

Committee of Adjustment Meeting
AGENDA

Monday, January 22, 2018, 5:00 pm
Tecumseh Town Hall
www.tecumseh.ca

Pages

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **DISCLOSURE OF PECUNIARY INTEREST**
4. **MINUTES**
 - a. Minutes of the regular Committee of Adjustment meeting dated November 20, 2017 2 - 12
5. **SUBMISSIONS**
 - a. Agenda Cover 13 - 13
 - b. Agenda 14 - 15
 - c. Application for Minor Variance A-01/18 - Ryan Grebenc, 108 Mack Court 16 - 17
 - d. Application for Severance B-01/18 - Mamatas Real Estate Holdings Unlimited Liability Company, 3920 North Talbot Road 18 - 19
 - e. Application for Severance B-02/18 - West Industries Inc., 5175 Ure Street 20 - 21
 - f. Application for Severance B-03/18 - Bernard McGraw, 1662 Lesperance Road 22 - 23
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, November 20, 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 (5:02 p.m.)
		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, October 16, 2017.

Motion: (CA-53/17) Moved by Jim Mackie
Seconded by Paul Morand

That the Minutes of the regular Committee of Adjustment meeting held Monday, October 16, 2017 be adopted, as amended.

Carried

Bill Altenhof enters the meeting.

V SUBMISSIONS

The following submissions were heard:

Application for Minor Variance A-32/17 – Frank and Donna O’Neil, 1826 South Talbot Road

Interested parties present: Randy O’Neil, Agent for the Applicant

The purpose of the Application is to request relief from subsection 15.2.4 b) of Zoning By-law 85-18 which establishes that the maximum lot area for a residential lot in the Agricultural (A) Zone shall not exceed 0.5 hectares (1.24 acres). The requested relief is a condition of Severance Application B-05/17 granted April 24, 2017 by the Committee of Adjustment for a lot addition to the existing residential lot at 1826 South Talbot Road. The proposed residential lot will have an approximate area of 0.61 hectares (1.5 acres) (OUTLINED IN RED ON THE ATTACHED SKETCH).

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 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.

Application for Minor Variance A-33/17 – Randy and Celeste O’Neil, 1914 South Talbot Road

Interested parties present: Randy O’Neil

The purpose of the Application is to request relief from subsection 15.2.4 b) of Zoning By-law 85-18 which establishes that the maximum lot area for a residential lot in the Agricultural (A) Zone shall not exceed 0.5 hectares (1.24 acres). The requested relief is a condition of Severance Applications B-05/17 and B-06/17 granted April 24, 2017 by the Committee of Adjustment for lot additions to the existing residential lot at 1914 South Talbot Road. The proposed residential lot will have an approximate area of 0.70 hectares (1.73 acres) (OUTLINED IN YELLOW ON THE ATTACHED SKETCH).

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 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

Randy O’Neil appears before the Committee to discuss the Applications. The Committee supports the Applications as the Applications meet the four test applied to minor variances, the development is appropriate, the general intent of the Zoning By-law and Official Plan are maintained, the variance is minor in nature and no one is present objecting to the Applications.

Motion: (CA-54/17) Moved by Lee Anne Doyle
Seconded by Tom Marentette

That Applications A-32/17 and A-33/17 are granted.

Carried

REASONS

The Applications meet 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 variances are minor in nature.

Application for Minor Variance A-34/17 – Paul’s Kitchen Inc., 5275 Walker Road

Interested parties present: Jennifer Di Domenico, Chall.Eng Corporation Consulting Engineers

The purpose of the Application is to obtain relief from subsection 14.1.9 c) of Zoning By-law 85-18 which establishes that the minimum side yard width in an Industrial (I) Zone is 6.0 metres

(19.68 feet). The Applicant has constructed a 29.73 square metre (320 square foot) open-sided canopy along the west side of the building resulting in a 0.76 metre (2.5 foot) interior side yard as depicted in the attached sketch.

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 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: Letter dated November 20, 2017 require that the Applicant comply with By-law 2481 and 2480 and that permits are necessary for any changes to existing entrances and structure or the construction of new entrances and structures.

DISCUSSION

Jennifer Di Domenico of Chall.Eng Consulting Engineers appears before the Committee on behalf of the Applicant to discuss the Application. Jennifer Di Domenico explains to the Committee that the construction on the west side of the building will be a double wide loading area and that lines up with a curb cut on the south side of building which currently exists for delivery vehicles. The canopy will provide relieve from the elements when unloading deliveries. Jennifer Di Domenico also indicates that the newly constructed structure will comply with the Building Code as the existing canopy structure is not attached structurally it is only attached to prevent leakage. The Committee raises concern with respect to the accuracy of the sketch to ensure that the relief sought will be sufficient. Administration advises that a survey is not required for Applications that are not complicated. Administration also indicates that the Town does not support the enclosed portion of the existing addition and that only the opened sided canopy can be supported. Lee Anne Doyle indicates that from attending at the site, the location and functionality of the proposal makes sense but she cannot support the enclosed storage area/shed, but does support the open-sided canopy. Jennifer Di Domenico indicates that although the canopy and storage shed was built without a permit, they were waiting to see the outcome of the minor variance hearing prior to removing the storage area/shed portion of the addition. Administration confirms that the canopy addition is the same width as the existing building and that the sketch submitted should be fairly accurate. The Chair confirms that there is no problem going with the figure indicated on the sketch provided as 2 feet, 8 inches. Lee Anne Doyle supports the proposal for the open sided canopy with a 2 foot, 8 inch interior side yard as depicted on the sketch indicating that the subject property is zoned Industrial and there is nothing in the vicinity, which would be adversely impacted. It is also in keeping with the intent of the Zoning By-law and Official Plan. Bill Altenhof questions whether or not the motion should have a condition to include the comments from the County. Administration advises that the notice requested an open sided canopy therefore it is not needed to be reflected in the motion and the subject property complies with the County of Essex's regulations.

Motion: (CA-55/17) Moved by Lee Anne Doyle
Seconded by Tom Marentette

That Application A-34/17 for an open-sided canopy be granted with a 2'-8" interior side yard as depicted on the sketch.

Carried

REASONS

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

Application for Minor Variance A-35/17 – Sean McCorkell, 2825 Strawberry Drive

Interested parties present: Sean McCorkell

The purpose of the Application is to request relief from Subsection 6A.1.8 of Zoning By-law 85-18 which establishes the maximum floor area of 130 square metres (1400 square feet). The Applicant is proposing to construct a 127.31 square metre (1371 square foot) addition to the house resulting in a total floor area of 223.99 square metres (2411 square feet). The Applicant is also constructing a 90.12 square metre (970 square foot) attached three-car garage which is not included in the floor area calculation.

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

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

CORRESPONDENCE

ERCA: No objection.

County of Essex: No response.

Debbie & Chris Vilag, 2805 Strawberry Drive: No objection.

Edward & Maureen Collins, 2845 Strawberry Drive: No objection.

