

**Committee of Adjustment Meeting**  
**AGENDA**

Monday, October 15, 2018, 5:00 pm  
Tecumseh Town Hall  
[www.tecumseh.ca](http://www.tecumseh.ca)

**Pages**

1. **Call to Order**
2. **Roll Call**
3. **Disclosure of Pecuniary Interest**
4. **Minutes**
  - a. Minutes of the regular Committee of Adjustment meeting dated Monday, September 17, 2018. 2 - 9
  - b. Minutes of the Committee of Adjustment meeting dated Monday, October 1, 2018. 10 - 12
5. **Submissions**
  - a. Agenda Cover 13 - 13
  - b. Agenda 14 - 15
  - c. Application for Minor Variance A-21/18 - D.C. Holding Ltd., 13455 Sylvestre Drive 16 - 17
  - d. Application for Minor Variance A-22/18 - Alan Rintaniemi, 1727 Shawnee Road 18 - 19
  - e. Application for Minor Variance A-23/18 - Absolute Tool Property Corp, 5455 Outer Drive 20 - 21
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, September 17, 2018 at the Municipal Building, 917 Lesperance Road, Tecumseh, Ontario at 5:00 p.m.

**I CALL TO ORDER**

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

**II ROLL CALL**

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

**ABSENT:** None

**III DISCLOSURE OF PECUNIARY INTEREST**

There is no disclosure of interest made.

**IV MINUTES**

1. Minutes of the regular Committee of Adjustment meeting held Monday, July 16, 2018.

Motion: (CA-41/18) Moved by Paul Morand  
Seconded by Tony Muscedere

**That the Minutes of the regular Committee of Adjustment meeting held Monday, July 16, 2018 be adopted, as amended.**

Carried

**V SUBMISSIONS**

The following submissions were heard:

**Application for Minor Variance A-17/18 – Jeffrey and Patricia Sylvestre, 3055 12<sup>th</sup> Concession Road**

Interested parties present: Written Request for Deferral – No one present

The purpose of the Application is to request relief from Subsection 15.1.9 of Zoning By-law 85-18 which establishes that the minimum side yard width is 6.0 metres (19.6 feet).

The Applicant is proposing to construct a 212.5 square metre (2288 square foot) house having a side yard width of 3.05 metres (10 feet). The Applicant is also proposing to construct a 222.9 square metre (2400 square foot) accessory building to store machinery.

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

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: Recommends that the Application be deferred until such time as an Environmental Impact Assessment has been completed.

County of Essex: No response.

Town Engineer: No comments.

**DISCUSSION**

In response to comments submitted by ERCA, the Applicants have requested that their Application be deferred until such time as they have completed the necessary studies to satisfy the MNRF with respect to Species at Risk.

Motion: (CA-42/18) Moved by Paul Morand  
Seconded by Tom Marentette

**That Minor Variance Application A-17/18, be deferred as requested by the Applicants until such time as they have completed the necessary studies to satisfy the MNRF with respect to Species at Risk.**

Carried

**Application for Minor Variance A-18/18 – Don Ing, 1896 Hebert Street**

Interested parties present: Don Ing, Applicant

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 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.).

The Applicant is requesting relief to construct an accessory building 7.9 metres (26 feet) by 11.5 metres (38 feet) totaling 91.7 square metres (988 square feet) in area in accordance with the attached sketch. The existing shed will be removed.

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

Notice of hearing for the above 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.

Town Engineer: Questions whether or not a side driveway is permitted off Maisonneuve Avenue.

**DISCUSSION**

Don Ing appears before the Committee to discuss the Application. Lee Anne Doyle questions the Applicant with respect to whether or not he is proposing to install a driveway to access the pole barn structure off Maisonneuve Avenue. The Applicant advises that he is proposing a driveway off Maisonneuve Avenue. Don Ing further advises that he will be removing the pool house and that the new structure will house the cars that are currently stored in the attached garage that are on lifts and the pool equipment and filter.

Tom Fuerth questions Administration as to whether or not two driveways are permitted. Chad Jeffery advises that two driveways are permitted provided they are not more than the maximum width of 40 percent of the lot line or 30 feet wide.

Lori Chadwick questions the Applicant as to the location of the driveway in relationship to the existing tree in the right-of-way and will the tree have to be removed. The Applicant confirms

that the tree will have to be removed to install the driveway. Chad Jeffery informs the Committee that a condition can be imposed by the Committee that the tree in the municipal right-of-way be replaced however it is not the standard practice of the Town to request that trees on the boulevard be replaced. The Applicant indicates that he planted the tree. Administration advises that a tree planted in the boulevard is considered to be a Town tree.

Tom Marentette questions the height of the structure and whether any plumbing systems such as water or floor drains will be installed in the proposed structure. The Applicant informs the Committee that there will be no plumbing in the new structure. Tony Muscedere raises concern with respect vehicles parking in the newly proposed driveway and in particular the municipal portion of the driveway. Lee Anne Doyle questions whether the proposed pole barn fits the character of the neighbourhood. Don Ing informs the Committee that he has informed his builder that the proposed structure is to match the siding and soffit on the house and that it will be aesthetically pleasing. Lori Chadwich refers to the Planning Report dated September 17, 2018 (Report) with respect to the lot area and notes that the total coverage for all accessory structures is only 8.5 percent which is under the maximum of 10 percent established in the Zoning By-law and thanks Administration for providing the information.

