

Committee of Adjustment Meeting
AGENDA

Monday, May 15, 2017, 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 April 24, 2017 2 - 15
5. **SUBMISSIONS**
 - a. Agenda Cover 16 - 16
 - b. Agenda 17 - 18
 - c. Minor Variance Application A-14/17 - Venuto, Frank, 3800 Castlewood Court 19 - 20
 - d. Minor Variance Application A-15/17 - Abaldo, Michael, 5384 Oldcastle Road 21 - 22
 - e. Minor Variance Application A-16/17 - Teno, Tony, 14240 Little River Blvd. 23 - 24
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, April 24, 2017 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:	Bill Altenhof
		Lee Anne Doyle
		Jim Mackie
		Tom Marentette
		Tony Muscedere
	Manager, Planning	Chad Jeffery
	Secretary-Treasurer	Donna Ferris

ABSENT: None

III DISCLOSURE OF PECUNIARY INTEREST

Ton Muscedere declared an interest in Minor Variance Application A-10/17, Home Hardware Stores Limited as he has a family member residing adjacent to the property.

IV MINUTES

1. Minutes of the regular Committee of Adjustment meeting held Monday, February 27, 2017.

Motion: (CA-11/17) Moved by Paul Morand
Seconded by Tony Muscedere

That the Minutes of the regular Committee of Adjustment meeting held Monday, February 27, 2017 be adopted, as printed and circulated.

Carried

V SUBMISSIONS

The following submissions were heard:

Application for Severance B-05/17 – Frank O’Neil, South Part Lot 302, South Talbot Road

Interested parties present: Randy O’Neil

The purpose of the Application is to divide a vacant rural residential lot (outlined in red) into three portions and add them to the abutting parcels of land as follows:

- 1) 2322.58 sq. m (25000 sq. ft.) highlighted in orange on the sketch attached is to be severed and added to the abutting residential lot, municipally known as 1826 South Talbot Road, resulting in a total lot area of 0.60 hectares (1.49 acres);
- 2) 872.49 sq. m (9375 sq. ft.) highlighted in blue on the sketch attached is to be severed and added to the abutting farm parcel resulting in a total lot area of 26.16 hectares (64.64 acres); and
- 3) 1916.13 sq. m (20625 sq. ft.) highlighted in yellow on the sketch attached is to be severed and added to the abutting residential lot, municipally known as 1914 South Talbot Road, resulting in a total lot area of 0.33 hectares (0.81 acres).

The Corporation of The Town of Tecumseh
Minutes of Regular Committee of Adjustment Meeting held Monday, April 24, 2017
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This Application is being heard concurrently with severance application B-06/17. The properties are designated Agricultural in the Sandwich South Official Plan and zoned Agricultural (A) in the Sandwich South Zoning By-law.

Notice of hearing for the above submissions 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, Agent and all required agencies and to each member of the Committee of Adjustment.

CORRESPONDENCE

ERCA: No objection.

County of Essex: No response.

Application for Severance B-06/17 – 1185610 Ontario Inc., N/S South Talbot Road

Interested parties present: Randy O’Neil

The Purpose of the Application is to sever approximately 0.28 hectares (0.69 acres) of agricultural land (outlined in red) containing a pole barn and consolidate it with the abutting residential lot, municipally known as 1914 South Talbot Road, as shown on the attached sketch. The retained farm parcel will have an approximate area of approximately 25.83 hectares (63.83 acres). The area of the lot to which the severed parcel is proposed to be added will be approximately 0.61 hectares (1.5 acres). This application is being heard concurrently with severance application B-05/17. The proposed severed (outlined in red) and the retained (outlined in green) parcels are designated Agricultural in the Sandwich South Official Plan and Zoned Agricultural (A) in the Sandwich South Zoning By-law.

Notice of hearing for the above submissions 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, Agent and all required agencies and to each member of the Committee of Adjustment.

CORRESPONDENCE

ERCA: No objection.

County of Essex: April 18, 2017 correspondence on file.

DISCUSSION

Randy O’Neil appears before the Committee to discuss the Applications. Mr. O’Neil advises that the vacant residential lot was created in order for a family member to reside. As that is no longer the case, his father is paying the additional costs of property taxes on the vacant residential lot. Mr. O’Neil further advises that the blue shaded area on the sketch will be returning to the farm parcel, the orange shaded area will form part of 1826 South Talbot Road and the yellow shaded portion will be added to 1914 South Talbot Road along with the 0.28 hectares (0.69 acres) of agricultural land including the barn. Mr. O’Neil further advises that the driveway to the barn has a shared driveway with 1826 South Talbot Road and 1914 South Talbot Road with entrance to the barn being approximately 30 feet from the rear property line of 1914 South Talbot Road initially created in order get the farm equipment into the barn. However, as the farm is being rented out and there is no farm equipment left, the barn is only being used for addition storage for personal use and access to the barn will continue from 1914 South Talbot Road. Direct access to the farm is off County Road 11. Mr. O’Neil also advises that the area west of the barn is not useable farm land as it contains broken cement as well as the area was being used to burn debris and tree were also planted. The Chair notes that the east lot line of 1914 South Talbot Road will have a slight jog in the property line. Randy O’Neil confirms that the east lot line near the barn with have a 6 foot side yard with access to barn through the front of the barn and no access to the doors at the rear of the barn. Upon an inquiry from the Committee, Randy O’Neil advises that the house at 1826 South Talbot Road was built in 1976 and the house at 1914 South Talbot Road was built in 1997. The Committee seeks advice from Administration regarding the Provincial Policy

Statement regarding the designation of Agricultural lands being re-zoned to prevent future residential development and the comments outlined in the April 18, 2017 correspondence from the County of Essex as well as the comments from the Town's Engineer. Administration advises that in certain applications, a trade-off is undertaken. In this particular application, the elimination of a non-farm residential lot and portion of said lot being added to 1914 South Talbot Road along with barn being added to 1914 South Talbot Road creating an oversized residential dwelling lot requiring a minor variance is the trade-off. Administration also points out that the comments by the County are in the event of a proposed addition and at this time an addition is not being proposed. Administration further advises that an Apportionment Agreement is a common condition with respect drainage of lands.

Motion: (CA-12/16) Moved by Lee Anne Doyle
Seconded by Paul Morand

That Application B-05/17 and B-06/17 are granted subject to the lands being rezoned to prohibit a dwelling from being built on the farm lands.