DISCUSSION

Sean McCorkell appears before the Committee to discuss the Application. Sean McCorkell advises the Committee that he inherited the house from his mother and that the design of the proposal took into account the physical and safety requirements of a “Foster Home” under the Children’s Aid Society regulations. Sean McCorkell also advises that the proposal is in keeping with the development on Elderberry and that the lot coverage is around 16 percent. He indicates that the house is one of the smallest in the area with the largest lot.

Administration informs the Committee that the R2 Zone established a maximum lot size and maximum building size in order to secure affordable housing. Administration further advises that the majority of the homes in the development comply with the restriction set out in the Zoning By-law. Administration notes that the approach at the time of establishing the subdivision was noble however, since amalgamation, there are many opportunities for affordable housing in Tecumseh. Chad Jeffery indicates that the proposal meets the four test and is therefore, supported by the Planning Department.

Tom Fuerth indicates that he was on Council for the Township of Sandwich South at the time of the development and confirms that the smaller lot sizes were created to establish affordable housing.

Upon an inquiry from the Committee, the Applicant advises that the existing garage to the side will be removed and that the front door will face the west. The Applicant also advises that the minimum distance between the house and the side yard is approximately 16 feet, and that the turning radius into the garage is approximately 22-24 feet.

Motion: (CA-56/17) Moved by Tony Muscedere
Seconded by Paul Morand

That Application A-35/17 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-36/17 – Natalie Cameron, 450 St. Pierre Street

Interested parties present: Morris Harding, Agent for the Applicant

The purpose of the Application is to request relief from Subsection 7.1.10 a) of Zoning By-law 1746 which establishes a minimum interior side yard width of 1.8 metres (6 feet) for a 2-storey dwelling. The Applicant is proposing to construct a 22.02 square metre (237 square foot) second storey addition that aligns with the existing exterior sidewall of the dwelling resulting in an interior side yard width of 1.37 metres (4.5 feet) along the northerly lot line. The Applicant also proposes to construct a new 3.25 square metre (35 square foot) opened covered front porch. See sketch attached.

The 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 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

Morris Harding is present before the Committee to discuss the Application. Morris Harding advises the Committee that the minor variance is required in order to accommodate the second-storey addition that includes a bedroom and washroom. He advises that due to the proximity of the staircase, the plan had to be configured around the staircase. Morris Harding also advises that the proposed second-storey addition is following the existing side yard.

Administration advises that the subject 2-storey home is currently legal non-conforming and views the minor variance as being technical. Administration further advises that the Planning Department has no concerns with the subject Application as it meets the intent of the Zoning By-law and the Official Plan and the development is appropriate for the area.

Upon an inquiry, the Applicant advises that the house was built in 1950 and that the second storey did not carry over the 9-foot section at the front of the home. The Chair notes that the house existed prior to the Zoning By-law and the addition would merely extend the legal non-conforming use.

Administration indicates that the relief requested is necessary, as a building permit cannot be issue without the minor variance. Administration also informs the Committee that the Tecumseh Zoning By-law does not address the proposed changes to the house even though the changes are merely continuing with the existing legal non-conforming use.

Upon an inquiry from the Committee, the Applicant advises that the open covered porch is not intended to be enclosed, and will be supported by 6' x 6' posts. The Chair confirms that relief is not being sought for the open covered porch and that details and design provided regarding the open covered porch is merely for the Committee's information.

Motion: (CA-57/17) Moved by Lee Anne Doyle
Seconded by Bill Altenhof

That Application A-36/17 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 notes that the home has been in existence since 1950 and the upgrades do not have an adverse impact on surrounding properties.

Application for Minor Variance A-37/17 – Volturara Investments Inc., 4591 County Road 46

Interested parties present: Robert Crescenzi, Agent for Petretta Construction
Rob Ricks, Owner – Onward Control Solutions

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

- 1) Subsection 14.1.9 c) establishes that the minimum side yard width is 6.0 metres (19.68 feet);
- 2) Subsection 14.1.10 c) establishes that the minimum rear yard depth is 7.5 metres (24.60 feet);
- 3) Subsection 11.1.10 c) establishes that the minimum side yard width is 4.5 metres (14.76 feet); and
- 4) Subsection 11.1.11 establishes that the minimum rear yard depth is 7.5 metres (24.60 feet).

The Applicant proposes to construct a 378.58 square metre (4075 square foot) addition to an existing industrial shop resulting in a 3.05 metre (10 foot) interior side yard along the easterly lot line and zero (0) rear yard depth along the southerly lot line.

The property is designated Business Park in the Sandwich South Official Plan has a split zoning of Industrial (M1) and Rural Commercial (CR-3) in the Sandwich South Zoning By-law. See sketch attached.

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

CORRESPONDENCE

ERCA: No objection.

County of Essex: Letter dated November 20, 2017 requires compliance with By-law 2481 and 2480 and that permits are necessary for any changes to existing entrances and structure or the construction of new entrances and structures.

Town Engineer:

- The owner should be made aware that site service drawings and a detailed stormwater management report (addressing quantity and quality to the satisfaction of the Town's Engineer) needs to be submitted as part of the Building Permit application, **which will then be reviewed/approved by the Town Engineer prior to issuance of the Building Permit.**
- The stormwater management facility will require approval from the Ministry of Environment and Climate Change (MOECC) under Section 53 of the Ontario Water Resources Act.
- The site's allowable release rate will be based on the capacity of the receivers (i.e. County roadside ditches, municipal drains (Hurley Relief and Branch Drain), and the Upper Little River Watershed Area), for which the lower of the release rates shall govern. The owner is advised that the release rates are very restrictive, and that based on the existing site and the proposed works, that an underground storage facility may be required to adequately address stormwater quantity control for the site.

DISCUSSION

Rob Crescenzi of Petretta Construction Inc. appears before the Committee to discuss the Application on behalf of the Applicant, Davide Petretta as he is unable to be at the hearing this

evening. Rob Crescenzi advises that the tenants, Onward Control Solutions, is experiencing significant growth in their business and is in dire need for additional floor space. Rob Crescenzi advises that the subject property is landlocked by two successful businesses on both sides and therefore are forced to push the boundaries of their building footprint. Rob Crescenzi further informs that Committee that there is limited industrial vacancies in Tecumseh and without the minor variance, the Tenant will need to abandon their expansion plans. Rob Crescenzi indicates to the Committee that a reduction in the size requested is not possible as the absolute minimum building width requested is required in order accommodate the crane and operational machinery. Rob Crescenzi further indicates to the Committee that had the land been directly abutting a rail corridor (the property to the south is an abandoned railway corridor), there would be no requirement for a rear-yard setback. He further advises that the two properties to the West (4565 and 4587 County Road 46) currently have structure with zero or near zero rear-yard setback. Rob Crescenzi informs the Committee that almost every property on the south side of County Road 46 is currently using the form rail corridor for storage, access or parking, therefore, there should be no concerns using this corridor behind 4591 County Road 46 for access or maintenance.

The Chair indicates that the rail corridor behind 4591 County Road 46 was once used for streetcar transportation from Maidstone to Kingsville. The Chair raises concern with respect to maintaining the building if a zero rear lot line is granted. Rob Crescenzi informs the Committee that he is not familiar with the plans for the structure and would have to refer the Committee to Davide Petretta.

