

Committee of Adjustment Meeting
AGENDA

Monday, July 17, 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**
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5. **SUBMISSIONS**
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 - c. Application for Severance B-08/17, Windsor-Essex Catholic District School Board, 13765 St. Gregory's Road 14 - 15
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 - e. Application for Minor Variance A-23/17, Dominic and Gwen Maurini, 12680 Bellaire Woods Drive 18 - 19
 - f. Application for Minor Variance A-24/17, Ionel Jumblaru, 6612 Walker Road 20 - 21
6. **DEFERRALS**
 - a. Application for Minor Variance A-20/17, Robert Flood, 11800 County Road 34 22 - 23
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 June 19, 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

There is no disclosure of interest made.

IV MINUTES

1. Minutes of the regular Committee of Adjustment meeting held Monday, May 15, 2017.

Motion: (CA-27/17) Moved by Lee Anne Doyle
Seconded by Paul Morand

That the Minutes of the regular Committee of Adjustment meeting held Monday, May 15th, 2017 be adopted, as printed and circulated.

Carried

V SUBMISSIONS

The following submissions were heard:

Application for Minor Variance A-17/17 – Gary Maenpaa, 1785 Shawnee Road

Interested parties present: Gary Maenpaa, Meagan and Calvin Karnot

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

1. Subsection 5.6.1 a) iv) which establishes that balconies are permitted to encroach into the required front yard 1.5 m (4.92 ft.). The proposed balcony encroaches 2.27 m (7.45 ft.) into the required front yard;
2. Subsection 5.6.1 a) v) which establishes that open, roofed porches not exceeding one storey in height are only permitted to project into the required rear yard to a maximum distance of 2.5 m (8.2 ft.) including eaves and cornices. The proposed open, roofed porch projects 3.8 m (12.45 ft.) into the required front yard; and
3. Subsection 5.6.1 a) vi) which establishes that free-standing outdoor air conditioning units are only permitted to project into the required rear yard a maximum distance of 1.5 m (4.92 ft.); and subsection 5.6.2. which establishes that a free-standing outdoor air conditioning unit shall be prohibited in the front yard. The applicant proposes to locate the air conditioning unit in the front yard.

The subject property is designated Tecumseh Hamlet Residential in the Sandwich South Official Plan and zoned Residential Zone 1 (R1) in the Sandwich South Zoning By-law 85-18. 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: No response.

DISCUSSION

Gary Maenpaa appears before the Committee to discuss the Application. Gary Maenpaa advises the subject property has been in the family for many years and his daughter is looking at renovating the home incorporating the existing old style with new style. He further advises that the air conditioning unit in the front yard will be covered by shrubs and that the existing porch is merely being widened.

The Committee confirms with Applicant the location of air conditioning unit. The Committee also confirms that the location of the garage, shed and the driveway are remaining in the same location and that the front porch is being extended approximately 2 feet on the north side of the porch and approximately 4 feet on the south side of the porch. The Committee questions the rationale for the air conditioning unit to be located in the front yard. Calvin Karnot advises that it's for safety reasons due to the children playing outside and locating the unit on the south side of the house would be too far from the furnace and the driveway is on the north side of the house. He informs the Committee that the efficiency of the air conditioning unit and life expectancy is reduced when located more than 50 feet from the furnace.

Administration advises that although the air conditioning unit in the front yard is out of sight, it's still large and noisy and further, it's not common, it's unsightly and would establish a bad precedent. Gary Maenpaa advises that there is also a row of cedars fronting the property preventing a line of sight from the front property line. Lee Anne Doyle indicates concern with establishing a precedent in addition to the fact that the by-law was established to prohibit air conditioning units in the front yard. Lee Anne Doyle also indicates that there would be an adverse impact and is not comfortable with the air conditioning unit in the front yard and she further states that the Applicant has not established a hardship to support the proposal and therefore cannot support the air conditioning unit in the front yard. Bill Altenhof indicates that in accordance with the drawings provided, the air conditioning unit would be approximately 50 feet from the furnace indicating that many units run as far as 70 feet and doesn't feel that the distance in this case is problematic. Bill Altenhof further indicates that air conditioning units are developed with safety features in mind and feels that there is more rationale to locate the unit on the south side of the house. Administration advises the Committee that a condition can be imposed with respect to the relief sought for the air conditioning unit.

Motion: (CA-28/17) Moved by Paul Morand
Seconded by

That Application A-17/17 is granted subject to the air conditioning unit be screened with shrubs.

The motion fails.

Motion: (CA-29/17) Moved by Tom Marentette
Seconded by Bill Altenhof

That Application A-17/17 is granted except Item 3) for relief under subsection 5.6.1 a) vi) and subsection 5.6.2 to locate the air conditioning unit in the front yard is denied.