Tom Fuerth goes on the record as being opposed to the motion restricting a residential dwelling from being built on the farm lands in the future as a portion of the lands from the vacant residential lot is being added to the farm lands and the rationale goes beyond the scope of the Committee. He further states that the farm lands are not the remaining property. Administration explains that the application is not a lot creation it's a reduction of a residential lot. The retained farm parcel has no dwelling and if sold in the future, the purchaser could build a house on the farm. Where the restriction would come into play would be if a surplus dwelling was being severed from the farm lot. The motion is defeated. The Committee is comfortable with the removal of the condition preventing a future home being constructed on the farm lands, based on the explanation provided by Administration, and the motion is amended.

Motion: (CA-/16) Moved by Lee Anne Doyle
Seconded by Paul Morand

That Application B-05/17 and B-06/17 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 85-18.

CONDITIONS FOR SEVERANCE APPLICATION B-05/17

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 \$550.00 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 Owners enter into, and provide the Town of Tecumseh, a written agreement for the reapportionment of the drainage assessment for the subject lands, in accordance with Section 65(2) of the *Ontario Drainage Act*, R.S.O. 1990, as amended, and that the associated costs of same be borne solely by the Applicant. Apportionments for affected Municipal Drains are required and are to be assessed against the lands affected in accordance with any past, current or future drainage by-laws, until otherwise determined under the provisions of the *Drainage Act*;
6. That subsection 50(3) or 50(5), as the case may be, of the Planning Act, R.S.O. 1990, as amended shall apply to any subsequent conveyance of or transaction involving the parcel or land that is the subject of this consent;

7. That the Applicant apply for and be granted a minor variance providing relief from subsection 15.2.4 b) maximum lot area of Zoning By-law 85-18 for the residential lots municipally known as 1826 South Talbot Road and 1914 South Talbot Road; and
8. That the above conditions be fulfilled on or before April 25, 2018 prior to this severance being finalized.

CONDITIONS FOR SEVERANCE APPLICATION B-06/17

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 \$550.00 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 Owners enter into, and provide the Town of Tecumseh, a written agreement for the reapportionment of the drainage assessment for the subject lands, in accordance with Section 65(2) of the *Ontario Drainage Act*, R.S.O. 1990, as amended, and that the associated costs of same be borne solely by the Applicant. Apportionments for affected Municipal Drains are required and are to be assessed against the lands affected in accordance with any past, current or future drainage by-laws, until otherwise determined under the provisions of the *Drainage Act*;
6. That subsection 50(3) or 50(5), as the case may be, of the Planning Act, R.S.O. 1990, as amended shall apply to any subsequent conveyance of or transaction involving the parcel or land that is the subject of this consent;
7. That the Applicant apply for and be granted a minor variance providing relief from subsection 15.2.4 b) maximum lot area of Zoning By-law 85-18 for the residential lot municipally known as 1914 South Talbot Road; and
8. That the above conditions be fulfilled on or before April 25, 2018 prior to this severance being finalized.

Application for Minor Variance A-06/17 – Daniel Soleski, 14237 Riverside Drive East

Interested parties present: Daniel Soleski

The purpose of the Application is to request relief from Subsection 7.1.3 e) iii) of Zoning By-law 2065 which establishes a minimum interior side yard width of 3.05 metres (10 feet) for the subject lot. The Applicant is proposing a minimum interior side yard width of 1.52 metres (5 feet) to accommodate the construction of a two-car garage. The property is designated Single Family Residential in the St. Clair Beach Official Plan and zoned Residential Type Two Zone (R2) in the St. Clair Beach Zoning By-law.

Notice of hearing for the above submissions 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

Daniel Soleski appears before the Committee to discuss the Application. Mr. Soleski advises that he designed the garage to be setback as far as possible from Riverside Drive so that it doesn't

stick out into the front yard. He further indicates that there are challenges with the lot due to the irregular shape of lot. The Chair notes that during the site visit he noticed a carport off Pentilly Road however the site plan provided with the Application indicates that the carport is converted into a den. The Chair questions whether or not the Applicant is planning on having five or more cars as he has two driveways. Mr. Soleski confirms that it is his intention to convert the carport into a den or playroom for his children and possibly eliminating the driveway off Pentilly Drive. Administration advises that it has no concerns with the application as it meets the four tests, the result does not have an adverse impact on neighbouring properties, its appropriate development and due to the configuration of the lot, a hardship for the Applicant.

Motion: (CA-13/17) Moved by Tom Marentette
Seconded by Lee Anne Doyle

That Application A-06/17 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.

Application for Severance B-07/17 – Matthew and Kari Loscher, 6665 10th Concession Road

Interested parties present: Matthew and Kari Loscher

The purpose of the Application is to sever 0.15 hectares (0.37 acres) of vacant agricultural land (outlined in red) and consolidate it with the abutting residential lot, municipally known as 6675 10th Concession Road, creating a total lot area of 0.49 hectares (1.22 acres). The Applicant will retain a vacant agricultural lot with an approximate area of 13.21 hectares (32.64 acres) (outlined in green). Minor Variance Application A-07/17 is being heard concurrently with this Application. The proposed severed and retained parcels are designated Agricultural in the Sandwich South Official Plan and zoned Agricultural (A) in the Sandwich South Zoning By-law.

Notice of hearing for the above submissions 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-07/17 – Matthew and Kari Loscher, 6665 10th Concession Road

Interested parties present: Matthew and Kari Loscher

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

- 1) Subsection 15.1.3 which establishes the minimum lot area for an agricultural parcel of land in the Agricultural (A) Zone is 19.0 hectares (46.94 acres). The retained agricultural lot will have an approximate area of 13.21 hectares (32.64 acres); and
- 2) Subsection 15.1.4 which establishes the minimum lot frontage as 150 metres (492.13 feet). The frontage for the retained agricultural lot will require relief for 135 metres (41.15 feet).

The requested relief will be a condition of Severance Application B-07/17 being heard concurrently with this application. The subject property is designated Agricultural in the Sandwich South Official Plan and zoned Agricultural (A) in the Sandwich South Zoning By-law.

