

Committee of Adjustment Meeting
AGENDA

Monday, March 19, 2018, 5:00 pm
Tecumseh Town Hall
www.tecumseh.ca

Pages

- 1. Call to Order**
- 2. Roll Call**
- 3. Disclosure of Pecuniary Interest**
- 4. Minutes**
 - a. Minutes of the regular Committee of Adjustment meeting dated Monday, February 26, 2018. 3 - 9
- 5. Submissions**
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 - c. Severance Application B-05/18 - Dana Kazimiera Giedriuna, 814 Lacasse Boulevard 15 - 16
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 - e. Minor Variance Application A-05/18 - Michael Abaldo and Marlise Taylor, 5384 Oldcastle Road 19 - 20
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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, February 26, 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

PRESENT:	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: Tom Fuerth

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, January 22, 2018.

Motion: (CA-06/18) Moved by Lee Anne Doyle
Seconded by Tony Muscedere

That the Minutes of the regular Committee of Adjustment meeting held Monday, January 22, 2018 be adopted, as printed and circulated.

Carried

V SUBMISSIONS

The following submissions were heard:

Application for Minor Variance A-02/18 – Home Hardware Stores Limited, 1613 Lesperance Road

Interested parties present: Brent Seguin, Owner of Home Hardware Stores Limited

The purpose of the Application is to request relief from subsection 5.19 a) of Zoning By-law 85-18, which establishes that no building or structure including a sign shall be erected within the triangular space between two street lines for a distance of 9.0 metres (29.53 feet) from the point of intersection. The Applicant is proposing to erect a sign within this regulated area as depicted on the attached sketch.

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

Notice of hearing for the above 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.

DISCUSSION

Brent Seguin appears before the Committee to discuss the Application. Lee Anne Doyle inquires about the dimensions and location of the proposed sign. Mr. Seguin advises that the sign will be installed almost in the same location but the sign will be two times the size. He informs the Committee that the sign cannot be installed in the parking lot area as it's a fire route. Upon an inquiry from Tom Marentette, Mr. Seguin advises that the new sign that is two times the size of the existing sign is the same size as the signage at 1614 Lesperance Road. Mr. Seguin also advises that the sign is higher than the existing sign and the base is also two times larger and that the proposed location was determined as a result of the water lines running in the area.

Administration responds to an inquiry by the Committee and advises that the current diagram provided was reviewed at the staff review meeting which included the Public Works, Planning and Building Services Departments. Chad Jeffery indicates that no concerns were raised regarding visibility as a result of the sign location or the height as the sign is setback significantly from County Road 22. Mr. Seguin acknowledges that due to the height of the sign, there is greater visibility. Lee Anne Doyle confirms with Mr. Seguin that the existing sign will be removed.

Motion: (CA-07/18) Moved by Lee Anne Doyle
Seconded by Tom Marentette

That Application A-02/18 is granted.

Carried

REASONS

The Application meets the four tests of a minor variance in that it is desirable for the appropriate development or use of the land, building or structure, the general intent and purpose of the Official Plan and Zoning By-law is maintained and the variance is minor in nature. The Committee also notes that as this matter was review by Public Works, Planning and Building Services and ERCA, no concerns were raised, the Applicant has demonstrated the hardship in complying with the Zoning By-law and there are no adverse impact on traffic flow.

Application for Minor Variance A-03/18 – 1787954 Ontario Ltd., 1950 Halford Road

Interested parties present: Jeff Sylvestre, James Sylvestre Enterprises Ltd., Agent

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

- 1) Subsection 14.1.10 c) establishes that the minimum rear yard depth is 7.5 metres (24.6 feet). The proposed addition results in a rear yard depth of 5.5 metres (18 feet); and
- 2) Subsection 5.33 establishes that thirty-eight (38) parking spaces are required for the subject property of which two (2) are to be barrier free parking. The Applicant is proposing thirty-six (36) parking spaces of which one (1) is barrier free.

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

CORRESPONDENCE

ERCA: No objection.

County of Essex: No response.

DISCUSSION

Jeff Sylvestre, Agent for the Applicant appears before the Committee to discuss the Application. Jeff Sylvestre explains to the Committee that as the Applicant is a restoration company, therefore the site is primarily used for storage of property during the restoration stage. Jeff Sylvestre further indicates that the expansion to the rear is to maximize the use of the property and notes that the proposed addition has a similar rear yard depth as the property to the east.

Upon an inquiry from Tom Marentette, Jeff Sylvestre explains his client, Balfour Restoration, requires the expansion for the storage of goods. He further indicates that once the client's furniture and possessions are cleaned, the items are stored in crates until the restoration has been completed and the items can be returned to the owner. Lori Chadwick inquiries as to the use or type of business of the property to the rear. Jeff Sylvestre indicates that the company to the rear is Prestressed Systems Incorporation at 4955 Walker Road and that they make precast concrete and prestressed concrete.

Jeff Sylvestre also informs the Committee that in terms of the parking requirement for two barrier free parking spaces, the public rarely attends at the office as the project managers and staff usually meet the client at the restoration site therefore it's basically staff that come and go periodically throughout the day.

Motion: (CA-08/18) Moved by Lori Chadwick
Seconded by Lee Anne Doyle

That Application A-03/18 is granted.

Carried

REASONS

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

Application for Severance B-04/18 – NJM Equities Ltd., 2210 North Talbot Road and 5175 Walker Road

Interested parties present: Milan Stipic, Solicitor for the Applicant

The purpose of the Application is to request consent to sever a commercial parcel of land municipally known as 5175 Walker Road (containing a gas bar and car wash) with a frontage of 36.5 metres (119.75 feet) and an approximate lot area of 0.39 ha (0.96 acres) (outlined in red on the sketch attached). The Applicant proposes to retain a commercial parcel of land municipally known as 2210 North Talbot Road (containing a vacant structure) with a frontage of 31.82 metres (104.42 feet) and a total lot area of 0.2 ha (0.5 acres) (outlined in green on the sketch attached). The parcels were once separate but inadvertently merged due to common ownership.