Administration advises that there is some confusion over the ownership of the lands abutting the rear of the subject lands. There are also concerns with construction and maintenance of the proposed addition with a zero lot line. Administration indicates that if the Committee so desired, a condition can be imposed that the zero rear-yard depth be conditional upon the Town being satisfied that there will be adequate access to the building during the construction process and for future maintenance. The Chair advises that in the old Sandwich South Township records, there was a similar circumstance on County Road 46 in the Village of Maidstone whereby the ownership was also in question with the road widening near the Superior Propane Building lands. Lee Anne Doyle request the amount of time left on the current lease. The Committee is informed 8 ½ years. Upon an inquiry, the Committee is also informed that the existing plant space is approximately 4,500 square feet and the proposed square footage is 4,075. The 35 foot depth is required for a crane. The Tenant further informs the Committee that the plant is transitioning to automation control with larger robotic cells that require greater space. The Tenant further indicates that even reducing the structure by five feet would make it very difficult to fit the machinery. Bill Altenhof raises concern with respect to ground water retention as referred to in the Town Engineer's comments provided to the Committee. The Tenant advises that stormwater retention would have to be referred to David Petretta. The Chair indicates that stormwater retention can be addressed through the Site Plan Control process. The Chair further indicates that it is early in the development stages to determine how fast the external streams will flow and whether the parking lot will be set up to retain water, or whether forming a pond on the roof or big size pipes underground will accomplish or satisfy the Town Engineer. Upon an inquiry from the Committee, the Tenant advises that he is not aware of what the parking was initially set up to accommodate but there are currently 12 employees with the prospect for an additional 16-25 employees over time. The Committee raises concern with respect to lot coverage but is informed by Administration that the plan is reviewed by the Planning and Building Services Department and not flagged for lot coverage. The Committee questions the Tenant about the 40-foot storage container on the southwest corner of the lot and the 53-foot trailer behind the shop and is advised by the Tenant that the trailer and storage container will be removed from the lot. The Chair informs the Committee that the subject property will eventually be serviced by the new sewer line.

Motion: (CA-58/17) Moved by Tom Marentette
Seconded by Jim Mackie

That Application A-37/17 is granted subject to stormwater management being addressed to the satisfaction of the Town and that the relief for zero rear yard depth be conditional upon the Town, being satisfied that, there will be adequate access to the building during the construction process and for future maintenance.

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

Application for Severance B-13/17 & B-14/17 – Joan Eileen Pettypiece and The Estate of Annie Kathleen Pettypiece, 4890 and 4950 County Road 8

Interested parties present: Jim Renick, Solicitor for Agent, Augustinus Revenberg and Gaynia Revenberg
David Connor, Solicitor for the Joan Eileen Pettypiece and The Estate of Annie Kathleen Pettypiece

The purpose of the Application is to request Consent to sever two rural residential lots as follows:

Lot 1: Parts 2 & 3 (outlined in black on the attached sketch) having a frontage of 42.21 m (138.5 ft) and a total lot area of 0.50 ha (1.24 ac) with a reciprocal easement over the lands in Part 3 (identified in green) in favour of Parts 4 & 5 (outlined in red); and

Lot 2: Parts 4 & 5 (outlined in red on the attached sketch) having a frontage of 42.25 m (138.6 ft) and a total lot area of 0.50 ha (1.24 ac) with a reciprocal easement over the lands in Part 4 (identified in pink) in favour of Parts 2 and 3 (outlined in black).

The retained lands identified in Part 1 in the sketch attached will be added to the farm parcel to west resulting in a total lot area of 39.81 ha (99.38 ac).

The 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, Agent and all required agencies and to each member of the Committee of Adjustment.

CORRESPONDENCE

ERCA: That registration of a conservation easement on title that would result in the long-term protection of the natural heritage feature, to the satisfaction of the Town of Tecumseh and the Essex Region Conservation Authority or re-zone the natural heritage feature to a zone consistent with long-term protection (e.g. Wetland or Natural Environment) to the satisfaction of the Town of Tecumseh and the Essex Region Conservation Authority. If neither of those conditions are associated with the application, it is ERCA's recommendation to the Town of Tecumseh that approving these applications for consent would not be consistent with the natural heritage policies of the PPS 2014.

County of Essex: Letter dated October 11, 2017 requires compliance with By-law 2481 and 2480 and permits are necessary for any changes to existing entrances and structure or the construction of new entrances and structures.

Town Engineer: 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, RSO 1990, as amended and that the associated costs of same be borne solely by the Applicant; applicants to verify whether there are separate

septic tanks for each parcel; Owner to confirm that 4890 County Road 8 has separate water supply; and that the farm tiles/headers should be installed around the severed parcels to ensure the farm drainage is adequately collected and directed to the Municipal Drain adjacent to County Road 8.

DISCUSSION

Jim Renick, Solicitor for the Agent for the Applicant, appears before the Committee with David Connor, Solicitor for the Owner of the subject property, to discuss the Application. The Chair suggests that Administration provide a summary of the Application. Chad Jeffery advises that this Application is unique in that there are only six other parcels of land within the Town that have two dwellings on one parcel of land. Chad Jeffery also advises that the granting of the Application does not create any additional building lots than what would exist without the severance application. Chad Jeffery explains that the retained farm lot will be conveyed to Mr. and Mrs. Revenberg's farm parcel to the west. Two residential dwelling lots will be created for the existing houses, which were established prior to 1988. A number of conditions will be required for the Applications including the comments received from the County of Essex regarding access to County Road 8; separate onsite sewage and water supplies; MDS does not apply; the lots meet the By-law with respect to maximum lot size; there is no danger in set precedent as there are only 6 similar lots in the Town; and a condition established by ERCA to protect the natural habitat by imposing an easement upon the affected portion of the lands. Mr. Connor confirms that there are separate water lines and meters and separate septic systems for each home. He confirms that there is a conditional agreement of purchase and sale with the Revenberg's for the retain farm parcel. Mr. Connor also informs the Committee that the farm has been in the Pettypiece family since 1845. Mr. Connor further informs the Committee that since Annie Pettypiece's death, the farm will be sold and two of three remaining children will reside in the existing two homes and further, that the sale of the farm is necessary in order to settle the Estate. Mr. Connor points out that the initial proposal to the municipality included larger dwelling lots sizes in order to accommodate the pet cemetery but has since been reduced in size in order to comply with the zoning by-law.

Mr. Renick indicates that there is a unique clause within the Sandwich South Official Plan which speaks to legal non-confirming uses, which in this particular case is helpful and in support of the Applicant's proposal. The Chair points out that the Application will also give rise to the natural heritage easement being registered against the wood lot area requested by ERCA. Chad Jeffery indicates that under the Provincial Policy Statement the onus is on the private owner to protect heritage lands and species. Chad Jeffery further indicates that the severance is actually of benefit to the public as by virtue of the application, the natural heritage site will be identified and incorporation into the new Official Plan and obtain protection through this Application.

Lee Anne Doyle indicates that she is supportive of the application provided that heritage lands are protected as outlined by Essex Region Conservation Authority, and that the heritage lands be identified in the 12R, that there be separate septic tanks and water supply for each dwelling, that farm tiles be installed around the severed parcels as requested by the Town Engineer, that there is no modification to the dwellings, in addition to the standard conditions which apply to severances.

