherwise provided in the Planning Act, you will not be entitled to any further notice in the proceedings.

NOTICE OF DECISION

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Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment

Dated this 28th day of June, 2018

Application B-12/18



**TO BE
SEVERED**

6930 8TH CON.

TO BE RETAINED

8TH CONCESSION

**NOTICE OF PUBLIC HEARING
OF APPLICATION FOR MINOR VARIANCE
TOWN OF TECUMSEH COMMITTEE OF ADJUSTMENT**

Applicant: **James and Christine LeBel**

Location of Property: **578 St. Pierre Street
Lot 85 & 86, Plan 756**

Purpose of Application: **Minor Variance**

The purpose of the Application is to request relief from Subsection 5.25.1 d) i) of Zoning By-law 1746 which establishes that accessory buildings in residential zones shall not exceed 10 percent of total lot area or 90.0 square metres (968.75 square feet) in area, whichever is lesser, and no individual accessory building or structure shall exceed 70.0 square metres (753.0 square feet) in area. The Applicant is requesting relief to permit the addition of a 16.35 square metre (176 square foot) overhang to an accessory building currently under construction resulting in the individual accessory building being 85.84 metres (924 square feet) and a total area of all accessory buildings of 93.27 square metres (1004 square feet). The subject property is designated Residential in the Tecumseh Official Plan and zoned Residential Zone 2 (R2) in the Tecumseh Zoning By-law.

TAKE NOTICE that an application under the above file number will be heard by the Committee on the date, time and place shown below:

**TOWN OF TECUMSEH MUNICIPAL BLDG.
917 LESPERANCE
TECUMSEH, ONTARIO**

ON

Monday, the 16th day of July, 2018 at 5:15 p.m.

PUBLIC HEARING

You are entitled to attend this public hearing in person to express your views about this application or you may be represented by counsel for that purpose. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are requested to inform that person of this hearing. If you wish to make written comments on this application they may be forwarded to the Secretary-Treasurer of the Committee at the Town of Tecumseh, 917 Lesperance Road, Tecumseh, Ontario N8N 1W9.

FAILURE TO ATTEND HEARING

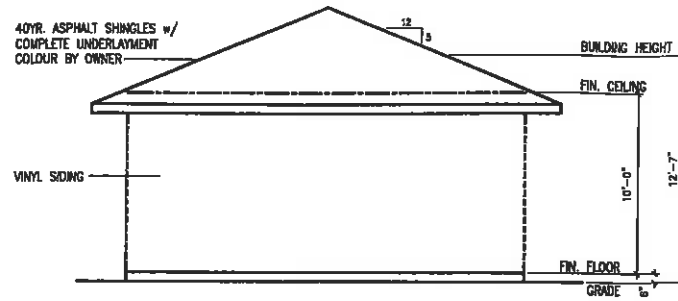
If you do not attend at the hearing it may proceed in your absence (including possible amendments to the original request) and, except as otherwise provided in the Planning Act, you will not be entitled to any further notice in the proceedings.

NOTICE OF DECISION

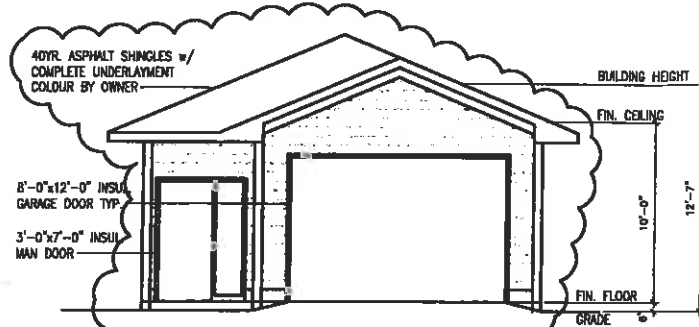
If you wish to be notified of the decision of the Town of Tecumseh Committee of Adjustment in respect to this application, you must submit a written request to the Secretary-Treasurer to the Committee of Adjustment. This will also entitle you to be advised of a possible Local Planning Appeal Tribunal Hearing. Even if you are the successful party, you should request a copy of the decision since the Town of Tecumseh Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the Applicant or another member of the public. To appeal the decision to the Local Planning Appeal Tribunal, send a letter to the Secretary-Treasurer outlining the reasons for appeal. You must enclose the appeal fee of \$300.00 for each application appealed, paid by cheque, made payable to the Ontario Minister of Finance.