The subject property is designated Business Park in the Official Plan and zoned Neighbourhood Commercial Zone (C2-7) 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: Request a copy of the decision and revised survey.

DISCUSSION

Milan Stipic appears before the Committee to discuss the Application. Lori Chadwick inquiries as to when the properties merged as a result of common ownership under the Planning Act and is informed by Milan Stipic that it was approximately 21 years ago. Tony Muscedere inquiries as to the services for the properties and is advised that each property is independent of one another including services. Lori Chadwick requests whether or not the retained property is subject to site plan control and is advised by Administration that the property is subject to site plan control. Administration further advises that the Applicant acknowledges that the house on the retained lot does not permit a residential dwelling use and that the property is to be used for commercial

purposes only. Lori Chadwick states that the house cannot be revived as a residence under the legal non-conforming use status as the use has been interrupted, thereby the use ceases to exist which is double protection.

Motion: (CA-09/18) Moved by Lori Chadwick
Seconded by Lee Anne Doyle

That Application B-04/18 is granted.

Carried

REASONS

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

CONDITIONS

1. That at the time the conveyance is prepared for certification, two (2) copies of the reference plan by an Ontario Land Surveyor as well as digital files (.pdf and .dwg) with the .dwg files being in **NAD 83 format (UTM Zone 17 Metric)**, which has been numbered, dated, signed and registered must be submitted to the Town;
2. That at the time the conveyance is presented for certification, a tax certificate from the Treasurer of the Town or evidence showing all taxes for the current year paid in full, as well as any and all arrears owing on the total parcel;
3. That the appropriate documents for the conveyance be prepared in triplicate (3) suitable for registration, all copies to have original signatures, with one copy to remain as a record with the Town;
4. That any cost in excess of the \$575.00 non-refundable application fee, incurred to process this application such as legal and engineering fees, appraisal reports, etc. shall be the responsibility of the applicant and shall be payable to the Town of Tecumseh where applicable, prior to final consent;
5. That the parcel to be retained and the parcel to be severed are to be serviced with separate entrances, 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;
6. That the above conditions be fulfilled on or before February 27, 2019 prior to this severance being finalized.

Application for Minor Variance A-04/18 – Kimberly Cushing, 321 Barry Avenue

Interested parties present: Kimberly and Shaun Cushing

The purpose of the Application is to request relief from Subsection 6.1.5 of Zoning By-law 1746 which establishes a maximum total lot coverage of 30 percent. The Applicant is proposing to construct a 232 square metre (2500 square foot) residential dwelling resulting in total lot coverage of 40 percent.

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

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

CORRESPONDENCE

ERCA: No objection.

County of Essex: No response.

Resident, 338 Barry Avenue – Letter of objection.

Resident, 325 Barry Avenue – Letter of objection.

DISCUSSION

Shaun and Kimberly Cushing appear before the Committee to discuss the Application. Shaun Cushing provides clarity to the Committee indicating that the actual house proposed is 1955

square feet and the remaining 545 square feet is the garage. Shaun Cushing also informs the Committee that the house has two bedrooms with a full basement. Lee Anne Doyle requests the Applicant to explain, that in terms of the lot and space, the hardship encountered in complying with the Zoning By-law. Shaun Cushing advises that they would like a two car garage and as much space above ground as possible. He indicates that they could have built a raised ranch with a bonus room but are looking more long term and would like a one-floor ranch home. Tony Muscedere points out that the side yard width is 1.2 metres and requests the Applicant to explain how he plans to control stormwater. The Applicant advises that the side yard width, the rear yard depth as well as the front yard depth are all in compliance with the zoning by-law and that downspouts would be used to control stormwater as well as any other requirement imposed by the Town. Shaun Cushing indicates that there was a previous house on the property that was demolished. Upon an inquiry from Lori Chadwick, Chad Jeffery advises that the subject property comprises of two lots in a plan of subdivision and the Applicant is able to build on both lots and that both lots are conveyable lots. Chad Jeffery further advises that through the circulation process, there were no comments regarding stormwater from the Town Engineer however, notes that the Town is currently undertaking a stormwater study in the area and that the neighbourhood could benefit from such study. Lee Anne Doyle asks Shaun Cushing if an option would be considered to reduce the garage from a 2 car garage to 1 car garage. Shaun Cushing advises that a possible option would be to reduce to a 1 ½ car garage but would definitely want it attached to the house.

Larry Zilli, 313 Barry Avenue, resides next to the lot. Mr. Zilli advises that when he moved into the neighbourhood there was only one house on the subject property with a hundred (100) foot frontage. Mr. Zilli also points out that he is in agreement with the two letters the Town received from the residents at 325 and 338 Barry Avenue objecting to Application. Mr. Zilli indicates that there is flooding concerns in the area advising that he has flooded in his basement twice, has two sump pumps and water surrounds his property on the sides as well as the rear during heavy rainfalls and feels that the request for 40 percent lot coverage would have a severe impact on future flooding in the area. He also indicates that he believes that as the majority of the homes in the area have 75 foot frontages or more, a lot having a fifty foot frontage would lower the value of the homes as it would change the character of the neighbourhood by diminishing the green space. Mr. Zilli also indicates that if this Application is granted, it would set a precedent for the second lot to be granted with similar relief. He also believes that a swimming pool will be installed in the backyard.