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 Minor Variance A-18/17 – Victor Neves and Diane Powers, 214 St. Mark's Road

Interested parties present: Victor Neves and Diane Powers

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

1. Subsection 7.1.3 e) ii) which establishes a minimum rear yard depth of 7.62 metres (25 feet); and
2. Subsection 7.1.3 e) iii) which establishes a minimum interior side yard width of 3.05 metres (10 feet) for the subject lot.

The Applicant is proposing to construct an addition having a rear yard depth of 3.81 metres (12.5 feet) and an interior side yard width of 2.13 metres (7 feet).

The property is designated Residential in the St. Clair Beach Official Plan and zoned Residential Type Two Zone (R2) in the St. Clair Beach 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 to the minor variance however, the owner is required to obtain a permit from ERCA.

County of Essex: No response.

DISCUSSION

Victor Neves and Diane Powers appear before the Committee to discuss the Application. Victor Neves informs the Committee that a side yard minor variance was sought prior to amalgamation in 1999 however the paper work was lost by the municipality. He indicates that the side yard relief being requested is following the same side yard as the existing house. Victor Neves further advises that the rear yard relief sought is a result of not being able to extend the house along the back any wider due to the kitchen door which would require the removing of the door and remodeling the kitchen which would be very costly. Victor Neves informs the Committee that Diane Powers has a son with a disability and the current bathroom was designed to fit his needs eliminating the tub. Mr. Neves advises that the addition would create a master bedroom including an ensuite with a tub. Administration confirms that the relief could have been sought and that the records may have been lost as a result of amalgamation. The Committee notes that the addition is similar to other situations in the neighbourhood and that there is no adverse impact on neighbouring properties and the addition is in keeping with the character of the area. Mr. Neves informs the Committee that both the neighbour to the right and to the left have no concerns with the addition. Upon an inquiry from the Committee, Victor Neves informs the Committee that the fireplace is wood burning and for the purpose of cooking. Concerns are raised by the Committee with respect to the fireplace and Administration informs the Committee that the Application was circulated to the Fire Department and no comments were received. The

Committee reiterates that as the area is regulated by ERCA and therefore the requirements of ERCA must be met. Mr. Neves confirms that he is current working with ERCA and has provided prints for review and approval.

Motion: (CA-30/17) Moved by Bill Altenhof
Seconded by Lee Anne Doyle

That Application A-18/17 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 Minor Variance A-19/17 – Marc Tremblay, 12438 St. Thomas Street

Interested parties present: Marc Tremblay

The purpose of the Application is to request relief from Subsection 7.1.5 of Zoning By-law 1746 which establishes a maximum total lot coverage of 30 percent. The Applicant is proposing to construct a 37.16 square metre (400 square foot) garage resulting in total lot coverage of 33 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

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.

Mario Santana, 682 Labute Street: No objection.

Mark R. Knight, 677 Lacasse Boulevard: No objection.

Pierre LeBlanc, 12429 St. Thomas Street: No objection.

David Hebert, 12437 St. Thomas Street: No objection.

DISCUSSION

Marc Tremblay appears before the Committee to discuss the Application. Mr. Tremblay informs the Committee that letters from neighbouring property owners were provided in support of his Application. Mr. Tremblay informs the Committee that prior to purchasing the house, he obtained accessory structure guidelines from the Town however he was not made aware of the 30 percent maximum lot coverage. He further advises that in order to apply for the building permit, he required the drawings. Therefore, he purchased the kit from Home Hardware which provided him with the drawings for the building permit application. Upon submission of the building permit application, he was informed that he was over on lot coverage. Having already purchased the garage, he opted for applying for a minor variance. Mr. Tremblay advises that due the size of the house and limited storage, he requires the garage for storage of item such a Christmas decorations in addition to patio furniture, a motor cycle, lawn equipment and vehicles. He further advises the Committee that there is limited parking space on the road for vehicles. Upon an inquiry from the Committee, Mr. Tremblay informs the Committee that the shed and gazebo are being removed and the garage will be construction in the area of where the shed is currently located and the wooden stakes on the property were there when he purchased the house.

The resident at 678 Labute raises a number of concerns with the properties in the neighbourhood regarding drainage issues. She provides the Committee with photos of neighbouring properties siting items such as no downspouts or downspouts that merely drain onto cement pads; downspouts not connected to storm drains creating water run off along her fence and driveway;

large structures being built (pole barn) with no eaves troughs in addition to preventing any ground water to be absorbed; the shed on the neighbours property has no downspouts which causes the water to overflow resulting in the fence sinking to which the neighbor has attached the fence with a board to the shed to prevent further sinking. She feels that proposed structure will only create additional drainage concerns which to date she feels have not been addressed by the Town.