Notice of hearing for the above submissions 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

Matthew and Kari Loscher appear before the Committee to discuss the Applications. Mr. Loscher advises that the purpose of the severance to eliminate one access point to the residence when the ditches are redone as there are four access points to the residential and farm parcels. The most southerly access will be removed and the barn will have direct access off the 10th Concession Road. Administration is requested to provide comments on the Application. Chad Jeffery advises that Administration is supportive of the application subject to a minor variance being obtained for the undersized farm parcel and minimum lot frontage. Administration also advises that due the proximity of the water connection, a condition of the severance will be to ensure that both parcels have separate water supplies. The Committee is supportive of the reconfiguration of the existing farm parcel and residential dwelling lot as it is in keeping with the Provincial Policy Statement and Official Plan. The Committee also points out that the severance does not negatively impact the neighbouring properties or agricultural lands noting that the application will have the standard conditions as well as a condition for separate water service to the severed and retained lands. It is also noted that ERCA has no objections to the application. The Committee questions as to whether or not the removal of southerly access bridge is to be included as a condition of severance. Administration advises that the removal of the bridge is not mandatory. Administration also advises that comments received from the Town's Engineer with respect to the Apportionment Agreement is a standard condition of severance.

Motion: (CA-14/17) Moved by Lee Anne Doyle
Seconded by Jim Mackie

That Application B-07/17 and A-07/17 is granted.

Carried

REASONS

The Severance Application is in keeping with the Official Plan policies for the Town of Tecumseh as well as Zoning By-law 85-18 and the Minor Variance 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.

CONDITIONS OF SEVERANCE APPLICATION B-07/16

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 \$550.00 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 Owners enter into, and provide the Town of Tecumseh, a written agreement for the reapportionment of the drainage assessment for the subject lands, in accordance with Section 65(2) of the *Ontario Drainage Act*, R.S.O. 1990, as amended, and that the associated costs of same be borne solely by the Applicant. Apportionments for affected Municipal Drains are required and are to be assessed against the lands affected in accordance with any past, current or future drainage by-laws, until otherwise determined under the provisions of the *Drainage Act*;
6. That the severed and retained parcels be serviced with separate entrances to the satisfaction of the Town's Engineer;
7. That the severed and retained parcels be serviced with separate water supplies to the satisfaction of the Town of Tecumseh Water Department prior to the severance being finalized;
8. That subsection 50(3) or 50(5), as the case may be, of the Planning Act, R.S.O. 1990, as amended shall apply to any subsequent conveyance of or transaction involving the parcel or land that is the subject of this consent; and
9. That the above conditions be fulfilled on or before April 25, 2018 prior to this severance being finalized.

Application for Minor Variance A-08/17 – Robert Harrison, 5636 Walker Road

Interested parties present: Robert Harrison

The purpose of the Application is to request relief from subsection 5.27.1 d) i) of Zoning By-law 85-18 which establishes that accessory buildings in residential zones shall not exceed 90.0 square metres (969.0 sq. ft.) in total area and no individual accessory building or structure shall exceed 70.0 square metres (753.0 sq. ft.) in area. The Applicant is requesting relief to construct a 57.23 square metre (616 sq. ft.) addition to the existing accessory building resulting in a total area of 140.00 square metres (1512 sq. ft.). Relief was granted by the Committee of Adjustment in 2009 by way of Minor Variance Application No. A-22/09 to permit the existing 85.8 square metres (921 sq. ft.) garage. The subject property is designated Hamlet Residential in the Sandwich South Official Plan and zoned Hamlet Residential Zone (RH) in the Sandwich South Zoning By-law.

Notice of hearing for the above submissions 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

Robert Harrison appears before the Committee to discuss the Application. Lee Anne Doyle points out that a minor variance for an oversized accessory structure was obtained a few years back. She also points out that the property is very well maintained. She questions Mr. Harrison as to the hardship for not being able to meet the provisions of the Zoning By-law and the need for the oversized accessory building. He indicates that he has two old cars, one of which is being stored at family member's house. Upon an inquiry from the Chair, Mr. Harrison advises that the accessory building at the back corner of the property is used for storage of his lawn mower. Administration reminds the Committee that in rendering decisions, justification for the need of the oversized accessory building exceeding the 10 percent lot area should be taken into consideration as well as the compatibility with the neighbourhood, and comments or concerns raised by neighbouring property owners. Administration cautioned the Committee that sometimes oversized accessory buildings are used for alternate purposes such as illegal businesses. Upon an inquiry from the Committee, Mr. Harrison advises the estimated value of the cars being stored is approximately \$80,000 and \$15,000 respectively.

Motion: (CA-15/17) Moved by Bill Altenhof
Seconded by Lee Anne Doyle

That Application A-08/17 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, no adverse impact on neighbouring properties and the variance is minor in nature.

Application for Minor Variance A-09/17 – 1965461 Ontario Ltd., 5335 Outer Drive

Interested parties present: Steve Habib

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

- 1) Subsection 14.1.9 c) establishes that the minimum side yard width is 6 metres (19.68 feet). The Applicant is requesting a 3.5 metre (10 foot) side yard width to accommodate a proposed 743.22 square metre (8,000 sq. ft.) addition to the existing 328.81 square metre (3,550 sq. ft.) structure; and
- 2) Subsection 5.33 x) (offices, general and professional) and subsection 5.33 viii) (industrial establishments) establish that 25 parking spaces are required on the subject property. The applicant is proposing 24 parking spaces.

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

Notice of hearing for the above submissions 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

Steve Habib appears before the Committee to discuss the Application. Lee Anne Doyle questions whether or not the overhead door and loading space will be functional for the operational needs or will it impede into the adjacent parking area. Mr. Habib advises that once the actual drawings are prepared, if there isn't sufficient space, the overhead door and loading space will be relocated to ensure sufficient loading space as well as parking. The Committee questions as to whether the building can be moved back closer to the rear lot line in order to create the addition parking spot required under the by-law. Administration advises the municipal rear yard setback is 24.6 feet however based upon the proposal submitted, it's not necessarily feasible for the Applicant to redesign the building to accommodate the shortfall of one parking space. Administration is of the opinion that the Application meets the four test of a minor variance. Storm water management for the site is addressed by the Town's Engineer and can be added as a condition to the minor variance. It is noted that the MTO was included in the circulation through the application process and provided no comments. Mr. Habib indicated that he was in communication with the MTO and the rear yard setback was established by them and the drawing was created from the point established by the MTO. The Chair points out that the building at 5325 Outer Drive is closer to the 401 than the building in the Applicant's proposal.

Motion: (CA-16/17) Moved by Jim Mackie
Seconded by Paul Morand

That Application A-09/17 is granted, subject to stormwater management being addressed to the satisfaction of the Town's Engineer.

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.