John Imlay, 322 Burdick Crescent also concurs with Larry Zilli regarding flooding concerns in the area. He indicates that during the last two substantial rain falls, there was approximately one foot of water in his driveway. Mr. Imlay indicates that it doesn't matter what type of home is built, drainage to a rear yard drain will be required. He also points out that depending on the elevation of the house, a retaining wall may be necessary in order for the Applicant to retain his water on his own property. In any event, Mr. Imlay feels that the house is too large for the lot.

John Fraser (son of Gordon Fraser) voices concern regarding flooding issues indicating that his parents basement has flooded in the past with the significant rainfalls. Mr. Fraser also points out that with the construction of the proposed dwelling, he fears that the water will drain onto his parents' property. He cites that the original home built in approximately 1940 was built using both lots creating character and green space for the neighbourhood. Administration advises that as the subject property is two lots in plan of subdivision and legally conveyable as two lots, the Applicants have the right to construct a residential dwelling on each lot. Administration also indicates that with the construction of the new dwelling, the rain water will drain to a rear yard drain and the property will be graded accordingly to prevent runoff on neighbouring properties. Administration indicates that often is the case where it's not the new construction draining onto the abutting properties but that the existing properties are no longer able to drain onto the newly constructed site.

Tom Marrentette requests Administration to calculate the dwelling size to accommodate the 30 percent lot coverage. Administration advises that 1875 square feet is 30 percent lot coverage and indicates an approximation on the sketch on the overhead projector. Administration also advises that there are two other properties in the area on fifty-foot lots. Tom Marrentette indicates that if the Applicant built at 30 percent lot coverage, the front of the property from the street view would be no different as the Applicant is building out to the rear of the lot as the side yard, rear yard and front yard depth all meet the requirements of the Zoning By-law. Basically, the proposal is extending the house deeper into the lot.

Administration advises that the Town Engineer has scheduled a Public Information Centre for a stormwater study in the subject area in April, 2018 and indicates that a Master Plan should be prepared by the end of the year. Paul Morand indicates that improvements to stormwater management in the area will be of great benefit to the neighbourhood. Tom Marentette agrees but points out that it is a study and not improvements.

Pat Ouellette, 336 Barry Avenue, advises that he is one of the residents in the area with a fifty-foot lot. Mr. Ouellette also advises that he flooded two years ago as well. Pat Ouellette informs the Committee that he is a Real Estate Agent and he believes that the proposal of the Applicant will not affect the market value of the homes in the neighbourhood.

William Rau, 309 Barry, advises the Committee that he purchased his property in approximately 1950-51 and that he has 200 feet of frontage. He questions the Committee as to the nature of "minor" variance and when does it become major. Mr. Rau indicates that the proposal might add to the property value or it may not but he finds the process frustrating and feels that the questions this evening are not being answered to his satisfaction. Administration responds by indicating that a minor variance is not a mathematical exercise but rather functions on the four tests established by the Planning Act. The four tests ensures that the intent of the Official Plan and Zoning By-law are maintained and in reference to lot cover, one would look to see if the proposal, if granted, would result in a deterioration of the neighbourhood and is the Application minor in nature. Minor in nature is viewed to determine if there is any undue adverse impact if minor variance is granted. Administration also points out that the Provincial Policy Statement encourages the use of infill lots however does recognize that the decision is not always easy and that this application is not simple.

Tony Muscedere requests if the Applicant has contact ERCA with respect to the proposed elevation. The Applicant advises that he has the application for ERCA but has not consulted with ERCA as of yet. Chad Jeffery confirms that the elevation will be established by ERCA and any water on the lands will be redirected in accordance with the building by-laws.

William Rau raises concerns indicating that how can one contain their water without a wall system and how can the grading of the subject lands work for the surrounding neighbours. He indicates that it doesn't affect him so much but he can float a canoe in his back yard during heavy rainfalls. Paul Morand suggests that a berm may assist if the rear yard drain is insufficient and indicates that the neighbourhood is in a low-lying area. Chad Jeffery indicates that a drainage plan be submit at the time of issuance of the building permit that addresses the height requirement and that the side and rear yard slope inwards toward the centre of the property.

Lori Chadwick indicates that she is struggling with the intent of the by-law requiring 30 percent lot coverage and the 40 percent lot coverage variance requested to be considered minor in nature. Lori Chadwick further indicates that as the building lot has a 50-foot frontage established in the plan of subdivision, she struggles with the 40 percent lot coverage as requested by the Applicant and suggests that the owner come back with a revised proposal.

Lee Anne Doyle indicates that she is struggling with the same issue. Lee Anne Doyle further indicates that in light of the stormwater concerns in the area, feels that the approval of the Application will have adverse effects on the surround properties and although infill lots are desirous in terms of planning, cannot support 40 percent lot coverage. She further indicates that if the Committee was to grant the 40 percent lot coverage, a precedent would be established for the second lot. Lee Anne Doyle further states that although concerns were raised with respect to property value, there is no documentation to substantiate those concerns. Lee Anne Doyle also suggests that this matter be deferred to allow the Applicant an opportunity to revise the drawings in order to reduce the lot coverage.

The Applicants are agreeable to the matter being deferred to the March 19, 2018 Committee of Adjustment meeting in order to revise the drawings to lessen the lot coverage. Shaun Cushing reiterates to the Committee that the home to be constructed is their retirement home and that the additional lot is an investment and will be sold sometime in the future. Shaun Cushing further indicates that he has older children still residing with him and requires the space for his family and a ranch home is what they desire. He also responds to a statement made indicating that it is not their intention to put in a swimming pool.

Tom Marentette also concurs with the other members indicating that in fairness to the neighbours regarding stormwater, the Application be deferred to allow the Applicants an opportunity to reconsider a proposal whereby the lot coverage is something less than 40 percent.