Dated this 5th day of July, 2018

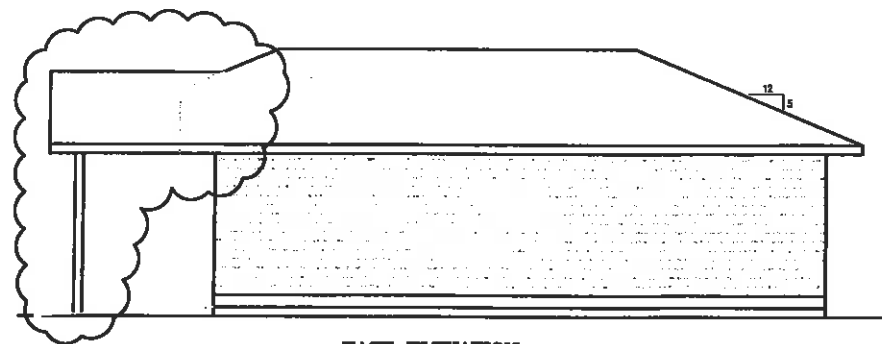
Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment



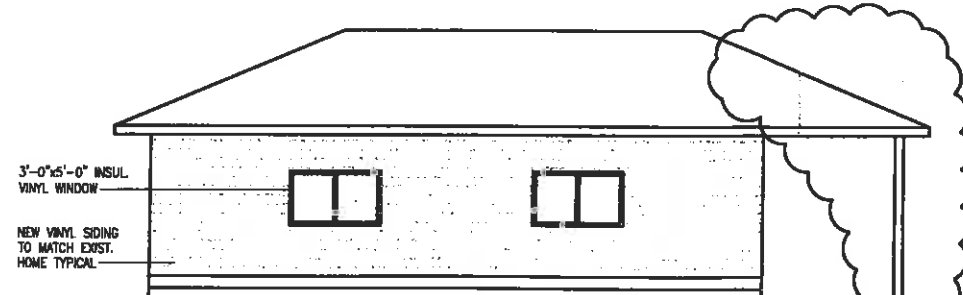
NORTH ELEVATION
N/S



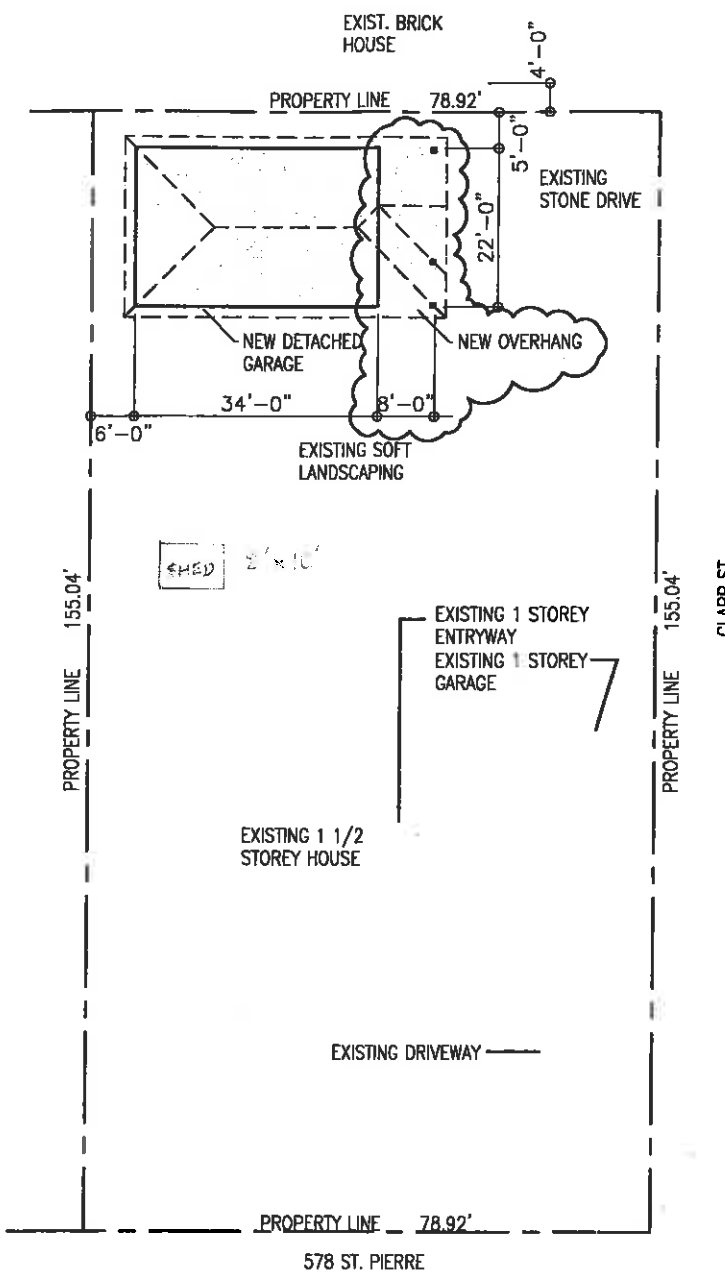
SOUTH ELEVATION
AFTER VARIANCE



EAST ELEVATION
AFTER VARIANCE



WEST ELEVATION
AFTER VARIANCE



SITE STATISTICS

LOT AREA	12,236	SQ.FT.
EXIST. BUILD	1,777	SQ.FT.
NEW GARAGE	748	SQ.FT.
ACCESSORY BUILD	6.1%	
LOT COVERAGE	20.6%	



LEBEL RESIDENCE

PROJECT: **CAMPION ON GARAGE VARIANCE**

ISSUE DATE: **MAY 2008**

ISSUED FOR: **VARIANCE**

SHEET NO: **V-1**

SITE PLAN, SECTION & ELEVATIONS

**NOTICE OF PUBLIC HEARING
OF APPLICATION FOR MINOR VARIANCE
TOWN OF TECUMSEH COMMITTEE OF ADJUSTMENT**

Applicant: **Mike and Wendy Pollard**

Location of Property: **1449 Poisson Street
Part Lot 150, Conc 1; Parts 23 & 50, 12R18758**

Purpose of Application: **Minor Variance**

The purpose of the Application is to request relief from Subsection 7.3.22 e) of Zoning By-law 1746 which establishes a maximum total lot coverage of 40 percent. The Applicant is proposing to construct a 10.68 square metre (115 square foot) sunroom resulting in total lot coverage of 45 percent. The subject property is designated Residential in the Tecumseh Official Plan and zoned Residential Zone 2 (R2-22) in the Tecumseh Zoning By-law.

TAKE NOTICE that an application under the above file number will be heard by the Committee on the date, time and place shown below:

**TOWN OF TECUMSEH MUNICIPAL BLDG.
917 LESPERANCE
TECUMSEH, ONTARIO**

ON

Monday, the 16th day of July, 2018 at 5:20 pm

PUBLIC HEARING

You are entitled to attend this public hearing in person to express your views about this application or you may be represented by counsel for that purpose. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are requested to inform that person of this hearing. If you wish to make written comments on this application they may be forwarded to the Secretary-Treasurer of the Committee at the Town of Tecumseh, 917 Lesperance Road, Tecumseh, Ontario N8N 1W9.