Tony Muscedere vacates the meeting.

Application for Minor Variance A-10/17 – Home Hardware Stores Limited, 1613 Lesperance Road

Interested parties present: Scott Patterson, Labreche Patterson & Associates Inc. - Agent

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

- 1) Subsection 5.33 (ix) establishes that 1 parking space is required for every 18.5 sq m (199 sq ft) of retail floor area. The Applicant is proposing 98 parking spaces whereas the By-law establishes a minimum of 214 parking spaces for the subject property;
- 2) Subsection 8.1.5 establishes maximum lot coverage is 30%. The proposed additions (highlighted in yellow) result in 31% lot coverage;
- 3) Subsection 8.1.6 establishes the minimum landscaped open space is 20%. The Applicant is proposing 8.5% landscaped open space;
- 4) Subsection 8.1.12 establishes a buffer strip with a minimum width of 3 m (9.84 ft) shall be provided abutting side and rear lot lines where a General Commercial Zone abuts a Residential Zone. The Applicant is proposing a 2.2 m (7.22 ft) high solid wood fence as opposed to the buffer strip;
- 5) Subsection 8.1.14 c) establishes that no outside storage shall be permitted in any required minimum yard directly abutting a Residential Zone. The Applicant is proposing storage in the required minimum sides and rear yards.

The property is designated General Commercial in the Sandwich South Official Plan and zoned General Commercial Zone (C1-2 and C1-7) in the Sandwich South Zoning By-law.

Notice of hearing for the above submissions 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, Agent and all required agencies and to each member of the Committee of Adjustment.

CORRESPONDENCE

ERCA: No objection.

County of Essex: No response.

DISCUSSION

Scott Patterson appears before the Committee to discuss the Application. Mr. Patterson provides an explanation for requiring relief regarding parking spaces. He advises that the Town's Zoning By-law not only requires parking for the retail portion of the facility but also for the warehouse portion of the facility. In reference to lot coverage, Mr. Patterson advises that the vestibule and the garden centre which has no roof but as it has a permanent fence surrounding it, is included in the calculation for lot coverage. The minimum landscaped open space is the existing landscaping which fronts onto the municipal roadways. The 3 metre buffer strip between the commercial and residential zone is currently primarily used for storage. The Applicant is proposing a 2.2 metre in height continuous wood fence. Discussion ensues regarding the number of parking spaces. Mr. Patterson advises that additional parking will be available in the drive-thru area while picking up merchandise and with the additional warehouse space, more products will be able to be stored indoor elevating space on the paved portion surrounding the building for parking. Mr. Patterson indicates that in reference to relief sought for outdoor storage, advises that the additional warehouse space will reduce the amount of product outdoors thereby reducing the harbouring of pest and or rodents. Upon an inquiry from the Committee, Mr. Patterson advises the height of the building is the same as the existing structures.

Mr. Gardin of 12228 Westlake appears before the Committee requesting that a 12" barrier be established between his fence and the fence to be installed to prevent damage to his fence that could potentially be caused by a forklift, etc. when moving product. The Chair inquires as to if the fence is on the property line and is informed that the fence is on Home Hardware's property. Mr. Patterson further indicates that the current fence is chain link and proposes to construct an 8 foot wood fence subject to Site Plan Control. Mr. Patterson indicates that the fence would be

within approximately 6 inches to the property line as leaving a 12 inch gap would be difficult to maintain for weeds and for debris. Mr. Gardin advises that he sprays round-up periodically to prevent / kill weeds. The Chair notes that in the absence of a survey, it's difficult to determine where the fences are located.

Administration advises the Applicant has a successful business and efficient use of the property. Administration further advises that they have not heard of any problems with respect to the site and/or parking issues stating that the by-law captures standard averages and thus far there seems to be adequate parking for the site. In reference to the outdoor storage, discussion will take place through the Site Plan Control approval process. Site Plan Control will also deal with the concerns regarding the fence. Perhaps a vinyl fence might be appropriate. Ensuring that the fence is continuous provides a buffer between the subject property and the abutting residential lands. Administration advises that the Applicant has effective use of site and is supportive of the variance. Once in the Site Plan Control process greater details can be discussed further. The Chair confirms that there is no public input during the Site Plan Control process and that it is ultimately approved by Council. Therefore, Mr. Gardin may wish to speak to his Council member regarding any concerns he may have with fencing on the subject property.

The Committee also notes the comments contained in the correspondence from the County of Essex regarding permits required for the proposed construction.

Motion: (CA-17/17) Moved by Paul Morand
Seconded by Tom Marentette

That Application A-10/17 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 acknowledged the concerns raised by the resident at 12228 Westlake regarding fencing issues indicating that fencing will be addressed through Site Plan Control.

Tony Muscedere re-enters the meeting.

Application for Minor Variance A-11/17 – Ronald Bonner, 1039 Lacasse Boulevard

Interested parties present: Ronald Bonner

The purpose of the Application is to request relief from subsection 5.5.1 a) vi) and subsection 5.18 of Zoning By-law 1746. Subsection 5.5.1 a) vi) establishes that the maximum encroachment for open, roofed porches not exceed 2.5 metres (8.2 feet) into the required front yard. The Applicant is proposing to re-construct and enlarge the existing porch along the current setback which encroaches 5.79 metres (19 feet) into the required front yard. Subsection 5.18 establishes that no building or structure shall be erected within the triangular space between the street lines for a distance of 9.0 metres (29.53 feet) from the point of intersection. The proposed enlargement of the porch impedes slightly into the sight visibility triangular space between the street lines.

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

Notice of hearing for the above submissions 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

Ronald Bonner appears before the Committee to discuss the Application. Mr. Bonner advises that the portion of the front porch that extends into the triangular space between the point of

intersection of the streets is a portion of the open covered porch approximately two inches. The Committee requests further clarification and Mr. Bonner advises that it would be the bottom step of the front porch that would extend into the triangular space between the point of intersection. The Committee inquires as to the scope of works being completed. Mr. Bonner advises the new porch extends along the front of the house six feet in depth from the house which is in keeping with the existing front porch and then ten feet wide along the side of the house. Mr. Bonner advises that the stairs to the existing porch are rotten and therefore would like to construct the proposed porch along the existing porch that extends six feet from the house and wrap it around the side of the house to add curb appeal. Mr. Bonner also advises that he has been making improvements to his residence by adding siding and stone to the home. Administration advises that there are no concerns with the application as it meets the four tests.