Administration points out the legitimate concerns that have been raised by the neighbouring property owners and agrees that the Applicants should reconsider their proposal to better meet the 4-test established under the Planning Act for minor variances. Administration also suggests that the Applicants meet with the Planning Department to review a revised proposal. Chad Jeffery advises that the revised Notice of Hearing will be circulated to those property owners within a 200 foot radius of the property. Lori Chadwick request that the Town Engineer be present at the March 19, 2018 meeting to discuss any stormwater management issues that may arise.

Motion: (CA-10/18) Moved by Tom Marentette
Seconded by Lee Anne Doyle

That Application A-04/18 be deferred to the March, 19, 2018 meeting and that the revised Notice of Hearing be circulated to those residents within a 200 foot radius of the subject lands.

Carried

VI DEFERRALS

VII NEW BUSINESS

2017 Severance and Minor Variance Statistics

Chad Jeffery provides a summary of the types of minor variances and severances requested in 2017 for the entire municipality. Chad Jeffery indicates that the PPS and Town policies are working well as the decisions of the Committee are not being challenged to the OMB. Chad Jeffery also notes that the Committee is following the PPS to ensure that fragmented residential dwellings lots on farmland are not created and that severances are granted to create residential intensification lots. Chad Jeffery informs the Committee that prior to the PPS, residential farms lots were being created at record numbers in some municipalities and notes an interesting study that was prepared in 2000 by the University of Guelph for severances across Ontario. Lee Anne Doyle thanks staff for their efforts in compiling the statistics and notes the similarities to last year. Administration is requested to provide a comparison between 2016 and 2017 for distribution at the next meeting.

VIII UNFINISHED BUSINESS

IX ADJOURNMENT

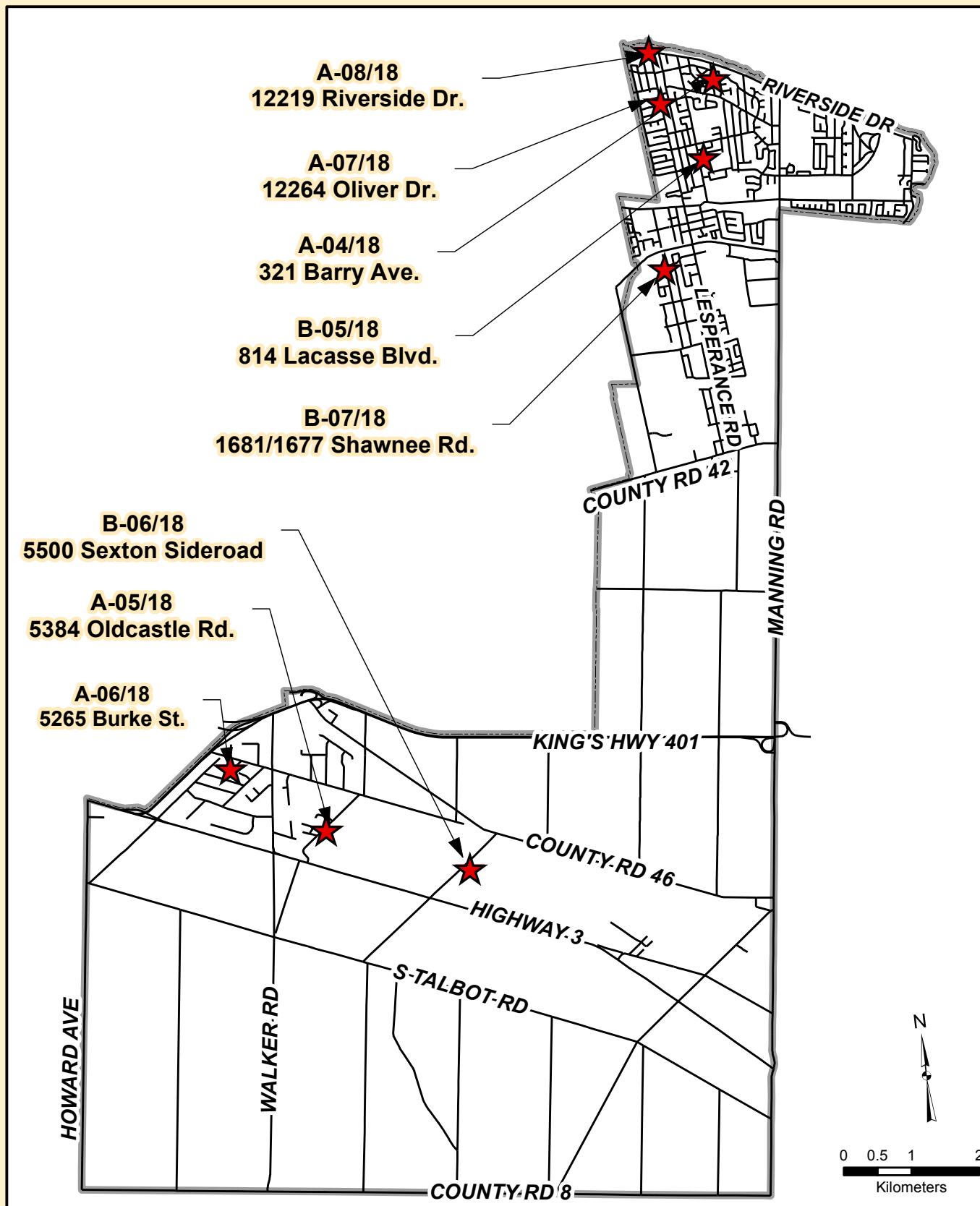
Motion: (CA-11/18) Moved by Tom Marentette
Seconded by Jim Mackie

That there being no further business the February 26, 2018 regular meeting of the Committee of Adjustment now adjourn at 6:35 p.m.

Carried

Paul Morand, Vice Chairperson

Donna Ferris, Secretary-Treasurer



Prepared By:
Tecumseh Planning and
Building Department



Subject Properties

March 19, 2018
Committee of
Adjustment Meeting
Key Map

**Town of Tecumseh
Committee of Adjustment
Regular Meeting
Monday, March 19, 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, February 26, 2018.