FAILURE TO ATTEND HEARING

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NOTICE OF DECISION

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Dated this 6th day of July, 2018

Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment

**NOTICE OF PUBLIC HEARING
OF APPLICATION FOR SEVERANCE**

TOWN OF TECUMSEH COMMITTEE OF ADJUSTMENT

Applicant: **Lori Mastellotto**

Location of Property: **12401 St. Thomas Street
N. Pt. Lot 27, Plan 741**

Purpose of Application: **Severance**

The purpose of the Application is to request consent to sever a vacant residential lot having a frontage of 17.2 metres (56.5 feet), a depth of 34.75 metres (114 feet) and a lot area of 598.4 square metres (6441.1 square feet) (outlined in red). The proposed retained lot, containing an existing dwelling, will have a frontage of 18.75 metres (61.5 feet), a depth of 34.75 metres (114 feet) and a total area of 651.3 square metres (7010.5 square feet) (outlined in green). Application for Minor Variance A-15/18 is being heard concurrently with this Application to address the undersized severed parcel. The lands are designated Residential in the Tecumseh Official Plan and zoned Residential Zone 2 (R2) in the Tecumseh Zoning By-law. See attached sketch.

TAKE NOTICE that an application under the above file number will be heard by the Committee on the date, time and place shown below:

**TOWN OF TECUMSEH MUNICIPAL BLDG.
917 LESPERANCE
TECUMSEH, ONTARIO
ON**

Monday, the 16th day of July, 2018 at 5:25 p.m.

PUBLIC HEARING

You are entitled to attend this public hearing in person to express your views about this application or you may be represented by counsel for that purpose. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are requested to inform that person of this hearing. If you wish to make written comments on this application they may be forwarded to the Secretary-Treasurer of the Committee at the Town of Tecumseh, 917 Lesperance Road, Tecumseh, Ontario N8N 1W9.

FAILURE TO ATTEND HEARING

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Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment

Dated this 28th day of June, 2018



SKETCH REVISED TO REFLECT THE
CORRECT PROPERTY
ADDRESS AS 12401 ST. THOMAS ST.

**NOTICE OF PUBLIC HEARING
OF APPLICATION FOR MINOR VARIANCE
TOWN OF TECUMSEH COMMITTEE OF ADJUSTMENT**

Applicant: **Lori Mastellotto**

Location of Property: **12401 St. Thomas Street
N. Pt. Lot 27, Plan 741**

Purpose of Application: **Minor Variance**

**The purpose of the Application is to request relief from the following subsections of Zoning By-law 1746:
1.Subsection 7.1.3. a) which establishes a minimum lot area for a single-unit detached dwelling is 650 square metres (6996.54 square feet). As a result of Severance Application B-13/18, which is being heard concurrently with this Application, the severed lot will have an approximate area of 598 metres (6441 square feet); and**

2.Subsection 7.1.5 establishes a maximum total lot coverage of 30 percent. The Applicant is proposing to construct a 719 square metre (2358.5 square foot) residential dwelling resulting in total lot coverage of 36.6 percent.

The subject property is designated Residential in the Tecumseh Official Plan and zoned Residential Zone 2 (R2) in the Tecumseh Zoning By-law. See sketch attached.

TAKE NOTICE that an application under the above file number will be heard by the Committee on the date, time and place shown below:

**TOWN OF TECUMSEH MUNICIPAL BLDG.
917 LESPERANCE
TECUMSEH, ONTARIO**

ON

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Dated this 28th day of June, 2018

Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment



SKETCH REVISED TO REFLECT THE
CORRECT PROPERTY
ADDRESS AS 12401 ST. THOMAS ST.