Mario and Loretta Muscedere of 12110 Maisonneuve Avenue raise concerns with respect to the proximity of the structure to the their side yard which they feel blocks the front of their home which will result in lowering their property value. They also raise concern with respect to the proposed driveway off Maisonneuve Avenue indicating that the number of cars coming and going from the proposed structure in addition to the traffic on the street would infringe on their sight visibility when egressing from their driveway. They also point out to the Committee that the Applicant is an owner of a mechanic shop in the City of Windsor and is concerned that the Applicant may use the structure for the purposes of an auto repair shop. Tom Fuerth suggests that parking in the proposed driveway be prohibited. Chad Jeffery advises that “no parking” restrictions has come up before with respect to RVs, where permitted, that cross over onto the municipal right-of-way and it was determined that it was allowed. Concerns are raised with respect to the height of the structure and the Chair informs the audience that the height of the building is calculated from the ground to mid-point of the roof. In this particular case, and according to the plan, the roof height is 13 feet and 17 feet is to the peak of the roof. They also wonder whether or not a decision will be made tonight. The Chair advises that whether or not a decision is made tonight depends on the Committee and the information heard this evening.

The Applicant advises the Committee that he has two 30-year old vehicles stored in the attached garage for a total of five vehicles, in addition to a boat on the side driveway. He also advises that his wife would like to park her vehicle in the attached garage and that the accessory structure would be used to store the two vintage vehicles.

Tom Fuerth indicates that the operation of an auto repair business is prohibited. Chad Jeffery indicates that a business of that nature in a residential zone is prohibited in the Zoning By-law however noting that nothing is a 100 percent guarantee. Chad Jeffery also advises that the intent of the By-law was to protect landowners from situations like an auto repair business being established in residential zones. Enforcement with respect such issues is on a complaint basis and that a By-law Enforcement Officer would investigate in order to determine if there is a Zoning By-law infraction. Tom Fuerth reassures the residents that there are remedies in place such as fines and/or court proceeding should this type of activity occur.

Chad Jeffery stresses the fact that a minor variance is based on the four tests. Chad Jeffery refers to the Report indicating that the proposed development meets the intent of the Official Plan and based on the size of the lot and the size of the structure the intent of the Zoning By-law will be maintained. Chad Jeffery also points out that it is important to hear from the Applicant with respect to the rational or need for space to accommodate five vehicles. Chad Jeffery indicates that the Courts have determined that not just the four-tests should be taken into consideration but there can be some flexibility with respect to the approval including the need warranted and/or the hardship experienced by the Applicant. Tom Fuerth explains that the accessory structure is not to exceed 70 square metres and based on the depth of structure being 7.9 metres, indicates that the

structure is basically 10 feet too long. Tom Fuerth proceeds to point out that without the additional 10 feet, it would merely be a two car garage and there would be no need to seek a minor variance. It is suggested that the access to the proposed structure be from the front of the property as opposed to off Maisonneuve Avenue. The Chair points out that there isn't sufficient space to get a driveway from the front of the property to the back of the property. Lori Chadwick questions Mr. Ing regarding the existing structure and what the mid-point of the roofline is or does the Town have that on file and what the distance is from the pool. Chad Jeffery indicates that it doesn't appear to be 17 feet indicating that the typical building is 12 feet and approximately 5 feet higher depending on the pitch of the roof. The Applicant advises that the pool is 16 feet by 12 feet. Lori Chadwick indicates that the height is permitted and that the purpose we are here today is in reference to the square footage of the structure and does the Applicant have a hardship. Does the Applicant require a 5-car garage? By right, the building meets the total lot coverage.

Tom Fuerth adds that the use is appropriate for the neighbourhood and any suspicious activity can be enforced through By-law Enforcement and there have been examples in the past where there has been enforcement for non-permitted uses. Tom Marentette questions the Applicant regarding the two vehicle lifts in the attached garage and whether they could be used in the new garage. The Applicant advises that he wants to get rid of the lifts as it's a lot of work to put the vehicles on/off the lifts when he wants to use them. Don Ing also informs the Committee that he has owned the auto repair shop in the City of Windsor for over 30 years and has never brought any cars to his residence to be fixed. Tom Fuerth indicates that it is not necessarily the Applicant, who seeks the minor variance that violates the zoning by-law, it is the possible future owners of the property.

Tom Marentette wonders whether or not it is possible to shift the driveway further to the west to alleviate some of the driveway concerns raised by the residents at 12110 Maisonneuve Avenue. The Applicant indicates he doesn't believe that it would look right if the driveway was shifted to the west. Lee Anne Doyle questions the Applicant with respect to the different options that were available to him based on the number of vehicles he owns and the pool equipment/heater. Lee Anne Doyle further questions the hardship the Applicant has in complying with the Zoning By-law and why the Applicant is not able to function within the regulations set out in the Zoning By-law. Lee Anne Doyle requests if it is possible to get rid of the lifts in the attached garage so that their daily vehicles can be parked in the attached garage and a two-car garage be used for the two older vehicles and the pool house. Tom Fuerth notes that to down size the garage doesn't resolve the issue for the neighbour and there are three cars and a motorcycle in the current garage.