V SUBMISSIONS

5:00 p.m.

Severance Application B-05/18 – Dana Kazimiera Giedriuna, 814 Lacasse Boulevard

The purpose of the Application is to request consent to sever a residential lot (containing an accessory building to be demolished) having a frontage of 15.24 m (50 feet), a depth of 100.04 m (328.2 feet) and a lot area of 1524.5 square metres (0.38 acres) (outlined in red). The proposed retained lot, containing an existing dwelling, will have a frontage of 19.18 m (62.92 feet), a depth of 100.04 m (328.2 feet) and a total area of 1918.45 square metres (0.47 acres) (outlined in green). The lands are designated Residential in the Tecumseh Official Plan and zoned Residential Zone 2 (R2) in the Tecumseh Zoning By-law. See attached sketch.

5:05 p.m.

Severance Application B-06/18 - 538073 Ontario Inc., 5500 Sexton Sideroad

The purpose of the Application is to sever a surplus dwelling lot with a frontage of 80.19 metres (263.1 feet), an irregular depth and a total lot area of 0.4 hectares (1.0 acre) and to retain a parcel with a frontage of 260.18 metres (853.6 feet), an irregular depth and a total area of 19.4 hectares (48 acres) containing a farm structure. In accordance with the Provincial Policy Statement, the retained farm parcel will require a rezoning to prohibit the construction of a residential dwelling. The property is designated Agricultural in the Sandwich South Official Plan and zoned Agricultural (A) in the Sandwich South Zoning By-law. See sketch attached.

5:10 p.m.

Minor Variance Application A-05/18 – Michael Abaldo and Marlise Taylor, 5384 Oldcastle Road

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 square feet) in area, whichever is lesser, and no individual accessory building or structure shall exceed 70.0 square metres (753.0 square feet) in area.

The Applicant is requesting relief to permit the addition of an 18.58 square metre (200 square foot) overhang to the existing accessory building resulting in the individual accessory building being 137.5 metres (1480 square feet) and a total area of accessory buildings of 193.24 square metres (2080 square feet). Minor Variance A-15/17, which requested relief for the construction of a 118.91 square metre (1280 square foot) accessory building resulting in a total area of accessory buildings of 174.66 square metres (1880 square feet), was granted on May 15, 2017.

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

5:15 p.m.

Minor Variance Application A-06/18 – SCWI Enterprises Inc., 5265 Burke Street

The purpose of the Application is to obtain relief from Subsection 14.1.8 of Zoning By-law 85-18 which establishes a minimum front yard depth of 12.0 metres (39.4 feet).

The Applicant proposes to construct a 13.7 metre (45 foot) long loading dock addition to an existing industrial shop resulting in a 4.37 metre (14.36 foot) front yard depth.

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.

5:20 p.m.

Severance Application B-07/18 – Irene Hewitt, 1681 & 1677 Shawnee Road

The purpose of the Application is to sever a parcel of land, containing a residential dwelling and an accessory building, having a frontage of 25.91 metres (85 feet), a depth of 80.47 metres (264 feet) and a total lot area of 2063.91 square metres (0.51 acres) depicted as Part 3 on the sketch attached.

The Applicant proposes to retain a parcel of land, containing a dwelling and a garage, having a frontage of 24.38 metres (80 feet), a depth of 80.47 metres (264 feet) and a total lot area of 1942.5 square metres (0.48 acres) depicted as Parts 1 & 2 on the sketch attached. The parcels were once separate but inadvertently merged due to common ownership.

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.

5:25 p.m.

Minor Variance Application A-07/18 – Sang Nguyen, 12264 Oliver Drive

The purpose of the Application is to request relief from Subsection 7.1.5 of Zoning By-law 1746 which establishes a maximum total lot coverage of 30 percent.

The Applicant is proposing to construct a 28.34 square metre (305 square foot) covered porch resulting in total lot coverage of 33 percent. The subject property was also the subject of Variance Application A-12/16, granted on May 16, 2016, to permit a 1.2 metre (4 foot) westerly interior side yard.

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

5:30 p.m.

Minor Variance Application A-08/18 – 2389134 Ontario Limited, 12219 Riverside Drive East

The purpose of the Application is to obtain relief from subsection 11.2.1 of Zoning By-law 1746 which establishes that no portion of any pump island shall be located closer than 4.5 metres (14.76 feet) from the street line.

The Applicant proposes to replace the existing canopy associated with the existing pump islands with a new canopy situated 1.4 metres (4.59 feet) from the street line.

The property is designated General Commercial in the Tecumseh Official Plan and zoned General Commercial Zone (C3) in the Tecumseh Zoning By-law.

VI DEFERRALS

5:35 p.m.

Minor Variance Application A-04/18 – Kimberly Cushing, 321 Barry Avenue

The purpose of the Application is to request relief from Subsection 6.1.5 of Zoning By-law 1746 which establishes a maximum total lot coverage of 30 percent.

The Applicant is proposing to construct a 202.9 square metre (2184 square foot) residential dwelling resulting in total lot coverage of 34.94 percent. This Application was originally heard on February 26, 2018 requesting lot coverage of 40 percent. The matter was deferred to allow the Applicant an opportunity to revise the plans to reduce the lot coverage.