Administration advises that he was not aware of any complaints received by the Building Department regarding drainage issue and no comments were received upon circulation of the Application. Administration further advises that the relief sought is reasonable and indicates that a condition can be imposed to ensure that a drainage plan is approved by the Building Department at the time of issuance of the permit. Marc Tremblay advises that his father is in construction and the structure will have eaves troughs and drain into the storm sewer on St. Thomas Street.

Bill Altenhof acknowledges the concerns raised by the resident at 678 Labute Street indicating that her concerns are not so much with the Application but rather with the other neighbours and water drainage. The resident at 678 Labute Street is directed to contact Administration regarding her concerns with drainage in the area. The resident at 678 Labute Street is satisfied with the Application be granted provided that a drainage plan be approved by the Building Department is a condition of the approval.

Motion: (CA-31/17) Moved by Tom Marentette
Seconded by Lee Anne Doyle

That Application A-19/17 is granted subject to a drainage plan being approved by the Building Department.

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 Minor Variance A-20/17 – Robert Flood, 11800 County Road 34

Interested parties present: Thomas Flood

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) which 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) which 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 12.19 metres (40.0 ft.) by 14.63 metres (48.0 ft.) totaling 178.37 square metres (1920.0 sq. ft.) in area and having a height of 5.395 metres (18.0 ft.). The subject property contains an existing accessory structure of approximately 7.4 square metres (79.65 sq. ft.) which is proposed to be removed.

The subject property is designated Maidstone Hamlet Residential in the Sandwich South Official Plan and zoned Hamlet Residential Zone (RH) in the Sandwich South Zoning By-law 85-18. 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: The Applicant is required to comply with County Road regulations and no new access will be permitted to County Road 34.

DISCUSSION

Thomas Flood appears before the Committee to discuss the Application. Mr. Flood informs the Committee that the subject property has been in the family for approximately 142 years. He is looking at purchasing the property to keep it in the family but requires a large structure to house 3 cars, a trailer, snowmobile, dirt bike and tools. He indicates that prior to purchasing the property he is seeking approval to construct the over-sized structure. He also indicates that the car trailer requires a 12 foot door therefore a 14 foot wall height is required resulting in the centre of the truss to be higher than the what the by-law permits.

The Committee questions access the proposed structure and the gravel driveway along the side of the property (store). Mr. Flood indicates that he believes there is a curb cut already along County Road 34 which will allow him access to the proposed structure. The Committee informs Mr. Flood that the storm water from the structure will be required to be connected to the storm drain on County Road 34. The Committee also informs Mr. Flood of the contents of the County of Essex's correspondence dated June 19, 2017 whereby no new access will be permit to County Road 34 and that the Applicant will be required to comply with County Road regulations under By-Law Number 2481.

The Committee raises concern with respect to the size of the structure proposed and seeks comments from Administration. Administration confirms that the size of the structure does cause concern and informs the Committee to consider the 4 tests when considering this Application. Administration sites various Applications which have come before the Committee indicating that the structure proposed is the largest structure requested in the past 2 or 3 years and it's on the smallest lot. The accessory structure is also approximately two times larger than the main structure. Administration also indicates that other options be considered by the Applicant and that perhaps deferring the matter in order to have Administration work with the Applicant to come up with a revised proposal regarding sizing. Administration also indicates that a layout of the structure providing details of items to be stored be provided to Administration to assist in determining the need for such a large structure.

Mr. Flood advises that he will discuss the matter with his family members as the house is currently vacant and a revised proposal would delay the sale of the home.

Motion: (CA-32/17) Moved by Tony Muscedere

Seconded by Paul Morand

That Application A-20/17 is deferred.

Carried

Application for Minor Variance A-21/17 – Vince Della Valle, 543 Collier Crescent

Interested parties present: Vince Della Valle and Todd LaRose

The purpose of the Application is to request relief from Subsection 5.9 e) of Zoning By-law 2065 which establishes that roofed unenclosed porches are permitted to project into the required rear yard a depth of 2.44 metres (8.0 feet) for the subject lot. The Applicant is proposing to construct an unenclosed roofed porch that projects into the required rear year 4.6 metres (15.08 feet).

The property is designated 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 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

Vince Della Valle and Todd LaRose appear before the Committee to discuss the Application. Todd LaRose explains to the Committee that a permit was not sought due to a miscommunication between the owner and himself. Todd LaRose further advises that upon discovering that there was no permit, he attended at Town to apply for a permit, at which time he was informed a minor variance for the unenclosed roofed porch was necessary. As the works had already begun construction, Mr. LaRose completed only the works required to close up the roof. Todd LaRose further advises that there was an existing pergola where the unenclosed roofed porch is being constructed which projects 15 feet 1 inch into the required rear yard.

Administration advised that the house is located at the minimum rear yard setback and the by-law permits an encroachment into the required rear yard 8 feet.