Tony Muscedere wonders whether or not the Applicant would consider increasing the rear yard set back and move it away from the rear lot line. The Applicant is not in favour of moving the proposed accessory structure and points out that the existing pool house is four feet from the rear lot line. Paul Morand suggests leaving the existing pool house and build a two car garage. The Applicants feel that one structure would look better than have two buildings, one being old and one being new. Mary Anne Cucuz of 12109 Maisonneuve Avenue indicates that she is opposed to having a two-car garage and a pool house on the subject lands and agrees with the Applicant that the one new structure would have better curb appeal than one old building and one new building. Tom Fuerth questions Administration with respect to imposing a condition prohibiting steel sheeting, etc. Administration indicates that imposing a condition of this nature would be on shaky ground. The Applicant confirms that the proposed structure will be constructed similar to their home and that it will be appropriate for the area.

Motion: (CA-/18)      Moved by      Lori Chadwick  
Seconded by

**That Application A-18/18 is granted, subject to the following:**

- a) That the proposed structure be uniform or similar in nature to the residence;
- b) That a public works permit be obtained for the driveway off Maisonneuve Avenue;
- c) That no commercial business be operation from the accessory building; and
- d) That the pool equipment be housed in this structure so that it is less intrusive to the neighbours.

Defeated

The motion was lost as there was no seconder.

Lee Anne Doyle indicates that the conditions to mitigate the activity in a residential area and the appearance as opposed to the removal of existing shed along with other conditions imposed is sometimes difficult to enforce especially if the owner decides to sell. It becomes a challenge in the future.

Tom Fuerth states that the Applicant has agreed that it would match the house questioning whether it is appropriate to put in such clause. In reference to the commercial use, there is a process to deal with illegal uses. The Chair points out that it is not necessary to list too many conditions particularly if there are other remedies.

Motion: (CA-/18)      Moved by      Lori Chadwick  
Seconded by

**That Application A-18/18 is granted, subject to the following:**

- a) That a public works permit be obtained for the driveway off Maisonneuve Avenue;
- b) That the pool equipment be stored within the proposed structure; and
- c) That the proposed structure be uniform or similar in nature to the residence.

Defeated

The motion was lost as there was no seconder.

Tony Muscedere seeks advice from Administration with respect to a condition to prohibit the installation of lifts in the proposed accessory building. Administration advises that the Committee is free to impose any condition as it relates to the decision but is the condition rational. For example, would six cars being stored as opposed to three cars being stored impact whether or not the proposed relief is granted.

Tom Marentette states that he has some reservation regarding the size of the building and is it in keeping with the character of the neighbourhood. Tom Marentette feels that the structure, being a three-car garage would have quite a presence in the neighbourhood and if everyone had a three-car garage, it would certainly change the character of the neighbourhood. Tom Marentette suggests that the Applicant consider eliminating one of the garage doors on the south side of the structure and shift the driveway to the most westerly point of the structure to elevate some of the concerns raised by the neighbour to the east.

The Applicant requests whether or not a two-car garage next to the existing pool house to the west can be construction. Chad Jeffery indicates that as long as the individual structure does not exceed 753 square feet and that the total area of accessory buildings does not exceed 969 square feet it would be achievable. Chad Jeffery points out that the Applicant is seeking 988 square feet for a single structure noting little difference between the single oversized structure and the total maximum area of accessory buildings. Lori Chadwich suggests that the Applicant could have two garage doors facing south and one door on the poolside to access the pool equipment.

The Chair indicates to the Committee that a decision needs to be made.

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

**That Application A-18/18 is granted, subject to the following:**

- a) That only two garage doors be permitted on the south side of the structure at the most westerly portion of the structure;
- b) That the driveway access be limited to the two doors to the most westerly limit of the structure on the south side;
- c) That the exterior of the structure is to be completed in a similar nature to match the house;
- d) That no commercial activity be conducted from the accessory structure;
- e) That a drainage plan be submitted and approved by the Building Department prior to the issuance of a building permit.

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-19/18 – 2564705 Ontario Inc., 324 Lakewood Crescent**

Interested parties present: Kevin DiLuca, Agent for the Applicant

The purpose of the Application is to request relief from Subsection 7.1.3 d) of Zoning By-law 2065 which establishes a maximum total lot coverage of 40 percent including accessory buildings.

The Applicant is proposing to construct a 245 square metre (2637.8 square foot) dwelling resulting in total lot coverage of 43.64 percent in accordance with the attached sketch.

The subject property is designated Residential in the St. Clair Beach Official Plan and zoned Residential Type 2 Zone (R2-7) 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.

Town Engineer: No comments.