Jim Renick is agreeable to the conditions cited by Lee Anne Doyle. Mr. Connor advises that the farmlands are tiled. For clarification purposes, it is noted that the farm tiles/headers should be installed around the severed parcels to ensure the farm drainage is adequately collected and directed to the Municipal Drain adjacent to County Road 8.

It is noted that Mike Nelson from ERCA is present at the hearing to provide clarification regarding the natural heritage site, if required.

Paul Morand is supportive of the Application to sever the two dwelling lots from the farm parcel and to add the farm parcel to the abutting lands to the west owned by Mr. and Mrs. Revenberg with the conditions cited by Lee Anne Doyle.

Motion: (CA-59/17) Moved by Paul Morand
Seconded by Lee Anne Doyle

That Applications B-13/17 & B-14/17 are granted.

Carried

REASONS

The Applications are in keeping with the Official Plan policies for the Town of Tecumseh as well as Zoning By-law 85-18.

CONDITIONS

1. That at the time the conveyance is prepared for certification, two (2) copies of the reference plan by an Ontario Land Surveyor as well as digital files (.pdf and .dwg) with the .dwg files being in **NAD 83 format (UTM Zone 17 Metric)**, which has been numbered, dated, signed and registered must be submitted to the Town;
2. That at the time the conveyance is presented for certification, a tax certificate from the Treasurer of the Town or evidence showing all taxes for the current year paid in full, as well as any and all arrears owing on the total parcel;
3. That the appropriate documents for the conveyance be prepared in triplicate (3) suitable for registration, all copies to have original signatures, with one copy to remain as a record with the Town;
4. That any cost in excess of the \$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 parcel to be retained and the parcel to be severed are to be serviced with separate water supplies and septic systems to the satisfaction of the Town of Tecumseh Public Works, Water and Building Departments prior to this severance being finalized;
7. That farm tiles/headers be installed around the severed parcels to ensure the farm drainage is adequately collected and directed to the municipal drain adjacent to County Road 8;
8. That the proposed retained farm parcel be merged with the abutting farm parcel to the west;
9. That the Owners enter into a conservation easement agreement with the Town regarding the preservation of the existing woodlot on the northeast corner of the retained parcel, the terms of which shall be to the satisfaction of ERCA and that the said agreement be registered against the title of the lands;
10. That all of the requirements of the County of Essex are met; and
11. That the above conditions be fulfilled on or before November 21, 2018 prior to this severance being finalized.

VII NEW BUSINESS

Budget

The budget allowance is sufficient for attendance for education development in 2018.

OACA

The article prepared by Administration for inclusion in the OACA Newsletter will be published in the December, 2018 edition.

Lee Anne Doyle indicates that the workshop hosted at the seminar in Cobourg on October 23 & 24, 2017, regarding Best Practices was successful. Lee Anne Doyle is commended for her contribution in giving back to profession.

VIII UNFINISHED BUSINESS

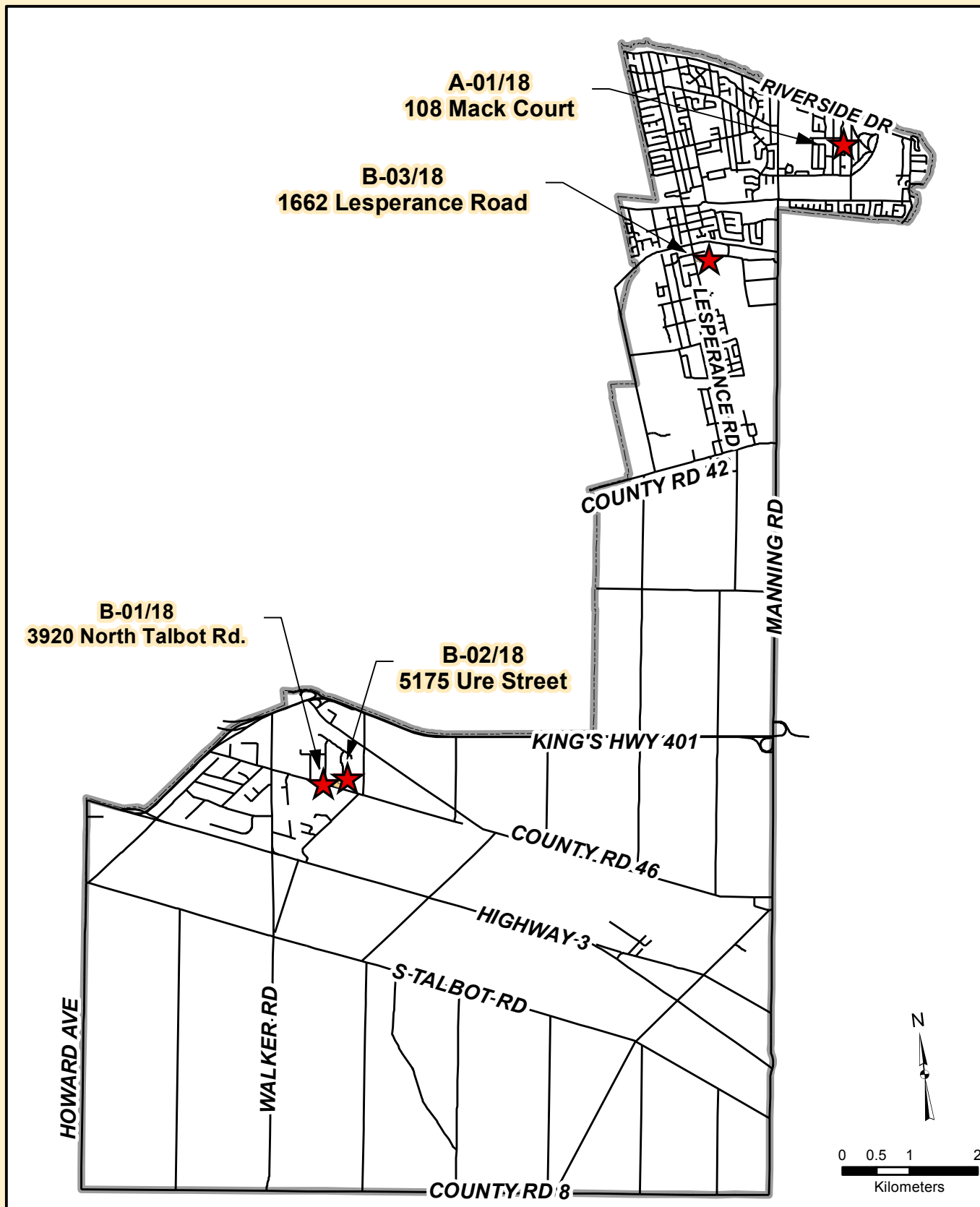
IX ADJOURNMENT

Motion: (CA-60/17) Moved by Bill Altenhof
Seconded by Tony Muscedere
**That there being no further business the November 20, 2017 regular meeting of the
Committee of Adjustment now adjourn at 6:36 p.m.**
Carried

Tom Fuerth, Chairperson

Donna Ferris, Secretary-Treasurer

DRAFT



Prepared By:
Tecumseh Planning and
Building Department



Subject Properties

January 22, 2018
Committee of
Adjustment Meeting
Key Map

**Town of Tecumseh
Committee of Adjustment
Regular Meeting
Monday, January 22, 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, November 20, 2017

V SUBMISSIONS

5:00 p.m.