Motion: (CA-18/17) Moved by Lee Anne Doyle
Seconded by Bill Altenhof

That Application A-11/17 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, no adverse impacts on adjacent property owners and the variance is minor in nature.

Application for Minor Variance A-12/17 – NLC Management Limited, 2045 Solar Crescent

Interested parties present: Piero Aleo, Agent for the Applicant
Mike Schincariol, Wincon Construction

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

- 1) Section 5.33 a) establishes that 4 barrier free parking spaces be provided. The existing property provides only 2 barrier free parking spaces;
- 2) Section 5.34 g) establishes that a landscaped buffer strip with a min. width of 3 m (9.84 ft) shall be provided abutting a front lot line where a parking area accommodates more than 4 parking spaces. The subject property does not have a landscaped buffer strip;
- 3) Section 5.37 b) establishes that the minimum distance between a driveway and a lot line shall be 0.5 m (1.64 ft). The existing driveway providing access from Solar Cr has no setback from the side lot line;
- 4) Section 5.37 e) establishes that every lot shall have a max. of 2 driveways. The subject property has 7 existing driveways;
- 5) Section 14.1.5 establishes that the max. lot coverage is 40%. The Applicant is requesting relief to construct a 1947.61 sq. m (20964 sq ft) addition resulting in a total lot coverage of 42%; and
- 6) Section 14.1.16 establishes that a max. Of 6 parking spaces are permitted in the front yard. The subject property has 126 existing parking spaces in the front yard.

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

Notice of hearing for the above submissions 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, Agent and all required agencies and to each member of the Committee of Adjustment.

CORRESPONDENCE

ERCA: No objection.

County of Essex: No response.

DISCUSSION

Piero Aleo, Agent for the Applicant and Mike Schincariol of Wincon Construction appear before the Committee to discuss the Application. The Committee is informed that the minor variance was initially only for lot coverage and the other relief being requested is relief that has occurred over the past 25 years as a result of the growing company purchasing abutting properties and selling off properties adjacent to the subject property. The Chair clarifies that the relief sought is actually for two properties, being 2045 Solar Crescent and 5350 Pulleyblank Street which explains the number of entrances to the lands. Mr. Aleo advises that there are three entrances on the adjacent property however the loading dock will be removed leaving two on back. The overhead door entrance on the side will also be removed. Mr. Aleo informs the Committee that relief with respect to the accessible parking space is being withdrawn from the Application as they will be able to accommodate four accessible spaces on the property.

Administration advises that the relief sought is due to land consolidation. Administration further indicates that the front yard changed when the property to the north was added. The relief sought is simply technical in nature and a matter of housekeeping to bring the property into compliance with the zoning by-law.

Tony Muscedere seeks advice from Administration if the property is under Site Plan Control. Administration advises that the property is not subject to Site Plan Control however, the Zoning By-law has unique provisions which cover such matters that may typically be handled through Site Plan Control.

The Chairs notes the comments provided for by ERCA with respect to stormwater management as well as the Town's Engineer and suggests that the motion be subject to stormwater management being addressed to the satisfaction of the Town's Engineer.

Upon an inquiry from the Chair, Administration advises that the property for the purposes of this application, are to be viewed as one lot as abutting lots under common ownership are viewed as one lot. However, if the lots are created under a plan of subdivision or a lot created by consent, they can be sold separately as once a lot, always a lot. In the event of a sale of one of the lots in future, compliance with the Zoning By-law would be addressed at the time of the sale by the purchaser's lawyer. Administration confirms that the two abutting lots are under common ownership.

Motion: (CA-19/17) Moved by Lee Anne Doyle
Seconded by Paul Morand

That that Application A-12/17 is granted, subject to stormwater management being addressed to the satisfaction of the Town's Engineer and the relief sought for Subsection 5.33 a) establishing 4 barrier free parking spaces is withdrawn.

Carried

REASONS

The Application be approved subject to site servicing regarding stormwater management and the elimination of relief sought for barrier free parking. 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 Application further recognizes and addresses the items not in conformance with the Zoning By-law. It is further noted that the relief sought has no adverse impact on neighbouring properties.

Application for Minor Variance A-13/17 – Martin and Manuela Solcz, 14202 Riverside Drive

Interested parties present: Gino Piccioni, Agent for the Applicant
Martin Solcz

The purpose of the Application is to request the following relief from Zoning By-law 2065:

- 1) Subsection 6.1.3 e) iii) establishes that the minimum side yard width is 3.01 metres (10.0 feet). The Applicant is requesting a 2.29 metre (7.5 foot) side yard width to accommodate the proposed construction of a 386.20 square metre (4157 square foot) residential dwelling; and

- 2) Subsection 6.1.3 e) ii) establishes that the mid-point of the wall nearest to Lake St. Clair of any new dwelling or any addition to an existing dwelling for lots on the north side of Riverside Drive shall not extend beyond the established building line (outlined in red). The Applicant is proposing to construct a 386.20 square metre (4157 square foot) residential dwelling with a rear covered porch to extend beyond the established building line in accordance with the attached sketch.

The property is designated Single Family Residential in the St. Clair Beach Official Plan and zoned Residential Type One Zone (R1) in the St. Clair Beach Zoning By-law.

Notice of hearing for the above submissions 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, Agent and all required agencies and to each member of the Committee of Adjustment.

CORRESPONDENCE

ERCA: No objection.

County of Essex: No response.

DISCUSSION

Martin Solcz and Gino Piccioni. Agent for the Applicant appear before the Committee to discuss the Application. Mr. Piccioni advises that it was the owners' intent to only apply for a side yard variance and not Subsection 6.1.3. e) ii) to build or extend beyond the established building line. Therefore, request that the Application be amended to remove the relief sought for Subsection 6.1.3. 3) ii). Mr. Piccioni further advises that initially the Applicant was considering a 7500 sq. ft. two-storey but has since decided to build a ranch style home to lessen the impact on neighbouring property owners siting that a 13-14 foot exterior wall as opposed to a 30 foot wall with a two-storey home in addition to it better fitting into their present lifestyle.

Lee Anne Doyle acknowledges the comments made by Mr. Piccioni but questions the hardship in which the Applicant is not able to comply with the Zoning By-law. Mr. Solcz advises that the distance between the house proposed and his neighbour's house to the east is approximately 18.5 feet and the house to west is approximately 21.5 feet. In addition, his house abutting the property to west abuts the driveway. Mr. Solcz advises that the design of the house is in keeping with the neighbourhood.