**DISCUSSION**

Kevin DiLuca, Agent for the Applicant, appears before the Committee to discuss the Application. Chad Jeffery informs the Committee that in the course of the circulation process for giving notice, the Town became aware that a number of properties were missed in the condominium units to the south of the subject lands. Chad Jeffery indicates that it was unknown that a request to the IT Department was required in order to include addresses for each unit in the condominium as opposed to obtaining the circulation list from the standard mapping system typically used.

The Chair, Tom Fuerth, seeks confirmation from Administration with respect to the process if the matter is deferred. Would the Notice of Hearing be recirculated and what date can be arranged? Administration suggests that Monday, October 1, 2018 would allow sufficient time for the Notice to be re-circulated. Tom Fuerth indicates that if the matter is heard there is a possibility that the matter could be appealed indicating that technically the best way to proceed, would be to defer the Application.

Carol Mastellotto, President of the Condo Corporation, and resident at 372 Jason Court, requests to speak to the Committee regarding the Application. Carol Mastellotto advises the Committee that she resides behind the subject lands and that she has spoken directly to the neighbour on the right of her and on the left of her and they have no objection to the minor variance indicating that the sooner the house is built, the better. She also advises that as the President of the Condo Corporation, it is her opinion that the residents that did not receive notification would not complain about the proposed Application. Carol Mastellotto adds that she would like the matter to proceed as quickly as possible so that houses can be built on the vacant lands so that they no longer have to deal with the issue of weeds on the vacant lots.

Chad Jeffery advises that in light of the above information and although the President of the Condo Corporation would like the matter to proceed, it is not appropriate to proceed without proper notification.

Tom Fuerth indicates that a meeting will be re-scheduled as quickly as possible and that the Notice of Hearing will be re-circulated as there may be individuals who have an interest in this matter, and it is important that they be given the opportunity to appear at the public meeting.

Motion: (CA-/18)      Moved by      Lee Anne Doyle  
Seconded by      Tom Marentette

**That Application A-19/18 be deferred in order to ensure that proper notification is provided and further, that the re-scheduling of the Application be held as soon as possible.**

Carried

**Application for Minor Variance A-20/18 – Joel Sepetance, 12458 Riverside Drive East**

Interested parties present: Joel Sepetance, Applicant  
Tom Bonin, Front Construction, Agent for the Applicant

The purpose of the Application is to request relief from subsection 6.1.11 which 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.

The Applicant is proposing to construct an 8.9 square metre (96 square foot) second storey balcony of which the entirety will extend beyond the established building line in accordance with the attached sketch.

The property is designated Residential in the Tecumseh Official Plan and zoned Residential Zone 1 (R1) 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, Agent and all required agencies and to each member of the Committee of Adjustment.

## CORRESPONDENCE

ERCA: No objection.

County of Essex: No response.

Town Engineer: No comments.

## DISCUSSION

Joel Sepetance, Applicant and Tom Bonin, Front Construction, Agent for the Applicant, appear before the Committee to discuss the Application. Tom Bonin informs the Committee that the balcony will be construction in such a manner that it is self-supporting. Tom Bonin further advises that the homeowners have already demolished the garage/accessory building in the front of the property and will be making renovations to the home including the master bedroom at the rear of the house to include an eight foot by twelve foot balcony off the master bedroom.

Tom Marentette notes that no one is present either in support or against the Application. Upon an inquiry, the Applicant advises that the house to the east is a single storey and the house two doors to the west has a second-storey balcony with pillars and no sight lines are affected. In addition, the Applicant advises that the proposed second-storey balcony is eight feet by twelve feet and is a cantilevered structure self-supported by the main structure. There will be no pillars, the railing will be glass and there will be no roof. The Chair notes that the Committee might want to consider making that a condition.

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

**That Application A-/18 is granted subject to the following conditions:**

- a) that the relief sought be solely for the second-storey balcony;
- b) that there be no enclosure either below the balcony or above the balcony; and
- c) that no roof be constructed from the second-storey balcony.

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

A regular meeting of the Committee of Adjustment was held on October 1, 2018 at the Municipal Building, 917 Lesperance Road, Tecumseh, Ontario at 5:00 p.m.

**I CALL TO ORDER**

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

**II ROLL CALL**

<b>PRESENT:</b>	Vice-Chairperson:	Paul Morand
	Members:	Jim Mackie
		Tom Marentette
		Tony Muscedere
	Manager, Planning	Chad Jeffery
	Secretary-Treasurer	Donna Ferris

**ABSENT:** Tom Fuerth, Lori Chadwick & Lee Anne Doyle

**III DISCLOSURE OF PECUNIARY INTEREST**

There is no disclosure of interest made.

**IV MINUTES**

**V SUBMISSIONS**

**VI DEFERRALS**

**Application for Minor Variance A-19/18 – 2564705 Ontario Inc., 324 Lakewood Crescent**

Interested parties present: Kevin DiLuca, Agent for the Applicant

The purpose of the Application is to request relief from Subsection 7.1.3 d) of Zoning By-law 2065 which establishes a maximum total lot coverage of 40 percent including accessory buildings.

The Applicant is proposing to construct a 245 square metre (2637.8 square foot) dwelling resulting in total lot coverage of 43.64 percent in accordance with the attached sketch.