The Committee notes that the proposed construction is the same size as the previous pergola utilizing the same holes, that the structure is in keeping with the neighbourhood, that some side yards along Tecumseh Road are closer to Tecumseh Road than the proposed structure and that the error with respect to obtaining a permit was remedied immediately upon notification by the Town. The Committee also discussed concerns regarding drainage and indicates that a drainage plan be approved by the Building Department be a condition of the approval.

Motion: (CA-33/17) Moved by Bill Altenhof
Seconded by Tony Muscedere

That Application A-21/17 is granted subject to a drainage plan being approved by the Building Department.

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

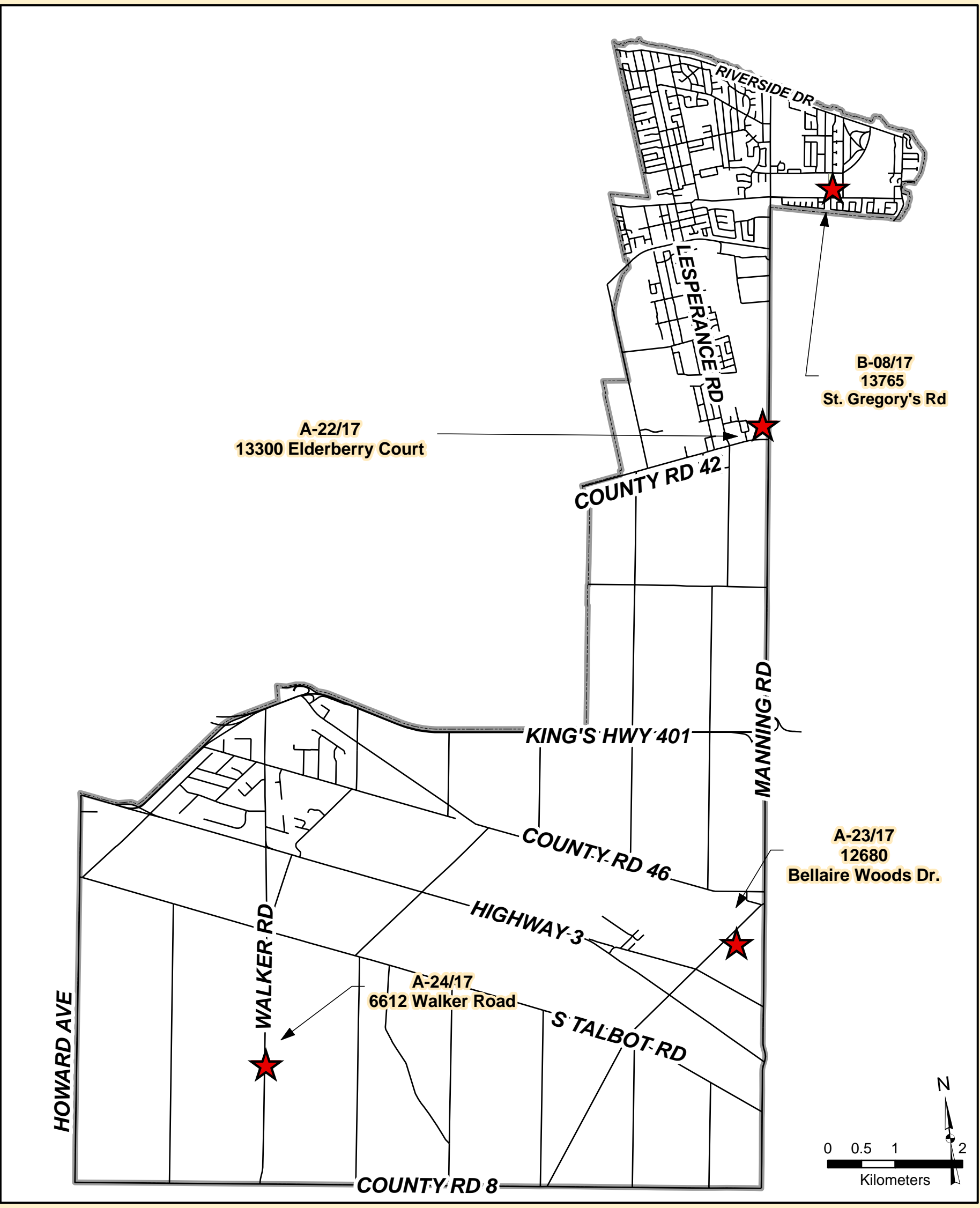
VII NEW BUSINESS

OACA 2017 Conference

Lee Anne Doyle presents to the Committee a consolidated listing of Best Practices from the delegates attending her workshop at the OACA. Administration indicates that the listing confirms many of the practices used by the Town and provides great suggestions for implementation. The Committee discusses the benefits of attending the annual OACA conference and suggests that further discussion be tabled at the next meeting.

It is recommended that the Chief Building Official attend the next Committee of Adjustment meeting in order to address drainage issue within the Town.