Janet Graybiel of 14218 Riverside Drive appears before the Committee. Ms. Graybiel resides east of the subject property and feels she is greatly impacted by the proposed construction. She indicates that the easterly wall of the proposed structure would extend down her property line within 7.5 feet for the length of the entire structure, being approximately 50 feet. She inquires as to the elevation of the property and whether or not a basement is planned. She has grave concerns with the height of the building indicating that although a ranch is preferred over a two-storey home, the height of the structure concerns her. Mr. Solcz advises that the elevation is determined by ERCA and they are waiting for a response. Mr. Solcz further advises that he has incurred great expense on architecture fees indicating he was initially proposing a two-storey structure but has since reconsidered and has re-designed a ranch home. Mr. Solcz indicates that the wall would be approximately 13-14 feet and would be well within the requirements. The Chair indicates that ERCA would set the minimum requirement based upon the lowest opening of the house. Bill Altenhof informs the Committee that a minimum elevation levels are required by ERCA otherwise a retaining wall, etc. may be required. Administration advises that they are unable to comment on criteria established by ERCA including elevation levels and break walls. Although, Ms. Graybiel would like the Applicant to commit to a grade/elevation level, Mr. Solcz could not answer as to what the elevation was going to be established at and was not able to commit to a set elevation. However, he did assure the Committee and Ms. Graybiel that he would abide by ERCA's requirements and indicated that the house would not look ostentatious and would be complimentary to the neighbourhood. He further pointed out that he is cognizant of his neighbours' concerns. It is noted that stormwater on the north side of Riverside Drive drains into Lake St. Clair. Upon an inquiry from the Committee, Mr. Solcz advises that the previous home, which was demolished was an "L" shaped 1-1/2 storey home. Ms. Graybiel was satisfied with the comments made this evening and trusted that Mr. Solcz would work with her regarding her concerns.

Motion: (CA-20/17) Moved by Tony Muscedere
Seconded by Paul Morand

That Application A-13/17 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.

VI DEFERRALS

VII NEW BUSINESS

OACA News Article

Chad Jeffery advises that the news article has been drafted and highlights some of the key features. He further advises that some minor amendments are required and final approvable by the Director.

VIII UNFINISHED BUSINESS

IX ADJOURNMENT

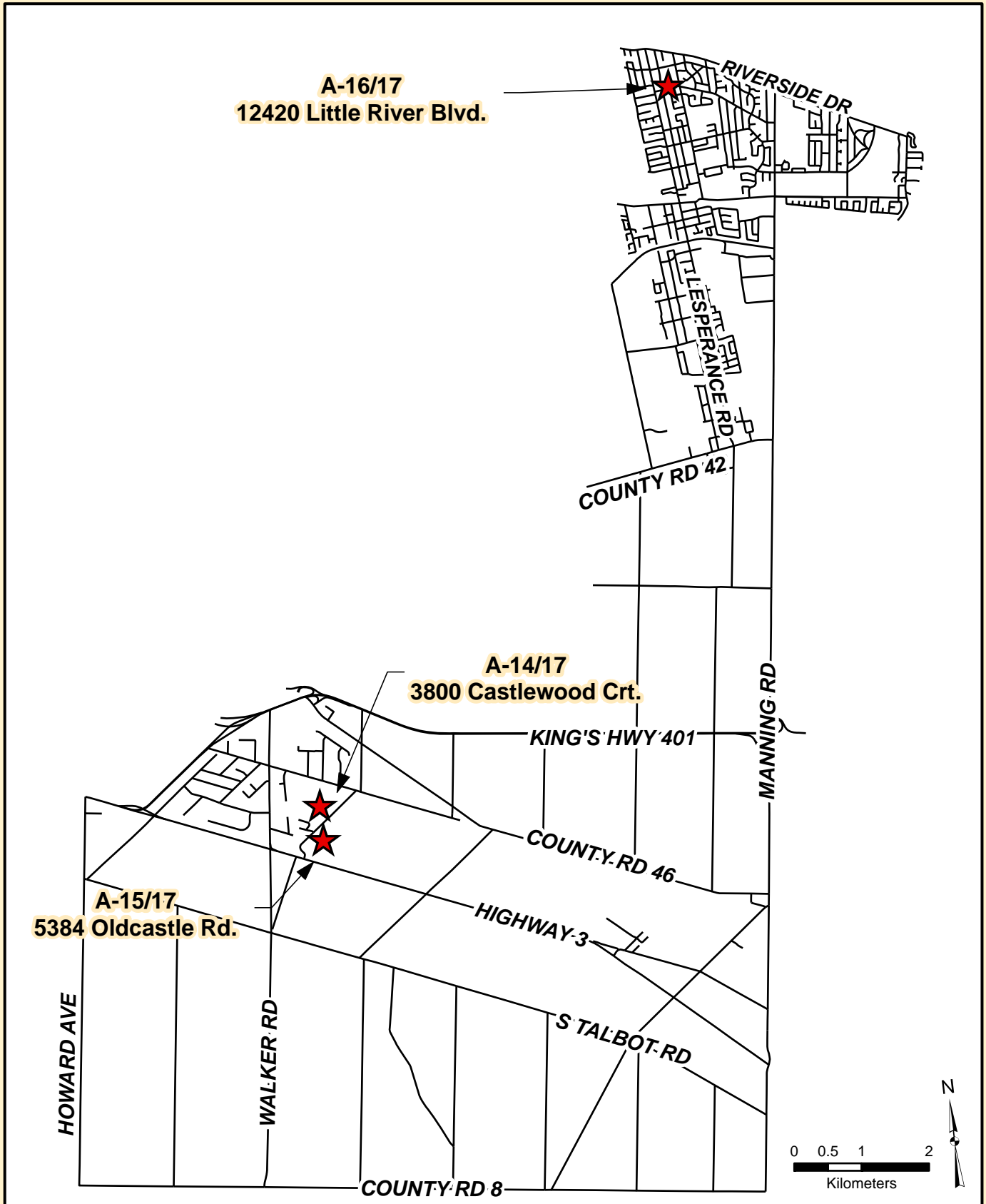
Motion: (CA-21/17) Moved by Paul Morand
Seconded by Jim Mackie

That there being no further business the April 24th, 2017 regular meeting of the Committee of Adjustment now adjourn at 7:15 p.m.