The subject property is designated Residential in the St. Clair Beach Official Plan and zoned Residential Type 2 Zone (R2-7) 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, Agent and all required agencies and to each member of the Committee of Adjustment.

**CORRESPONDENCE**

ERCA: No objection.

County of Essex: No response.

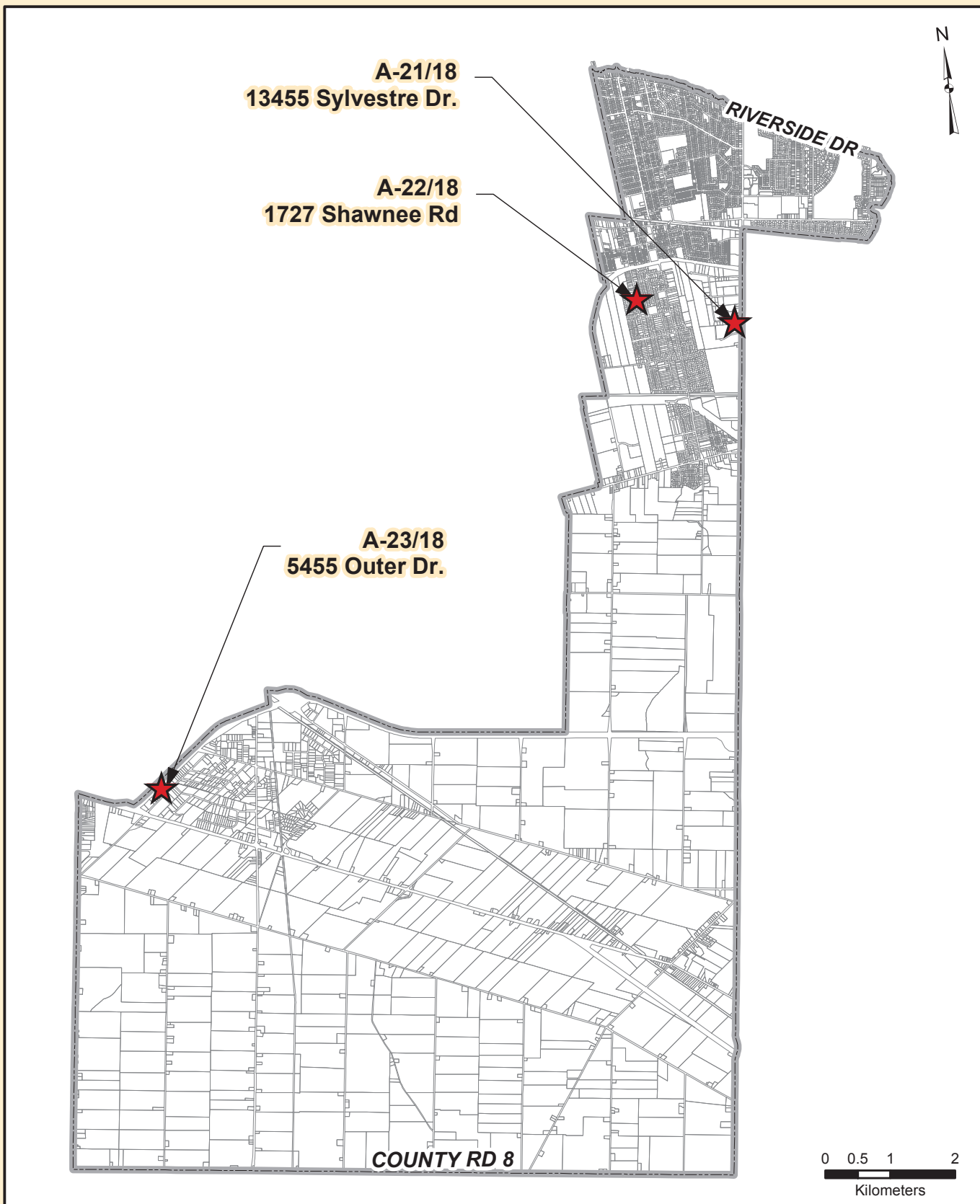
Town Engineer: No comments.

**DISCUSSION**

Kevin DiLuca, Agent for the Applicant appears before the Committee to discuss the Application. Kevin DiLuca advises that the proposed dwelling for his client is a ranch home for their retirement that includes a large covered patio area. He further indicates that the proposed house is in keeping with the neighbourhood and that the roofline is to be extended along the back of the house to accommodate the covered patio.







Prepared By:  
Tecumseh Planning and  
Building Department



**Subject Properties**

**October 15, 2018**  
Committee of  
Adjustment Meeting  
**Key Map**

**Town of Tecumseh  
Committee of Adjustment  
Regular Meeting  
Monday, October 15, 2018  
5:00 p.m.  
Tecumseh Town Hall**

**AGENDA**

**I CALL TO ORDER**

**II ROLL CALL**

**III DISCLOSURE OF PECUNIARY INTEREST**

**IV MINUTES**

1. Minutes of the regular Committee of Adjustment meeting dated Monday, September 17, 2018.
2. Minutes of the Committee of Adjustment meeting dated Monday, October 1, 2018.

**V SUBMISSIONS**

5:00 p.m.