VIII UNFINISHED BUSINESS



Prepared By:
Tecumseh Planning and
Building Department



Subject Properties

July 17, 2017
Committee of
Adjustment Meeting
Key Map

**Town of Tecumseh
Committee of Adjustment
Regular Meeting
Monday, July 17, 2017
5:00 p.m.
Tecumseh Town Hall**

REVISED 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 19, 2017

V SUBMISSIONS

5:00 p.m.

Application for Severance B-08/17, Windsor-Essex Catholic District School Board, 13765 St. Gregory's Road

The applicant is proposing to sever the vacant southerly 1.72 hectares (4.27 acres) of the existing St. Andre elementary school site (outlined in red on attached Schedule A) and retain the northerly 0.94 hectares (2.33 acres) which is occupied by the school (outlined in green on attached Schedule A). The proposed severed lot has a frontage of 102.9 metres (337.5 feet) on Tecumseh Road, while the proposed retained lot has a frontage of 41.3 metres (135.4 feet) on St. Gregory's Road. In addition, the applicant proposes to create an easement over the southerly severed parcel (in favour of Windsor-Essex Catholic District School Board) for existing municipal services that service the school from Tecumseh Road (see Schedule B for details). The proposed severed and retained parcels are designated Institutional in the St. Clair Beach Official Plan and zoned Institutional Zone (I) in the St. Clair Beach Zoning By-law 2065.

5:05 p.m.

Application for Minor Variance A-22/17, John Goulet, 13300 Elderberry Court

The purpose of the Application is to request relief from subsection 6A.1.11 of Zoning By-law 85-18 which establishes a minimum rear yard depth of 9.0 metres (29.53 feet). The Applicant is proposing to construct a new residential dwelling having a rear yard depth of 7.6 metres (24.92 feet). The property is designated Low Density Residential in

the Sandwich South Official Plan and zoned Residential Zone 2 (R2-1) in the Sandwich South Zoning By-law. See sketch attached.

5:10 p.m.

Application for Minor Variance A-23/17 – Dominic and Gwen Maurini, 12680 Bellaire Woods Drive

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 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 71.35 square metres (768 square feet); and
- 2) Subsection 7.1.5 establishes that maximum lot coverage is 20 percent. As a result of the construction of the accessory structure, the lot coverage is 21 percent.

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.

5:15 p.m.

Application for Minor Variance A-24/17 – Ionel Jumblaru, 6612 Walker Road

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

- 1) Subsection 15.1.10 which establishes a minimum rear yard depth of 15.0 metres (49.21 feet); and
- 2) Subsection 15.1.9 which establishes a minimum side yard width of 6.0 metres (19.69 feet).

The Applicant has constructed a structure to house livestock (chickens and ostriches) having a rear yard depth of 13.72 metres (45 feet) and a side yard width of 1.2 metres (3.94 feet). The property is designated Agricultural in the Sandwich South Official Plan and zoned Agricultural (A) in the Sandwich South Zoning By-law. See sketch attached.

VI DEFERRALS

Application for Minor Variance A-20/17 – Robert Flood, 11800 County Road 34

ORIGINAL

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) which 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) which 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 12.19 metres (40.0 ft.) by 14.63 metres (48.0 ft.) totaling 178.37 square metres (1920.0 sq. ft.) in area and having a height of 5.395 metres (18.0 ft.). The subject property contains an existing accessory structure of approximately 7.4 square metres (79.65 sq. ft.) which is proposed to be removed.

The subject property is designated Maidstone Hamlet Residential in the Sandwich South Official Plan and zoned Hamlet Residential Zone (RH) in the Sandwich South Zoning By-law 85-18. See sketch attached.

REVISED

Subsequent to the hearing held on Monday, June 19, 2017, whereby the Application was deferred in order to permit the Applicant to review the proposal with Administration, the Applicant is requesting that the application be amended to request relief to accommodate the construction of an accessory building measuring 12.19 metres (40.0 ft.) by 10.97 metres (36 ft.) totaling 133.78 metres (1440 sq. ft.) in area. The relief sought for height is being withdrawn.

VII NEW BUSINESS

1. 2017 OACA Conference

VIII OLD BUSINESS

IX ADJOURNMENT

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

TOWN OF TECUMSEH COMMITTEE OF ADJUSTMENT

Applicant: **Windsor-Essex Catholic District School Board**

Location of Property: **13765 St. Gregory's Road (West of River Peche, Part Lot 1)**

Purpose of Application: **Severance**

The applicant is proposing to sever the vacant southerly 1.72 hectares (4.27 acres) of the existing St. Andre elementary school site (outlined in red on attached Schedule A) and retain the northerly 0.94 hectares (2.33 acres) which is occupied by the school (outlined in green on attached Schedule A). The proposed severed lot has a frontage of 102.9 metres (337.5 feet) on Tecumseh Road, while the proposed retained lot has a frontage of 41.3 metres (135.4 feet) on St. Gregory's Road. In addition, the applicant proposes to create an easement over the southerly severed parcel (in favour of Windsor-Essex Catholic District School Board) for existing municipal services that service the school from Tecumseh Road (see Schedule B for details). The proposed severed and retained parcels are designated Institutional in the St. Clair Beach Official Plan and zoned Institutional Zone (I) in the St. Clair Beach Zoning By-law 2065.