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

VII NEW BUSINESS

VIII OLD BUSINESS

IX ADJOURNMENT

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

TOWN OF TECUMSEH COMMITTEE OF ADJUSTMENT

Applicant: **Dana Kazimiera Giedriunas**

Location of Property: **814 Lacasse Boulevard
Part Lot 7, Plan 741**

Purpose of Application: **Severance**

The purpose of the Application is to request consent to sever a residential lot (containing an accessory building to be demolished) having a frontage of 15.24 m (50 feet), a depth of 100.04 m (328.2 feet) and a lot area of 1524.5 square metres (0.38 acres) (outlined in red). The proposed retained lot, containing an existing dwelling, will have a frontage of 19.18 m (62.92 feet), a depth of 100.04 m (328.2 feet) and a total area of 1918.45 square metres (0.47 acres) (outlined in green). The lands are designated Residential in the Tecumseh Official Plan and zoned Residential Zone 2 (R2) in the Tecumseh Zoning By-law. See attached sketch.

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

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

Monday, the 19th day of March, 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 Finance.

Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment

Dated this 1st day of March, 2018

**Application
B-05/18**

*Note: Not to scale.
For illustrative purposes only.*



LACASSE

814

TO BE RETAINED

**TO BE
DEMOLISHED**

TO BE SEVERED

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

TOWN OF TECUMSEH COMMITTEE OF ADJUSTMENT

Applicant: **538073 Ontario Inc.**

Location of Property: **5500 Sexton Side Road; N. Pt. Lot 299, Con. NTR
(formerly Sandwich South Township)**

Purpose of Application: **Severance**

The purpose of the Application is to sever a surplus dwelling lot with a frontage of 80.19 metres (263.1 feet), an irregular depth and a total lot area of 0.4 hectares (1.0 acre) and to retain a parcel with a frontage of 260.18 metres (853.6 feet), an irregular depth and a total area of 19.4 hectares (48 acres) containing a farm structure. In accordance with the Provincial Policy Statement, the retained farm parcel will require a rezoning to prohibit the construction of a residential dwelling. The property is designated Agricultural in the Sandwich South Official Plan and zoned Agricultural (A) in the Sandwich South Zoning By-law. See sketch attached.

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

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

Monday, the 19th day of March, 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.

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Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment

Dated this 1st day of March, 2018

**Application
B-06/18**

*Note: Not to scale.
For illustrative purposes only.*



TO BE SEVERED

SEXTON

5500

TO BE RETAINED

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

Applicant: **Michael Abaldo and Marlise Taylor**

Location of Property: **5384 Oldcastle Road; Part Lot 302, Plan North Talbot Road
(former Township of Sandwich South)**

Purpose of Application: **Minor Variance**

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 square feet) in area, whichever is lesser, and no individual accessory building or structure shall exceed 70.0 square metres (753.0 square feet) in area. The Applicant is requesting relief to permit the addition of an 18.58 square metre (200 square foot) overhang to the existing accessory building resulting in the individual accessory building being 137.5 metres (1480 square feet) and a total area of accessory buildings of 193.24 square metres (2080 square feet). Minor Variance A-15/17, which requested relief for the construction of a 118.91 square metre (1280 square foot) accessory building resulting in a total area of accessory buildings of 174.66 square metres (1880 square feet), was granted on May 15, 2017.

The subject property is designated Hamlet Residential in the Sandwich South Official Plan and zoned Hamlet Residential (RH) 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 19th day of March, 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.

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Dated this 8th day of March, 2018

Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment



The area highlighted in red depicts the existing accessory structure granted pursuant to Minor Variance A-15/17.

The area highlighted in yellow depicts the proposed 18.58 square metre (200 square foot) overhang addition.

Notes
APPLICATION A-05/18
20

THIS MAP IS NOT TO BE USED FOR NAVIGATION
Copyright the Town of Tecumseh, 2016. Data herein is provided by the Town of Tecumseh on an 'as is' basis. Assessment parcel provided by Teranet Enterprises Inc. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

NOTICE OF PUBLIC HEARING OF APPLICATION FOR MINOR VARIANCE

Applicant: **SCWI Enterprises Inc.**

***Location of Property:* 5265 Burke Street; Pt Lot 305, North Talbot Road
(formerly Township of Sandwich South)**

Purpose of Application: **Minor Variance**

The purpose of the application is to obtain relief from Subsection 14.1.8 of Zoning By-law 85-18 which establishes a minimum front yard depth of 12.0 metres (39.4 feet).

The Applicant proposes to construct a 13.7 metre (45 foot) long loading dock addition to an existing industrial shop resulting in a 4.37 metre (14.36 foot) front yard depth.

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 19th day of March, 2018 at 5:15 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.