**Application for Minor Variance A-21/18 – D.C. Holding Ltd., 13455 Sylvestre Drive**

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

- 1) Subsection 14.1.5 establishes that the maximum lot coverage is 40 percent. The existing lot coverage is 49 percent. The Applicant is requesting 50 percent lot coverage;
- 2) Subsection 14.1. 8 establishes a minimum front yard depth of 12.0 m (39.4 ft). The Applicant is proposing a front yard depth of 6.2 m (20.3 ft) in order to enclose the existing loading dock; and
- 3) Subsection 14.1.10 a) establishes that the minimum rear yard depth is 15.0 m (49.2 ft) where the rear yard directly abuts an institutional zone. The existing rear yard depth is 7.8 m (25.6 ft). The Applicant is proposing to locate two fenced in areas containing HVAC units. The fenced in areas will be 2.34 m (7.6 ft) from the rear lot line.

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

5:05 p.m.

**Application for Minor Variance A-22/18 – Alan Rintaniemi, 1727 Shawnee Road**

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

- 1) Subsection 5.27.1 g) establishes that accessory buildings shall not be located within 1.5 metres (4.92 feet) of the main building; and
- 2) Subsection 6.1.5 establishes that the maximum lot coverage is 35 percent.

The Applicant is requesting relief in order to construct an accessory building, the northerly side of which will be located 1.2 metres (4 feet) from the main building. All other sides of the accessory building will comply with the required setbacks. In addition, the proposed construction of the accessory building will result in a total lot coverage of 38 percent.

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

5:10 p.m.

**Application for Minor Variance A-23/18 – Absolute Tool Property Corp, 5455 Outer Drive**

The purpose of the application is to obtain relief from Subsection 14.1.9 c) of Zoning By-law 85-18 which establishes a minimum side yard width of 6.0 metres (19.68 feet).

The Applicant proposes to construct a 78 square metre (840 square foot) addition to an existing industrial shop that will result in a 5.85 metre (19.2 foot) side yard width.

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

**VI DEFERRALS**

**VII NEW BUSINESS**

**VIII OLD BUSINESS**

**IX ADJOURNMENT**

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

*Applicant:* **D.C. Holding Ltd.**

*Location of Property:* **13455 Sylvestre Drive; Parts 1 & 2, 12R-9983  
(former Township of Sandwich South)**

*Purpose of Application:* **Minor Variance**

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

**1) Subsection 14.1.5 establishes that the maximum lot coverage is 40 percent. The existing lot coverage is 49 percent. The Applicant is requesting 50 percent lot coverage;**

**2) Subsection 14.1.8 establishes a minimum front yard depth of 12.0 m (39.4 ft). The Applicant is proposing a front yard depth of 6.2 m (20.3 ft) in order to enclose the existing loading dock; and**

**3) Subsection 14.1.10 a) establishes that the minimum rear yard depth is 15.0 m (49.2 ft) where the rear yard directly abuts an institutional zone. The existing rear yard depth is 7.8 m (25.6 ft). The Applicant is proposing to locate two fenced in areas containing HVAC units. The fenced in areas will be 2.34 m (7.6 ft) from the rear lot line.**

**The property is designated Business Park in the Sandwich South Official Plan and zoned Industrial (M1) 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 15th day of October, 2018 at 5:00 pm**