**NOTICE OF PUBLIC HEARING
OF APPLICATION FOR MINOR VARIANCE**
TOWN OF TECUMSEH COMMITTEE OF ADJUSTMENT

Applicant: **Eco-Developments 2016 Inc.**

Location of Property: **5815 Outer Drive; Part Lot 306, Conc. South Talbot Road
(former Township of Sandwich South)**

Purpose of Application: **Minor Variance**

The purpose of the application is to obtain relief from Subsection 14.1.5 of Zoning By-law 85-18 which establishes a maximum lot coverage of 40 percent in an industrial zone.
The Applicant proposes to construct a 7037.41 square metre (75,750 square foot) industrial building resulting in 48 percent lot coverage.
The property is designated Business Park in the Sandwich South Official Plan and zoned Industrial (M1-24) in the Sandwich South Zoning By-law. See sketch attached.

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**TOWN OF TECUMSEH MUNICIPAL BLDG.
917 LESPERANCE
TECUMSEH, ONTARIO**

ON

Monday, the 16th day of July, 2018 at 5:30 p.m.

PUBLIC HEARING

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FAILURE TO ATTEND HEARING

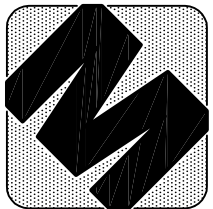
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Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment

Dated this 6th day of July, 2018



d.c. mccluskey engineering ltd.
1880 denison street suite 100 mississauga, ontario l4x 1c4 canada
phone (905) 977-8800 fax (905) 254-3062 info@mccluskeyengineering.com

General notes:

1. THIS PRINT IS AN INSTRUMENT OF SERVICE ONLY AND IS THE PROPERTY OF THE ENGINEER.
2. DRAWINGS SHALL NOT BE LOANED, REPRODUCED, COPIED, OR IN ANY MANNER USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.
3. DIMENSIONS AND CONDITIONS ON THE JOB AND THE FIELD SHALL PREVAIL OVER DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS IN REMAINS TO SUBMISSION OF SHOP DRAWINGS.
4. ATTENTION IS DIRECTED TO PROVISIONS IN THE GENERAL SPECIFICATIONS AND CONDITIONS OF CONTRACT.
5. IN THE EVENT THE DESIGNER IS RETAINED TO REVIEW OR REDESIGN THE PROJECT, THE DESIGNER SHALL BE RESPONSIBLE FOR THE CORRECTION OF ANY OBSERVED VIOLATIONS OF THE SPECIFICATIONS AND CONDITIONS OF CONTRACT.
6. WRITING OF THE EXISTENCE OF ANY OBSERVED VIOLATIONS OF THE SPECIFICATIONS AND CONDITIONS OF CONTRACT SHALL BE THE RESPONSIBILITY OF THE ENGINEER.
7. THE DESIGNER IS NOT RESPONSIBLE FOR THE CONSEQUENCES IN THE CONSTRUCTION OF THE FACILITY.

DETAILED
LOCATION DETAIL
SHEET
SHEET

DATE: 19/03/18

ISSUED FOR: REVIEW

DATE: 29/06/18

REVIEW: MINOR VARIANCE

PROJECT: 8815 OUTER DRIVE

BUILDING ADDITION

CLIENT: 8815 OUTER DRIVE

TECHUMSEH, ONTARIO

ECO DEVELOPMENTS (2015)