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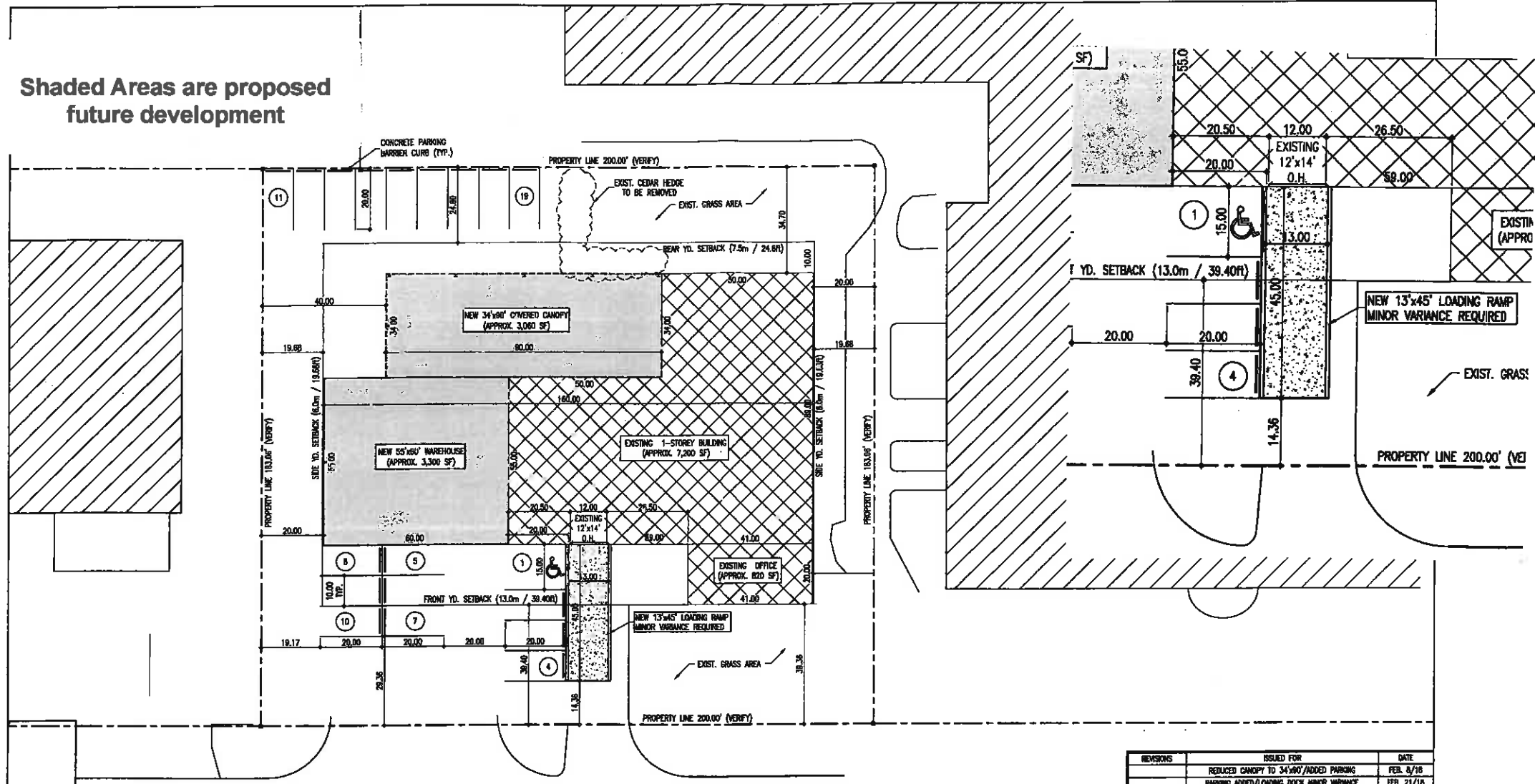
NOTICE OF DECISION

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Dated this the 8th day of March, 2018

Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment

Shaded Areas are proposed
future development



BURKE STREET



PROPOSED SITE PLAN
SCALE: 1:20

A-06/18
5265 Burke Street

LOT AREA = 36,612 SQ. FT.
EXISTING WAREHOUSE AREA = 7,200 SQ. FT.
EXISTING OFFICE AREA = 820 SQ. FT.
PROPOSED WAREHOUSE ADDITION AREA = 3,300 SQ. FT.
PROPOSED COVERED CANOPY ADDITION AREA = 3,060 SQ. FT.
TOTAL BUILDING AREA = 14,380 SQ. FT.
(14,380 SQ. FT. / 36,612 SQ. FT. = 39.3% COVERAGE)
1 PARKING SPACE PER 1,001 SQ. FT. WAREHOUSE AREA
13,380 SQ. FT. / 1,001 SQ. FT. = 14 SPACES REQUIRED
1 SPACE PER 199 SQ. FT. OFFICE AREA
820 SQ. FT. / 199 SQ. FT. = 5 SPACES REQUIRED
19 PARKING SPACES REQUIRED - 19 PARKING SPACES PROVIDED

REVISIONS	ISSUED FOR	DATE
1	REDUCED CANOPY TO 34'-0" / ADDED PARKING	FEB. 9/18
2	PARKING ADDED / LOADING DOCK MINOR VARIANCE	FEB. 21/18

SIGNATURE CONTRACTORS INC.
5255 BRENDAN LANE
OLDCASTLE, ON
M1H 1L0
PHONE: (518) 872-6472
FAX: (518) 737-0548

NEW 55'-0"W x 60'-0"L WAREHOUSE ADDITION
+ 34'-0"W x 90'-0"L COVERED CANOPY
FOR SCWI ENTERPRISES INC.

5265 BURKE STREET
TORONTO, ONTARIO

PROPOSED SITE PLAN

Y.C. LIU ENGINEERING		Y.C. LIU ENGINEERING	
DESIGNER	CHECKED	FILE NO.	DWG. NO.
C.L./B.C.	C.L.	18-032	-
REV	FROM REV	DATE	SHEET NO.
20529	29635	MAY/17	SP-1 of

REGISTERED PROFESSIONAL ENGINEER
02/21/18
Y.C. LIU
PROVINCE OF ONTARIO

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

TOWN OF TECUMSEH COMMITTEE OF ADJUSTMENT

Applicant: **Irene Hewitt**

Location of Property: **1681 & 1677 Shawnee Road; Part of Lot 1, Plan 1222
(former Township of Sandwich South)**

Purpose of Application: **Severance**

The purpose of the Application is to sever a parcel of land, containing a residential dwelling and an accessory building, having a frontage of 25.91 metres (85 feet), a depth of 80.47 metres (264 feet) and a total lot area of 2063.91 square metres (0.51 acres) depicted as Part 3 on the sketch attached. The Applicant proposes to retain a parcel of land, containing a dwelling and a garage, having a frontage of 24.38 metres (80 feet), a depth of 80.47 metres (264 feet) and a total lot area of 1942.5 square metres (0.48 acres) depicted as Parts 1 & 2 on the sketch attached. The parcels were once separate but inadvertently merged due to common ownership. 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.