**PUBLIC HEARING**

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

**FAILURE TO ATTEND HEARING**

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

**NOTICE OF DECISION**

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

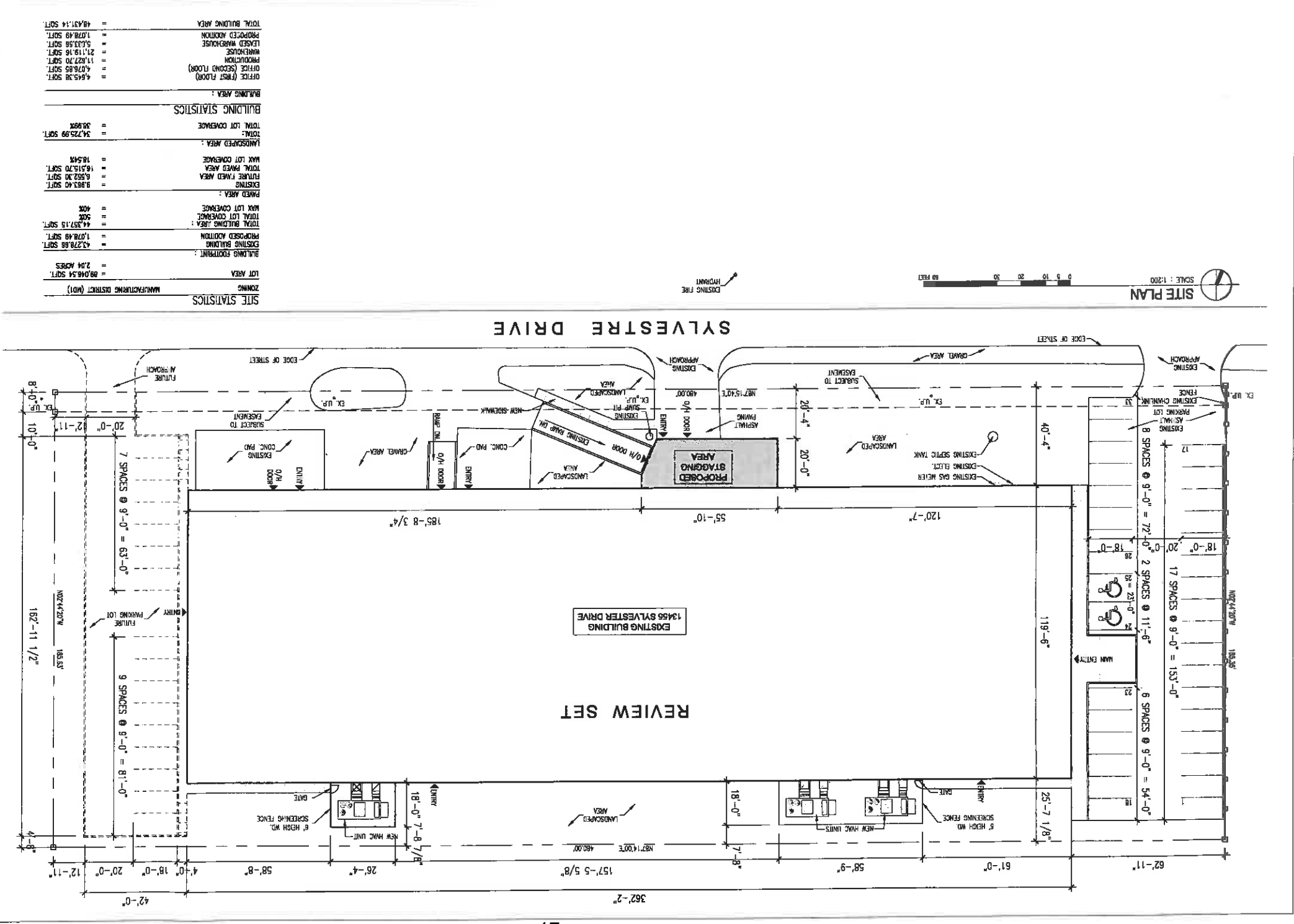
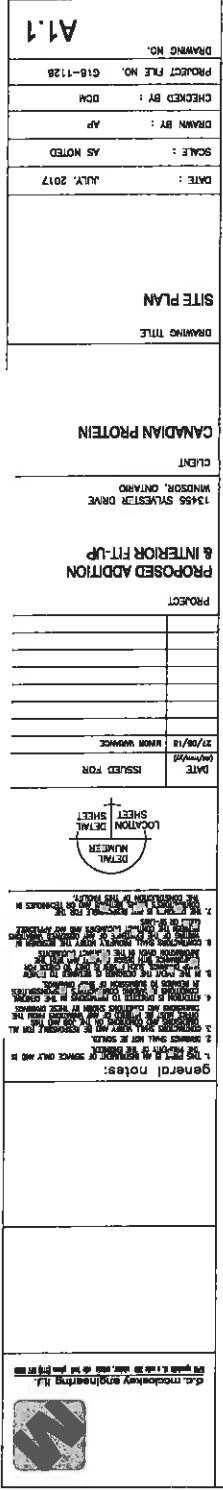
Dated this 4th day of October, 2018

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Donna Ferris  
Secretary-Treasurer  
Town of Tecumseh Committee of Adjustment



**Minor Variance Applicaton A-21/18**  
**13455 Sylvestre Drive**



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

*Applicant:*     **Alan Rintaniemi**

*Location of Property:*     **1727 Shawnee Road; Parts 7 & 8, 12R-13176  
(former Township of Sandwich South)**

*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 5.27.1 g) establishes that accessory buildings shall not be located within 1.5 metres (4.92 feet) of the main building; and**

**2.Subsection 6.1.5 establishes that the maximum lot coverage is 35 percent.**

**The Applicant is requesting relief in order to construct an accessory building, the northerly side of which will be located 1.2 metres (4 feet) from the main building. All other sides of the accessory building will comply with the required setbacks. In addition, the proposed construction of the accessory building will result in a total lot coverage of 38 percent.**

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

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 October, 2018 at 5:05 pm**

**PUBLIC HEARING**

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

**FAILURE TO ATTEND HEARING**

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

**NOTICE OF DECISION**

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

Dated this 5th day of October, 2018

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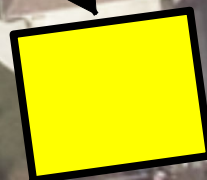
Donna Ferris  
Secretary-Treasurer  
Town of Tecumseh Committee of Adjustment

**Proposed 21 ft. x 24 ft.  
accessory structure.**

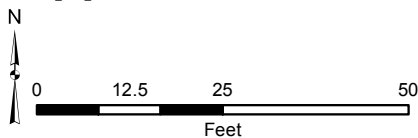
**Structure will be 4 ft. from side lot line  
and the existing home and will be 5 ft.  
from the home's attached garage.**