Application for Minor Variance A-01/18 – Ryan Grebenc, 108 Mack Court

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

- i) Subsection 5.19.1 d) i) which establishes that no individual accessory structures in residential zones shall exceed 70.0 square metres (753.0 sq. ft.); and
- ii) Subsection 5.19.1 e) i) which establishes that accessory buildings shall not exceed 4.57 metres (15 feet) in height.

The Applicant is requesting relief to construct an accessory building having a total area of 77.3 square metres (832 sq. ft.) and a height of 4.88 metres (16 feet).

The subject 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.

5:05 p.m.

Application for Severance B-01/18 – Mamatas Real Estate Holdings Unlimited Liability Company, 3920 North Talbot Road

The purpose of the Application is to request consent to sever a 1600 square metre (17,222 square foot) vacant industrial parcel of land (highlighted in blue and identified as Part 1

on the draft survey attached) and add it to the abutting lands municipally known as 5175 Ure Street (identified as Part 2 on the draft survey). The retained portion, identified as Parts 4 & 5 together with Part 3 (see Severance Application B-02/18) which is being heard concurrently with this Application will result in a total lot area of 0.96 ha (2.37 acres).

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

5:05 p.m.

Application for Severance B-02/18 – West Industries Inc., 5175 Ure Street

The purpose of the Application is to request consent to sever a 900 square metre (9687.52 square foot) vacant industrial parcel of land (highlighted in yellow and identified as Part 3 on the draft survey attached) and add it to the abutting lands municipally known as 3290 North Talbot Road (identified as Parts 4 & 5 on the draft survey). The retained portion, identified as Part 2 together with Part 1 (see Severance Application B-01/18) which is being heard concurrently with this Application will result in a total lot area of 4400 square metres (1.09 acres).

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

5:10 p.m.

Application for Severance B-03/18 – Bernard McGraw, 1662 Lesperance Road

The purpose of the Application is to request consent to sever a vacant residential lot having a frontage of 23.12 m (75.85'), a depth of 55.4 m (181.75') and a lot area of 1280.74 sq. m (13,785.74 sq') (outlined in red). The retained residential dwelling lot will have a frontage of 24.78 m (81.30'), a depth of 163.68 m (537.00') and a total area of 1.27 ha (3.13 ac) (outlined in green).

The lands are designated Residential in the Sandwich South Official Plan and zoned Residential Zone 1 (R1) and Holding Residential Zone (H) R1 in the Sandwich South Zoning By-law. See attached sketch.

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: **Ryan Grebenc**

Location of Property: **108 Mack Court; Lot 58, Plan 1560
(former Village of St. Clair Beach)**

Purpose of Application: **Minor Variance**

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

i) Subsection 5.19.1 d) i) which establishes that no individual accessory structures in residential zones shall exceed 70.0 square metres (753.0 sq. ft.); and

ii) Subsection 5.19.1 e) i) which establishes that accessory buildings shall not exceed 4.57 metres (15 feet) in height.

The Applicant is requesting relief to construct an accessory building having a total area of 77.3 square metres (832 sq. ft.) and a height of 4.88 metres (16 feet).

The subject 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.

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 22nd day of January, 2018 @ 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

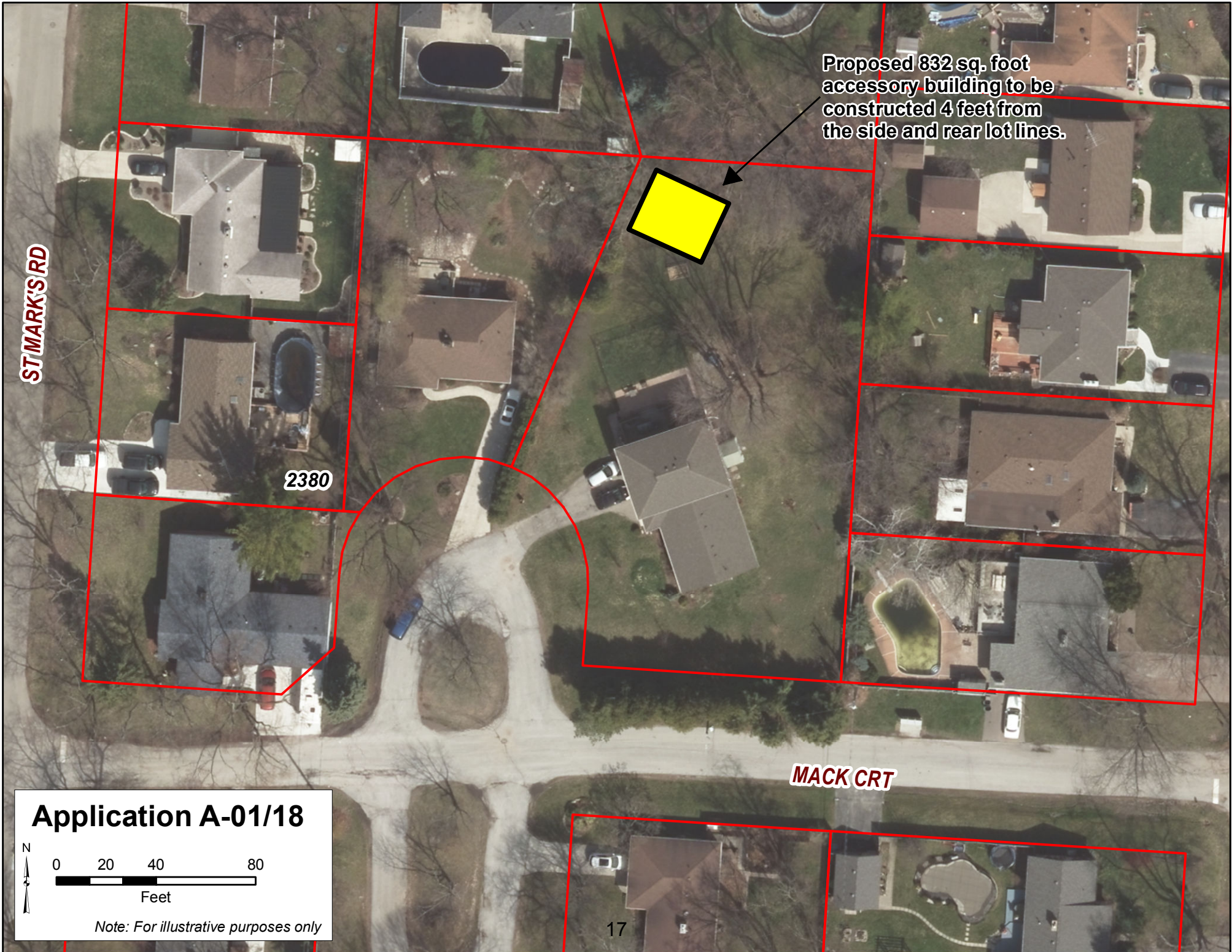
If you do not attend at the hearing it may proceed in your absence (including possible amendments to the original request) and, except as otherwise provided in the Planning Act, you will not be entitled to any further notice in the proceedings.