Carried

Tom Fuerth, Chairperson

Donna Ferris, Secretary-Treasurer



Prepared By:
Tecumseh Planning and
Building Department



Subject Properties

May 15, 2017
Committee of
Adjustment Meeting
Key Map

**Town of Tecumseh
Committee of Adjustment
Regular Meeting
Monday, May 15, 2017
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, April 24, 2017

V SUBMISSIONS

5:00 p.m.

Minor Variance Application A-14/17, Frank Venuto, 3800 Castlewood Court

The purpose of the Application is to request the following relief from 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 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 construct an accessory building having a total area of 102.19 square metres (1100.0 square feet); and
- 2) Subsection 5.27.1 e) establishes that accessory buildings in residential zones shall not exceed 4.57 metres (15.0 feet) in height. The Applicant is requesting relief for 5.18 metres (17.0 feet).

The subject property is designated Hamlet Residential in the Sandwich South Official Plan and zoned Hamlet Residential (RH-1) in the Sandwich South Zoning By-law.

5:05 p.m.

Minor Variance Application A-15/17, Michael Abaldo, 5384 Oldcastle Road

The purpose of the Application is to request the following relief from 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 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 construct an accessory building having an area of 118.91 square metres (1280.0 square feet) resulting in a total area of accessory buildings of 174.66 square metres (1880.0 square feet).

The subject property is designated Hamlet Residential in the Sandwich South Official Plan and zoned Hamlet Residential (RH-1) in the Sandwich South Zoning By-law.

5:10 p.m.

Minor Variance Application A-16/17, Anthony Teno, 12420 Little River Boulevard

The purpose of the Application is to request relief from Subsection 6.1.5 of Zoning By-law 1746 which establishes a maximum total lot coverage of 30 percent. The Applicant is proposing to construct a 34.19 square metre (368 square foot) sunroom resulting in total lot coverage of 35 percent.

The subject property is designated Residential in the Tecumseh Official Plan and zoned Residential Zone 1 (R1) in the Tecumseh Zoning By-law.

VI DEFERRALS

VII NEW BUSINESS

VIII OLD BUSINESS

IX ADJOURNMENT

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

Applicant: **Frank Venuto**

Location of Property: **3800 Castlewood Court; Parts 5, 6 & 7, 12R18511
Lot 303, NTR (former Township of Sandwich South)**

Purpose of Application: **Minor Variance**

is to request the following relief from 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 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 construct an accessory building having a total area of 102.19 square metres (1100.0 square feet); and

2) Subsection 5.27.1 e) establishes that accessory buildings in residential zones shall not exceed 4.57 metres (15.0 feet) in height. The Applicant is requesting relief for 5.18 metres (17.0 feet).

The subject property is designated Hamlet Residential in the Sandwich South Official Plan and zoned Hamlet Residential (RH-1) 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 15th day of May, 2017 @ 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

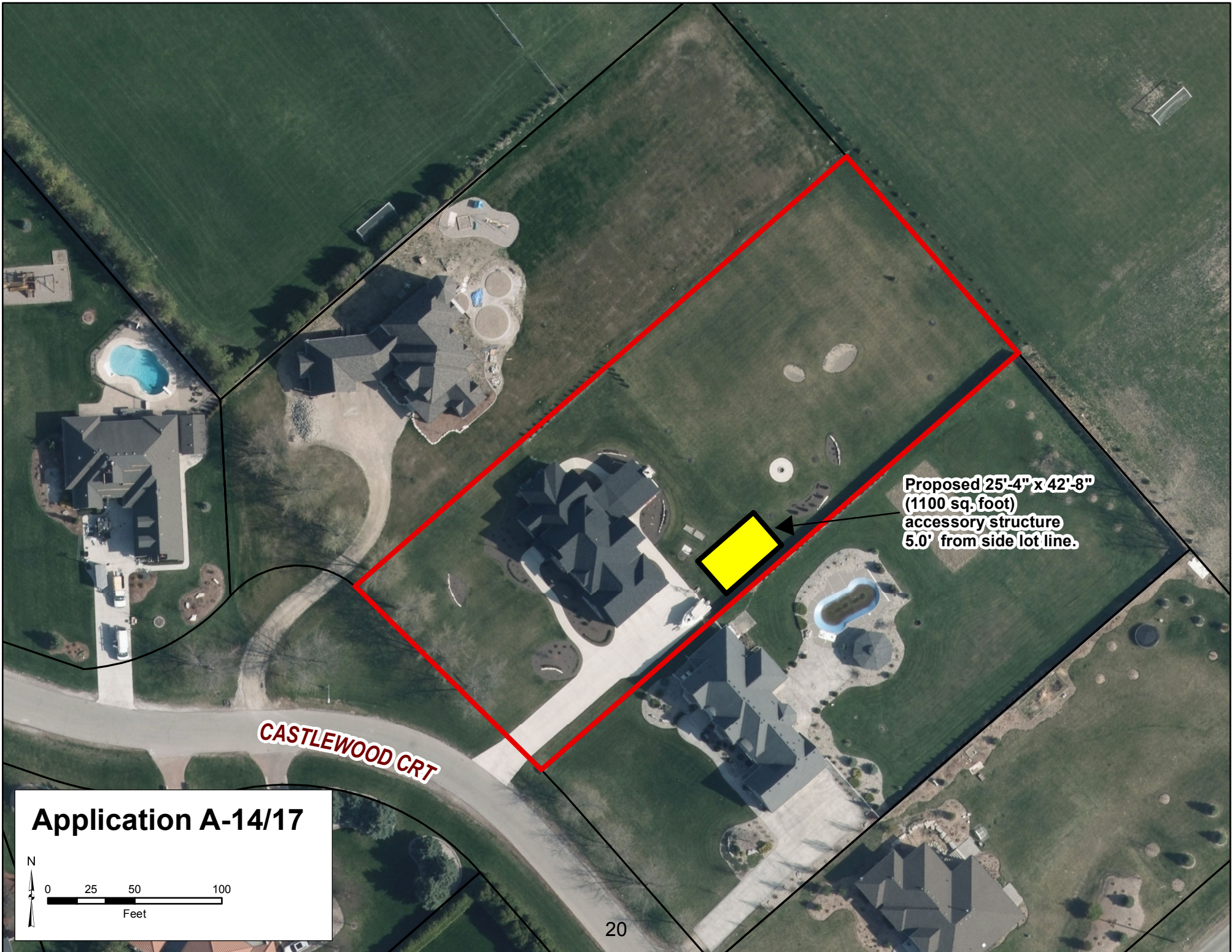
If you do not attend at the hearing it may proceed in your absence (including possible amendments to the original request) and, except as otherwise provided in the Planning Act, you will not be entitled to any further notice in the proceedings.