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, July 17th, 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

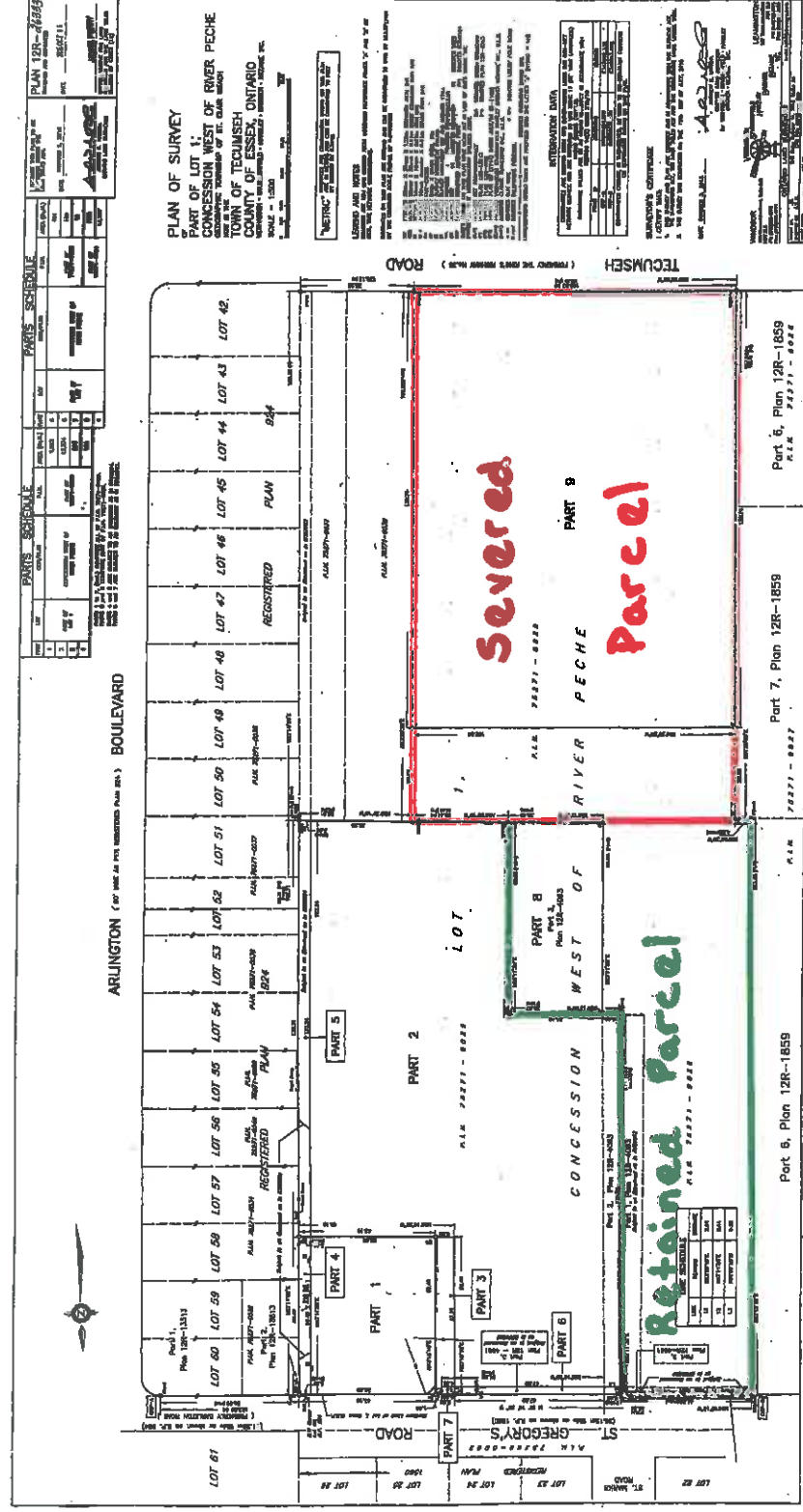
If you wish to be notified of the decision of the Town of Tecumseh Committee of Adjustment in respect to this application, you must submit a written request to the Secretary-Treasurer to the Committee of Adjustment. This will also entitle you to be advised of a possible Ontario Municipal Board Hearing. 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 Finance.

Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment

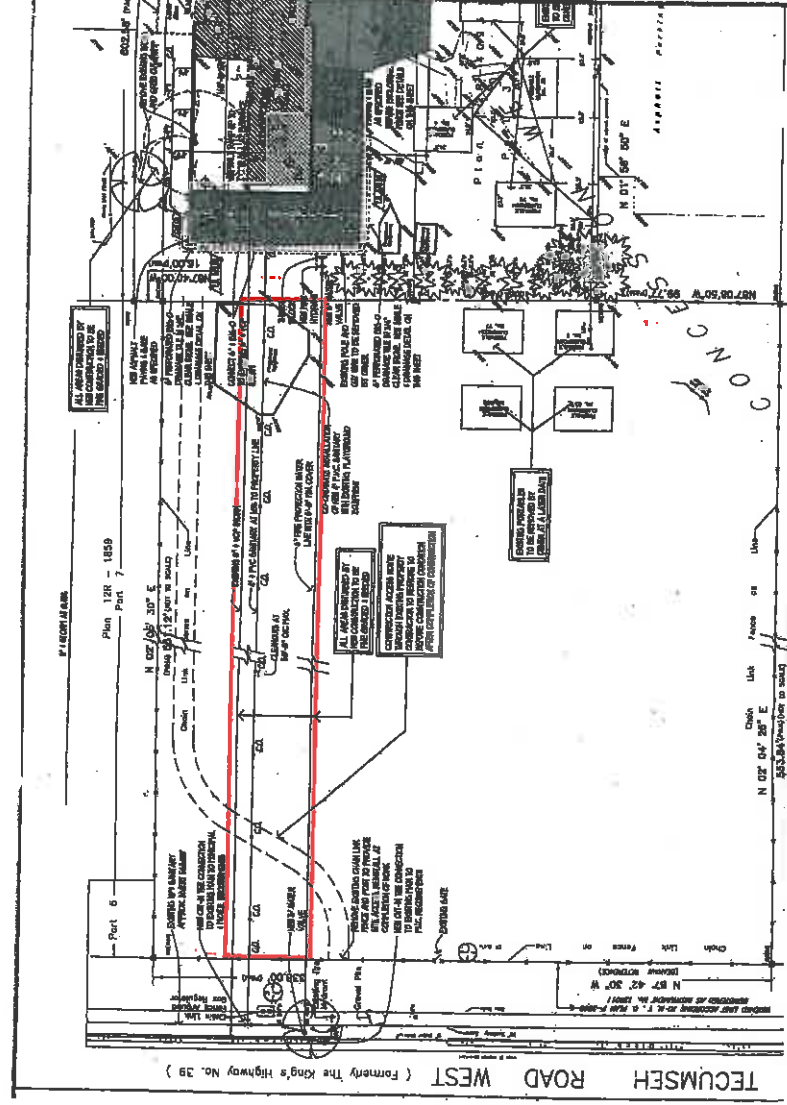
Dated this 3rd day of July, 2017

B-08/17
13765 St. Gregory's Road

SCHEDULE 'A'



SCHEDULE 'B'



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

Applicant: **John Goulet**

Location of Property: **13300 Elderberry Court; Lot 9, 12M597
(former Township of Sandwich South)**

Purpose of Application: **Minor Variance**

The purpose of the Application is to request relief from subsection 6A.1.11 of Zoning By-law 85-18 which establishes a minimum rear yard depth of 9.0 metres (29.53 feet). The Applicant is proposing to construct a new residential dwelling having a rear yard depth of 7.6 metres (24.92 feet). The property is designated Low Density Residential in the Sandwich South Official Plan and zoned Residential Zone 2 (R2-1) in the Sandwich South 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

Monday, the 17th day of July, 2017 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

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 6th day of July, 2017

Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment



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

Applicant: **Dominic & Gwen Maurini**

Location of Property: **12680 Bellaire Woods Drive;
Parts 1 & 12, 12R11307**

Purpose of Application: **Minor Variance**

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 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 71.35 square metres (768 square feet); and

2) Subsection 7.1.5 establishes that maximum lot coverage is 20 percent. As a result of the construction of the accessory structure, the lot coverage is 21 percent.

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 17th day of July, 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.

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 7th day of July, 2017

Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment

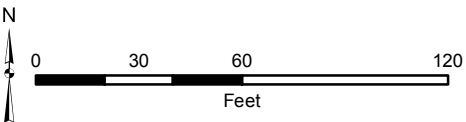


Proposed 24' x 32' garage
(768 sq. feet) to be 4'
from side and rear lot lines.