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 12th day of January, 2018

Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment



Proposed 832 sq. foot
accessory building to be
constructed 4 feet from
the side and rear lot lines.



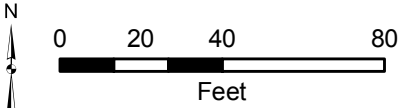
ST MARK'S RD

2380

MACK CRT

17

Application A-01/18



Note: For illustrative purposes only

NOTICE OF PUBLIC HEARING
OF APPLICATION FOR SEVERANCE

TOWN OF TECUMSEH COMMITTEE OF ADJUSTMENT

Applicant: Mamatas Real Estate Holdings Unlimited Liability Company

Location of Property: 3920 North Talbot Road; Parts 4 & 5, 12R7703 & Part 2, 12R14253
(former Township of Sandwich South)

Purpose of Application: Severance

The purpose of the Application is to request consent to sever a 1600 square metre (17,222 square foot) vacant industrial parcel of land (highlighted in blue and identified as Part 1 on the draft survey attached) and add it to the abutting lands municipally known as 5175 Ure Street (identified as Part 2 on the draft survey). The retained portion, identified as Parts 4 & 5 together with Part 3 (see Severance Application B-02/18) which is being heard concurrently with this Application will result in a total lot area of 0.96 ha (2.37 acres). The properties are designated Business Park in the Sandwich South Official Plan and zoned Industrial (M1) in the Sandwich South Zoning By-law.

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

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

Monday, the 22nd day of January, 2018 at 5:05 p.m.

PUBLIC HEARING

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

FAILURE TO ATTEND HEARING

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

NOTICE OF DECISION

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Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment

Dated this 5th day of January, 2018

B-01/18
3920 North Talbot Road

PARTS SCHEDULE				
PART	LOT	CON. / PLAN	PARCEL / PIN / INST.	AREA
1	PART OF LOT 7	CONCESSION 11	PIN 75234-0002	0.16 Ha
2			PIN 75234-0004	0.28 Ha
3			PIN 75234-0004	0.09 Ha
4			PIN 75234-0002	0.50 Ha
5			PIN 75234-0003	0.37 Ha

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT

NOTE

ROSS A. CLARKE
ONTARIO LAND SURVEYOR
for: CLARKE SURVEYORS INCORPORATED

PLAN 12R-
RECEIVED AND DEPOSITED

DATE

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF ESSEX (12)

PIN SUMMARY: PARTS 1 & 4 ARE ALL OF PIN 75234-0002
PARTS 2 & 3 ARE ALL OF PIN 75234-0004
PART 5 IS ALL OF PIN 75234-0003

PLAN OF SURVEY
OF
PART OF LOT 11
CONCESSION 7
BEING IN THE GEOGRAPHICAL TOWNSHIP OF SANDWICH SOUTH
TOWN OF TECUMSEH
COUNTY OF ESSEX, ONTARIO
CLARKE SURVEYORS INCORPORATED - 2017
SCALE : 1:500 (METRIC)



SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON THE 11th DAY OF AUGUST, 2017.

ROSS A. CLARKE
ONTARIO LAND SURVEYOR
for: CLARKE SURVEYORS INCORPORATED

INTEGRATION DATA		
OBSERVED REFERENCE POINTS (ORP) UTM 11, PROCS (CSRS) (1997) D COORDINATES ARE TO AN UTMAL ACCURACY SEC 14 (2) OF 0 RED 216/70		
POINT ID	NORTHING	EASTING
ORP-A	N 4877861.880	E 336878.624
ORP-B	N 4877823.630	E 336890.882
CAUTION: COORDINATES CANNOT BE USED TO RE-ESTABLISH CORNER OR BOUNDARY SHOWN ON THIS PLAN		

BEARING REFERENCE

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS ORP-A & ORP-B BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (1997.2)

DISTANCE NOTE

DISTANCE ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999895

- LEGEND
- DENOTES SURVEY MONUMENT SET AND MARKED 1201
 - BE DENOTES SURVEY MONUMENT FOUND
 - SW DENOTES STANDARD IRON BAR
 - SSB DENOTES SHORT STANDARD IRON BAR
 - W DENOTES WOOD PIN
 - RP DENOTES ROUND IRON BAR
 - CP DENOTES CULIT CROSS
 - FP DENOTES SURVEY MONUMENT FOUND
 - (CU) DENOTES CORNER UNKNOWN
 - (1201) DENOTES MARK A, BOUND. O.L.A. (1010) DENOTES NOT TO SCALE
 - ⊥ DENOTES PERPENDICULAR DISTANCE
 - ⊥ DENOTES SET
 - (M) DENOTES MEASURED
 - W DENOTES WITNESS MONUMENT
 - (1/2 P) DENOTES SET BY PROPORTION
 - (P) DENOTES PLAN 12R-7703
 - (P1) DENOTES PLAN 12R-14253
 - (P2) DENOTES PLAN 12R-8190