**SHAWNEE ROAD**

**1727**



**Application A-22/18**



*For illustrative purposes only.*

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

*Applicant:*     **Absolute Tool Property Corp**

*Location of Property:*     **5455 Outer Drive; Part 2, 12R-13260  
(former Township of Sandwich South)**

*Purpose of Application:*     **Minor Variance**

**The purpose of the application is to obtain relief from Subsection 14.1.9 c) of Zoning By-law 85-18 which establishes a minimum side yard width of 6.0 metres (19.68 feet).  
The Applicant proposes to construct a 78 square metre (840 square foot) addition to an existing industrial shop that will result in a 5.85 metre (19.2 foot) side yard width.  
The property is designated Business Park in the Sandwich South Official Plan and zoned Industrial (M1) 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 15th day of October, 2018 at 5:10 pm**

**PUBLIC HEARING**

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

**FAILURE TO ATTEND HEARING**

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

**NOTICE OF DECISION**

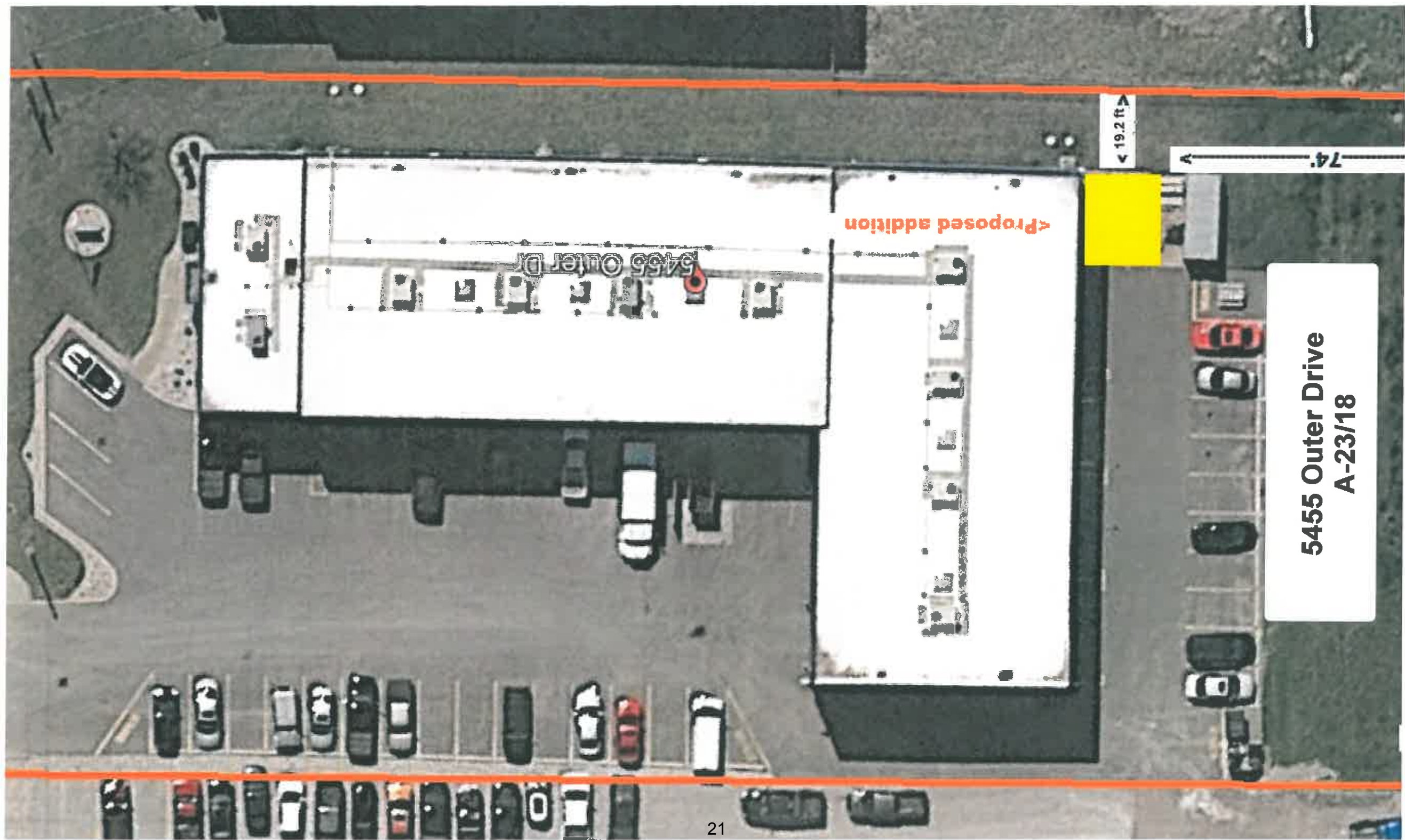
If you wish to be notified of the decision of the Town of Tecumseh Committee of Adjustment in respect to this application, you must submit a written request to the Secretary-Treasurer to the Committee of Adjustment. This will also entitle you to be advised of a possible Local Planning Appeal Tribunal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

Dated this 5th day of October, 2018

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Donna Ferris  
Secretary-Treasurer  
Town of Tecumseh Committee of Adjustment





5455 Outer Drive  
A-23/18