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 Ontario Municipal Board 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 Ontario Municipal Board by the Applicant or another member of the public. To appeal the decision to the Ontario Municipal Board, 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

Dated this 4th day of May, 2017

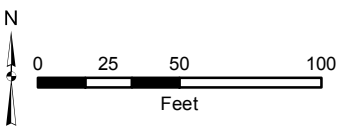
Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment



Proposed 25'-4" x 42'-8"
(1100 sq. foot)
accessory structure
5.0' from side lot line.

CASTLEWOOD CRT

Application A-14/17



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

Applicant: **Michael Abaldo**

Location of Property: **5384 Oldcastle Road; Lot 302, NTR;
Part 1, 12R-5914 (former Township of Sandwich South)**

Purpose of Application: **Minor Variance**

is to request the following relief from 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 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 construct an accessory building having an area of 118.91 square metres (1280.0 square feet) resulting in a total area of accessory buildings of 174.66 square metres (1880.0 square feet).

The subject property is designated Hamlet Residential in the Sandwich South Official Plan and zoned Hamlet Residential (RH-1) in the Sandwich South Zoning By-law.

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917 LESPERANCE
TECUMSEH, ONTARIO**

ON

Monday, the 15th day of May, 2017 at 5:05 p.m.

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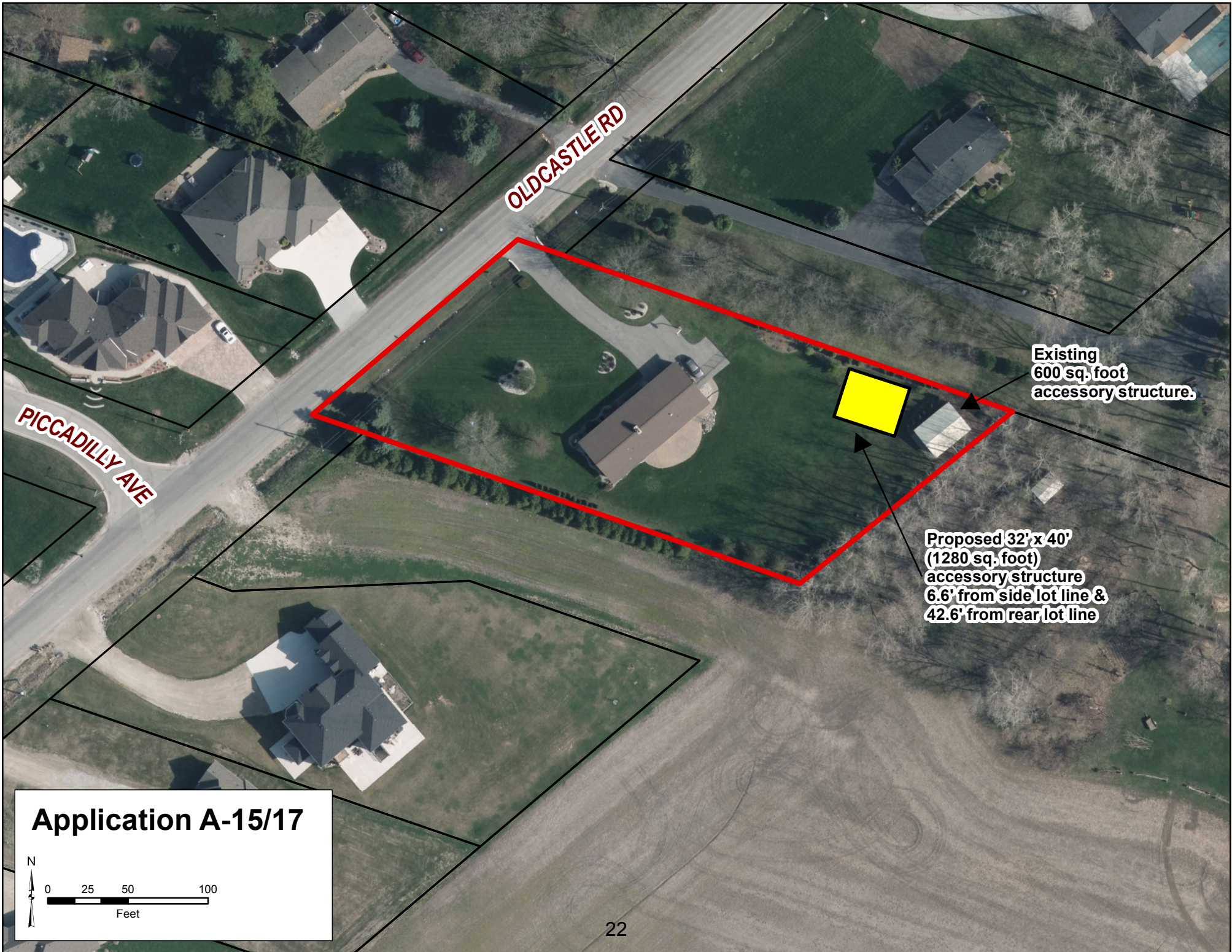
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Dated this 4th day of May, 2017

Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment



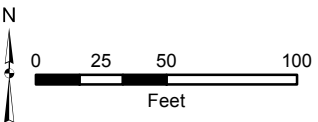
OLDCASTLE RD

PICCADILLY AVE

Existing
600 sq. foot
accessory structure.

Proposed 32' x 40'
(1280 sq. foot)
accessory structure
6.6' from side lot line &
42.6' from rear lot line

Application A-15/17



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

Applicant: **Anthony Teno**

Location of Property: **12420 Little River Boulevard;
Part 2, 12R-12021 & Part 10, 12R-26854**

Purpose of Application: **Minor Variance**

is to request relief from Subsection 6.1.5 of Zoning By-law 1746 which establishes a maximum total lot coverage of 30 percent. The Applicant is proposing to construct a 34.19 square metre (368 square foot) sunroom resulting in total lot coverage of 35 percent. The subject property is 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 15th day of May, 2017 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.

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Dated this 4th day of May, 2017

Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment

**Proposed 16' x 23' Sunroom
(15' from easterly side lot line &
12' from westerly side lot line)**

12420

Application A-16/17



LITTLE RIVER BLVD.