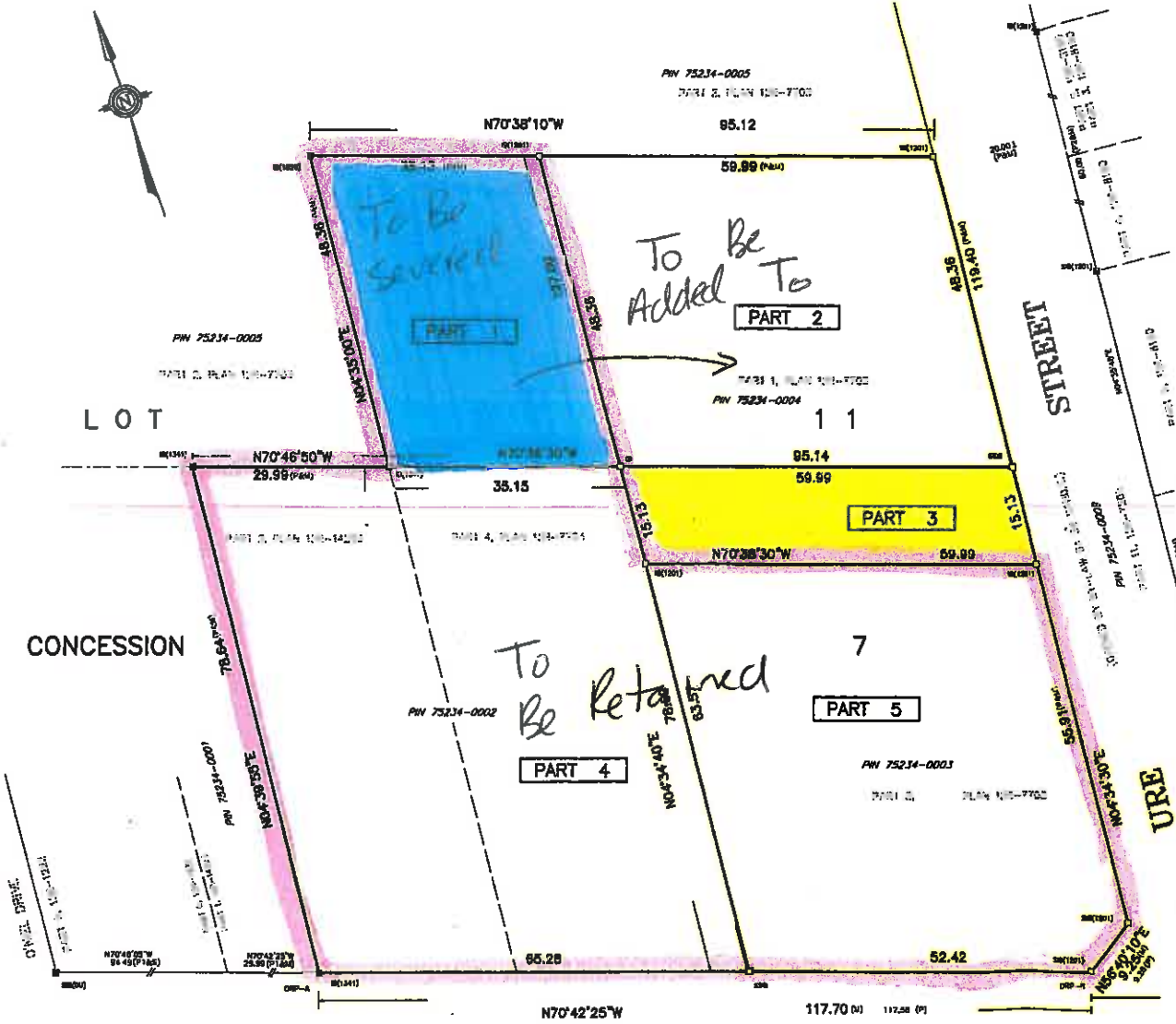
CLARKE SURVEYORS INCORPORATED
www.clarksurveyors.com
Established 1970

Ontario Land Surveyors
Consulting Surveyors
2535 Leppanore Road
Tecumseh, Ontario
N1N 2X1
Ph: (519) 258-4188
Fax: (519) 735-2155
Toll Free: 1-800-735-4188

ASSOCIATE COMPANY
MACKAY MACKAY & PETERS LIMITED
Chartered 1860
BURLINGTON AND KANITON
ONTARIO

DRAWN BY: SJP
CHECKED BY: KWB
JOB NO.: 35782-01
FILE: L-SAND 3-7-11
PLAN FILE: 2P-3732

CAD DATE: 8/SEP/2017 9:11AM CAD FILE: M:\2017DATA\35782-01\35782-01.DWG



NORTH TALBOT ROAD
(ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 6 AND 7 AND CONCESSION NORTH TALBOT ROAD)

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

TOWN OF TECUMSEH COMMITTEE OF ADJUSTMENT

Applicant: **West Industries Inc.**

Location of Property: **5175 Ure Street; Part 1, 12R7703
(former Township of Sandwich South)**

Purpose of Application: **Severance**

The purpose of the Application is to request consent to sever a 900 square metre (9687.52 square foot) vacant industrial parcel of land (highlighted in yellow and identified as Part 3 on the draft survey attached) and add it to the abutting lands municipally known as 3290 North Talbot Road (identified as Parts 4 & 5 on the draft survey). The retained portion, identified as Part 2 together with Part 1 (see Severance Application B-01/18) which is being heard concurrently with this Application will result in a total lot area of 4400 square metres (1.09 acres). The properties are designated Business Park in the Sandwich South Official Plan and zoned Industrial (M1) in the Sandwich South Zoning By-law.

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

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

Monday, January 22, 2018 at 5:05 p.m.

PUBLIC HEARING

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

FAILURE TO ATTEND HEARING

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

NOTICE OF DECISION

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 5th day of January, 2018

B-02/18 5175 Ure Street

PARTS SCHEDULE					I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT	PLAN 12R- RECEIVED AND DEPOSED
PART	LOT	CON. / PLAN	PARCEL / PIN / INST.	AREA		
1	PART OF LOT 7	CONCESSION 11	PIN 75234-0002	0.16 Ha	DATE	DATE
2			PIN 75234-0004	0.28 Ha		
3			PIN 75234-0004	0.09 Ha		
4			PIN 75234-0002	0.50 Ha		
5			PIN 75234-0003	0.37 Ha		
PIN SUMMARY: PARTS 1 & 4 ARE ALL OF PIN 75234-0002 PARTS 2 & 3 ARE ALL OF PIN 75234-0004 PART 5 IS ALL OF PIN 75234-0003					ROSS A. CLARKE ONTARIO LAND SURVEYOR for: CLARKE SURVEYORS INCORPORATED	REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF ESSEX (12)

PLAN OF SURVEY
OF
PART OF LOT 11
CONCESSION 7
BEING IN THE GEOGRAPHICAL TOWNSHIP OF SANDWICH SOUTH
TOWN OF TECUMSEH
COUNTY OF ESSEX, ONTARIO
CLARKE SURVEYORS INCORPORATED - 2017
SCALE : 1:500 (METRIC)



SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT,
THE CONVEYANCE ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 11th DAY OF AUGUST, 2017.

ROSS A. CLARKE
ONTARIO LAND SURVEYOR
for: CLARKE SURVEYORS INCORPORATED

INTEGRATION DATA		
OBSERVED REFERENCE POINTS (ORP): UTM 17, NAD83 (CSRS) (1997.0) COORDINATES ARE TO AN UTM GRID ACCORDING TO 14 (2) OF O REG 216/10		
POINT ID	NORTHING	EASTING
ORP-A	N 4877861.880	E 338079.424
ORP-B	N 4877823.030	E 338080.002
CAUTION: COORDINATES SHOWN IN THIS PLAN ARE BASED ON THE UTM GRID. THEY ARE NOT TO BE USED FOR ANY OTHER PURPOSE THAN THAT FOR WHICH THEY WERE PROVIDED.		

BEARING REFERENCE

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS ORP-A & ORP-B
BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (1997.0).