BELLAIRE WOODS

12680

Application A-23/17



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

Applicant: **Ionel Jumblaru**

Location of Property: **6612 Walker Road (County Road 11);
N. Pt. Lot 3, Con. 7; Part 1, 12R1075**

Purpose of Application: **Minor Variance**

**The purpose of the Application is to request relief from the following subsections of Zoning By-law 85-18:
1.Subsection 15.1.10 which establishes a minimum rear yard depth of 15.0 metres (49.21 feet); and
2.Subsection 15.1.9 which establishes a minimum side yard width of 6.0 metres (19.69 feet).**

The Applicant has constructed a structure to house livestock (chickens and ostriches) having a rear yard depth of 13.72 metres (45 feet) and a side yard width of 1.2 metres (3.94 feet). The property is designated Agricultural in the Sandwich South Official Plan and zoned Agricultural (A) in the Sandwich South 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

Monday, the 17th day of July, 2017 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

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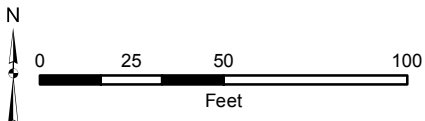
Dated this 7th day of July, 2017

Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment

COUNTY ROAD 11
(WALKER ROAD)

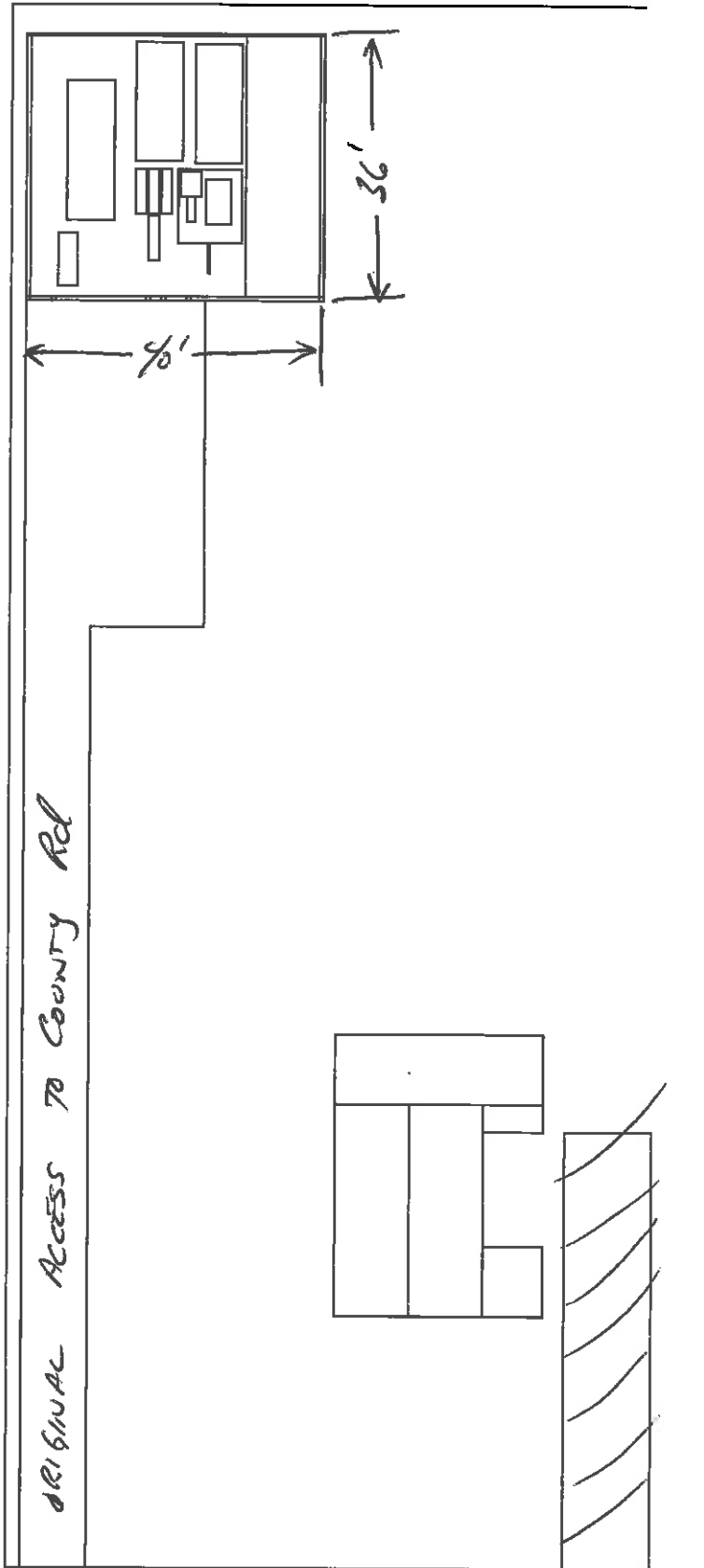
6612

Application A-24/17



Recently constructed 10' x 40' livestock building is proposed to remain 4' from the southern side lot line and 45' from rear lot line.

REVISED



23