DRAWING TITLE: SITE PLAN

DATE: MAR. 2018

SCALE: AS NOTED

DRAWN BY: JAM

CHECKED BY: MEM

PROJECT FILE NO. M18-182

DRAWING NO. C1.1

TOWN OF TECUMSEH – MINOR VARIANCES

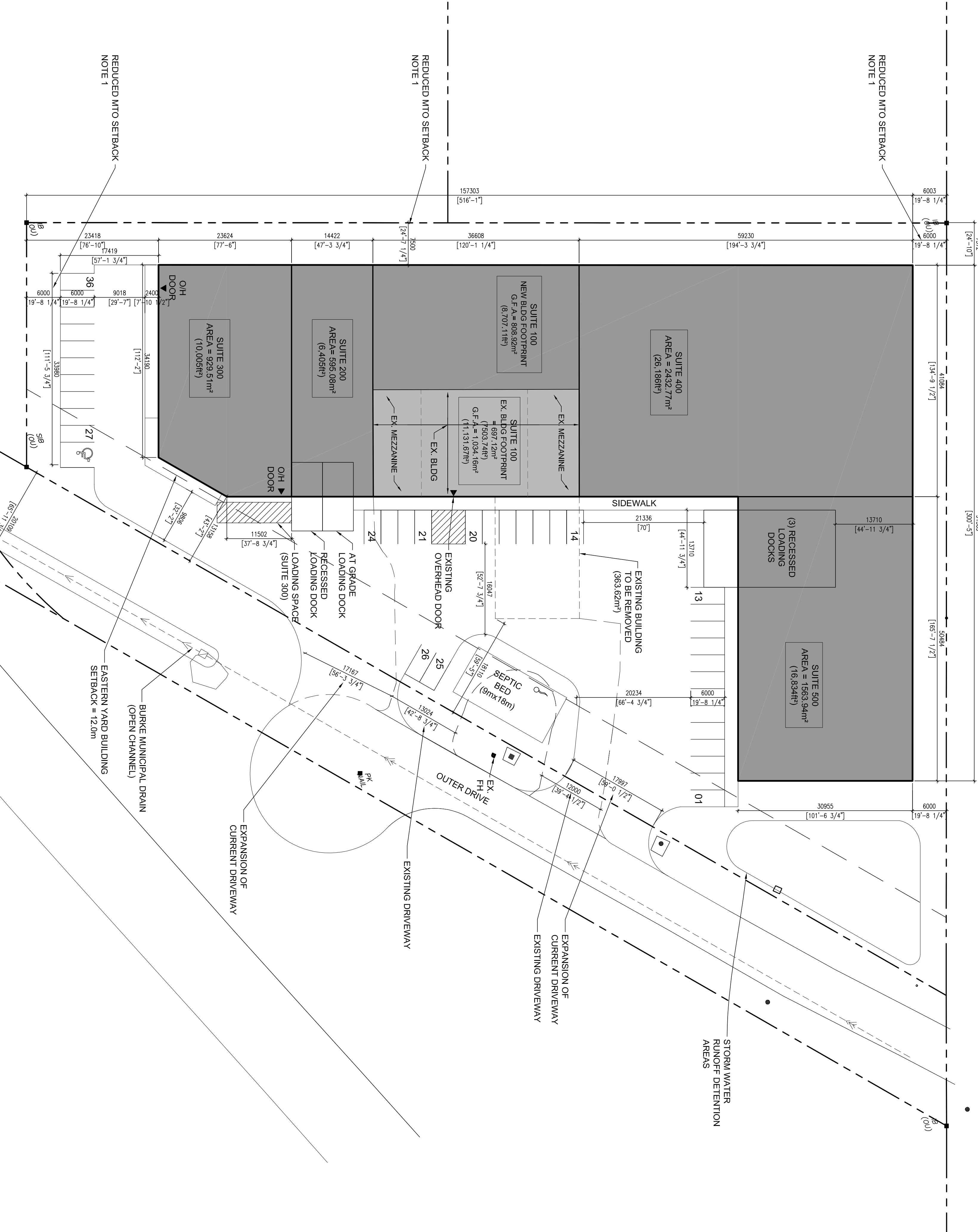
14.1.5. MAX LOT COVERAGE = 40%
TOTAL GFA OF PROPOSED BUILDING = 75,750ft²
PROPOSED LOT COVERAGE = 47%



KEY PLAN

SCALE : N.T.S.

SITE LOCATION



SITE PLAN

SCALE : 1:400