DISTANCE NOTE

DISTANCE ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING
BY THE COMBINED SCALE FACTOR OF 0.999895

LEGEND

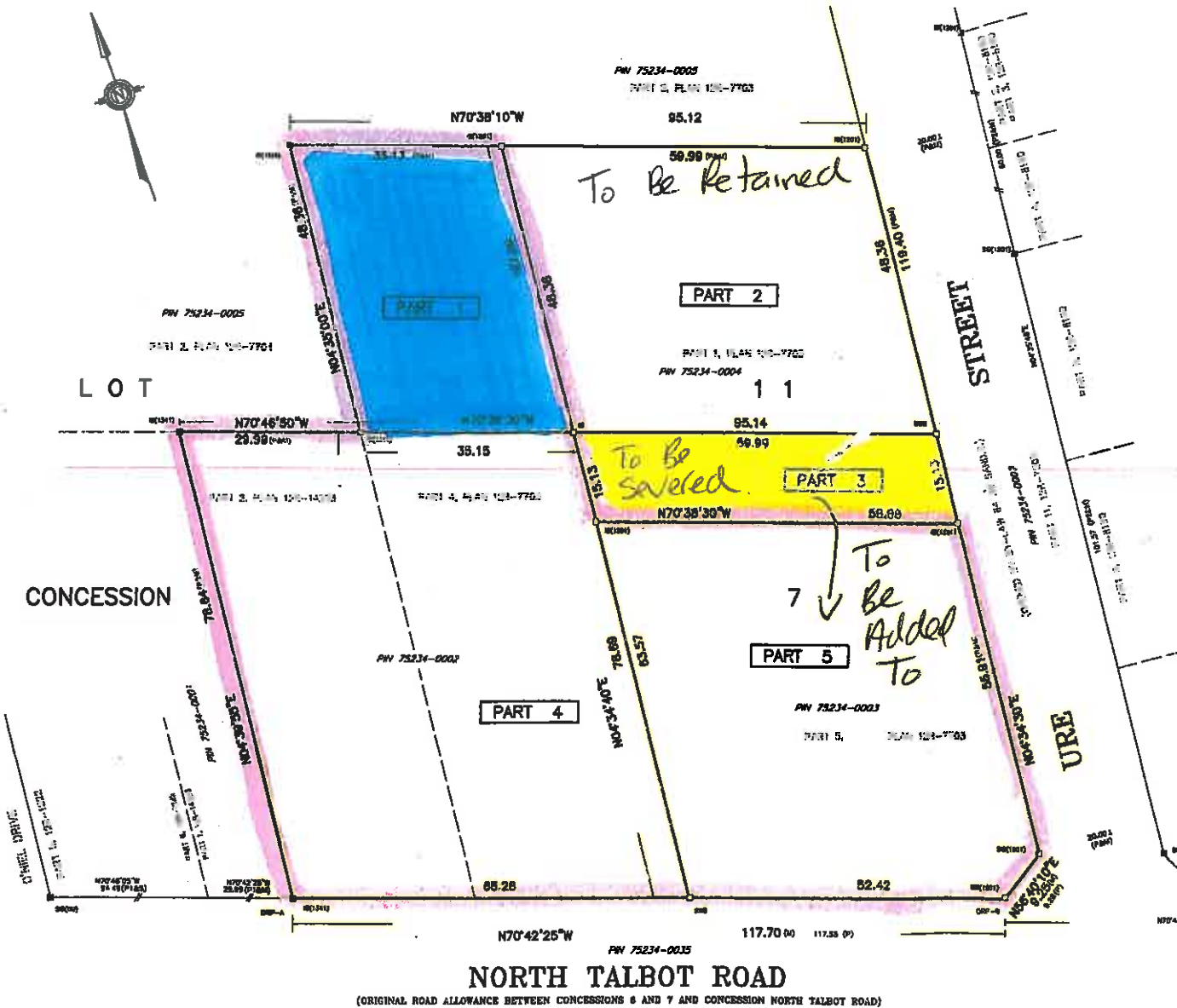
- DENOTES SURVEY MONUMENT SET AND MARKED 1201
- DENOTES SURVEY MONUMENT FOUND
- DENOTES TURNED IRON PIN
- ▬ DENOTES SHORT STANDING IRON BAR
- DENOTES IRON NAIL
- ▬ DENOTES IRON BAR
- DENOTES SET BY PRESENTATION
- DENOTES SURVEY MONUMENT FOUND
- DENOTES OTHER MONUMENT
- (1201) DENOTES ROSS & CLARKE, O.L.S.
- (1202) DENOTES NOT TO SCALE
- (1203) DENOTES PERPENDICULAR DISTANCE
- (1204) DENOTES SET BY PRESENTATION
- (1205) DENOTES SURVEY MONUMENT
- (1206) DENOTES PLAN 12R-7703
- (1207) DENOTES PLAN 12R-1483
- (1208) DENOTES PLAN 12R-8190

CLARKE
SURVEYORS
INCORPORATED
www.clarkesurveyors.com
Established 1970

Ontario Land Surveyors
Consulting Surveyors
2535 Leamington Road
Tecumseh, Ontario
N2Y 2X1
Ph: (519) 258-4166
Fax: (519) 735-2165
Toll Free: 1-888-735-4166

ASSOCIATE COMPANY
MACKAY
MACKAY
& PETERS
L I M I T E D
SANDWICH 1208
SANDWICH AND HAMILTON
ONTARIO

CHD DATE: 8/30/2017 11:14AM CHD FILE: M:\2017\1707\170703-01\35782-01.DWG
DRAWN BY: SJP
CHECKED BY: KPB
JOB NO.: 35782-01
PAC: L-SAND S-7-11
PLAN FILE: 2F-3732



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

TOWN OF TECUMSEH COMMITTEE OF ADJUSTMENT

Applicant: **Bernard & Diana McGraw**

Location of Property: **1662 Lesperance Road; Part Lot 5, Plan 395
(former Township of Sandwich South)**

Purpose of Application: **Severance**

The purpose of the Application is to request consent to sever a vacant residential lot having a frontage of 23.12 m (75.85'), a depth of 55.4 m (181.75') and a lot area of 1280.74 sq. m (13,785.74 sq') (outlined in red). The retained residential dwelling lot will have a frontage of 24.78 m (81.30'), a depth of 163.68 m (537.00') and a total area of 1.27 ha (3.13 ac) (outlined in green). The lands are designated Residential in the Sandwich South Official Plan and zoned Residential Zone 1 (R1) and Holding Residential Zone (H) R1 in the Sandwich South Zoning By-law. See attached sketch.

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

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

Monday, the 22nd day of January, 2018 at 5:10 p.m.

PUBLIC HEARING

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Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment

Dated this 5th day of January, 2018

WESTLAKE DRIVE

LESSPERANCE ROAD

PLAN OF SURVEY OF PART OF LOT 5 REGISTERED PLAN 395 IN THE TOWN OF TECUMSEH COUNTY OF ESSEX, ONTARIO CLARKE SURVEYORS INCORPORATED - 2016 SCALE: 1" = 40'

WESTLAKE DRIVE

LOT 153, CONCESSION 2

LOT 6

TO BE RETAINED

TO BE SEVERED

PART 1, 12R-16455

PART 1, 12R-16875

PART 1, 12R-4136

PART 1, 12R-6722

PART 2, 12R-16455

PART 2, 12R-16875

PART 2, 12R-4136

PART 2, 12R-6722

PART 3, 12R-16455

PART 3, 12R-16875

PART 3, 12R-4136

PART 3, 12R-6722

PART 4, 12R-16455

PART 4, 12R-16875

PART 4, 12R-4136

PART 4, 12R-6722

PIN 75244 - 0301

PIN 75244 - 0483

PIN 75244 - 0302

PIN 75244 - 0303

PIN 75244 - 0305

PIN 75244 - 0306

PIN 75244 - 0307

PIN 75244 - 0308

PIN 75244 - 0309

PIN 75244 - 0310

PIN 75244 - 0311

PIN 75244 - 0312

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