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 19th day of March, 2018 at 5:20 pm

PUBLIC HEARING

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

FAILURE TO ATTEND HEARING

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

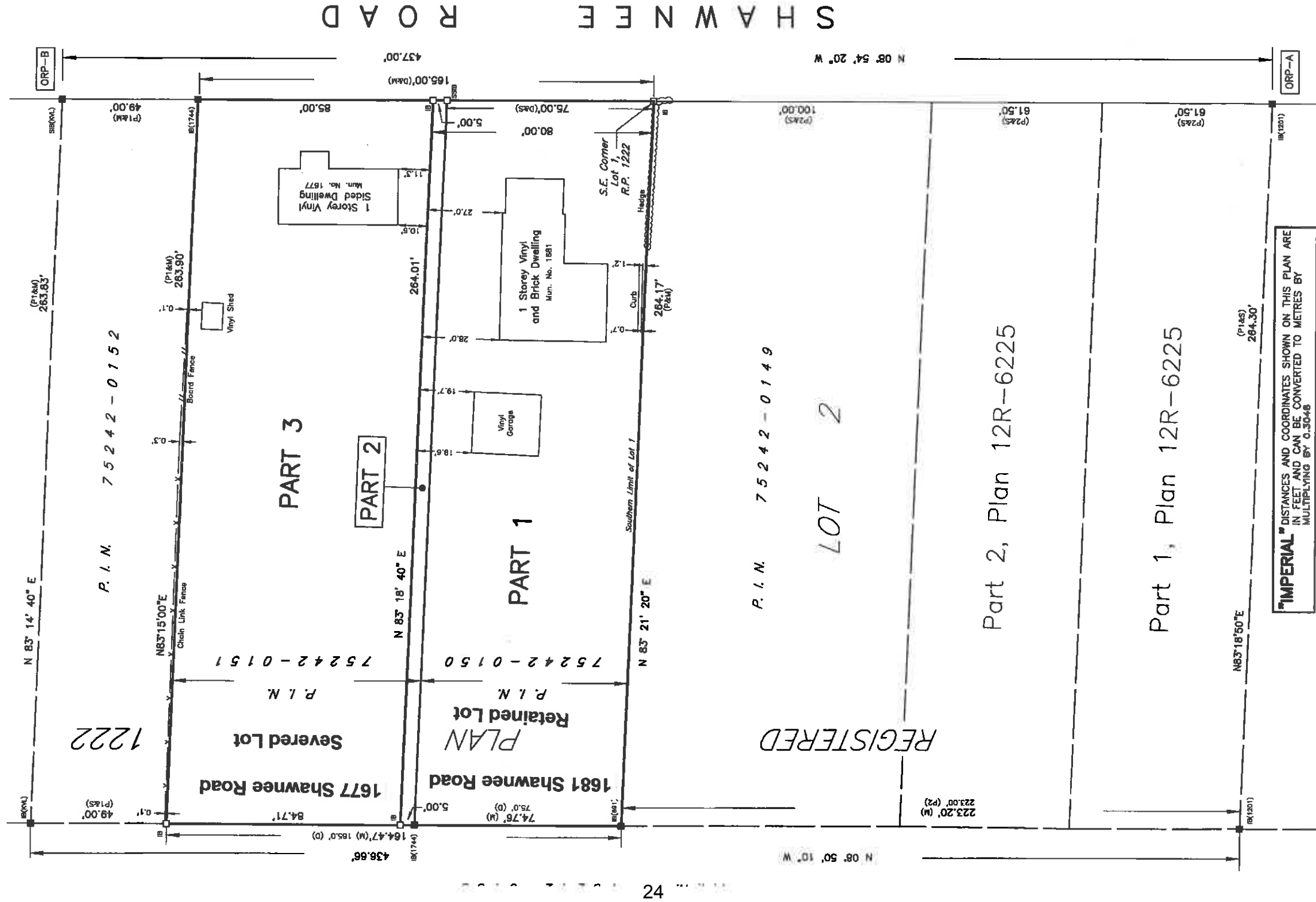
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Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment

Dated this 2nd day of March, 2018

1677 & 1681 Shawnee Road

PARTS SCHEDULE			
PART	LOT	CON/PLAN	AREA (sq.)
1	PART OF LOT 1	REGISTERED	0.453
2		PLAN 1222	0.030
3			0.314



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

Applicant: **Sang Nguyen**

Location of Property: **12264 Oliver Drive; Part 2, 12R26705**

Purpose of Application: **Minor Variance**

The purpose of the Application is to request relief from Subsection 7.1.5 of Zoning By-law 1746 which establishes a maximum total lot coverage of 30 percent. The Applicant is proposing to construct a 28.34 square metre (305 square foot) covered porch resulting in total lot coverage of 33 percent. The subject property was also the subject of Variance Application A-12/16, granted on May 16, 2016, to permit a 1.2 metre (4 foot) westerly interior side yard.

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

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

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

ON

Monday, the 19th day of March, 2018 at 5:25 pm

PUBLIC HEARING

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

FAILURE TO ATTEND HEARING

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NOTICE OF DECISION

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Dated this 8th day of March, 2018

Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment

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

Applicant: **2389134 Ontario Limited**

Location of Property: **12219 Riverside Drive East; Parts 1, 2 3 & 4, 12R19008**

Purpose of Application: **Minor Variance**

The purpose of the Application is to obtain relief from subsection 11.2.1 of Zoning By-law 1746 which establishes that no portion of any pump island shall be located closer than 4.5 metres (14.76 feet) from the street line. The Applicant proposes to replace the existing canopy associated with the existing pump islands with a new canopy situated 1.4 metres (4.59 feet) from the street line. The property is designated General Commerical in the Tecumseh Official Plan and zoned General Commerical Zone (C3) in the Tecumseh Zoning By-law.

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

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

ON

Monday, the 19th day of March, 2018 at 5:30 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.

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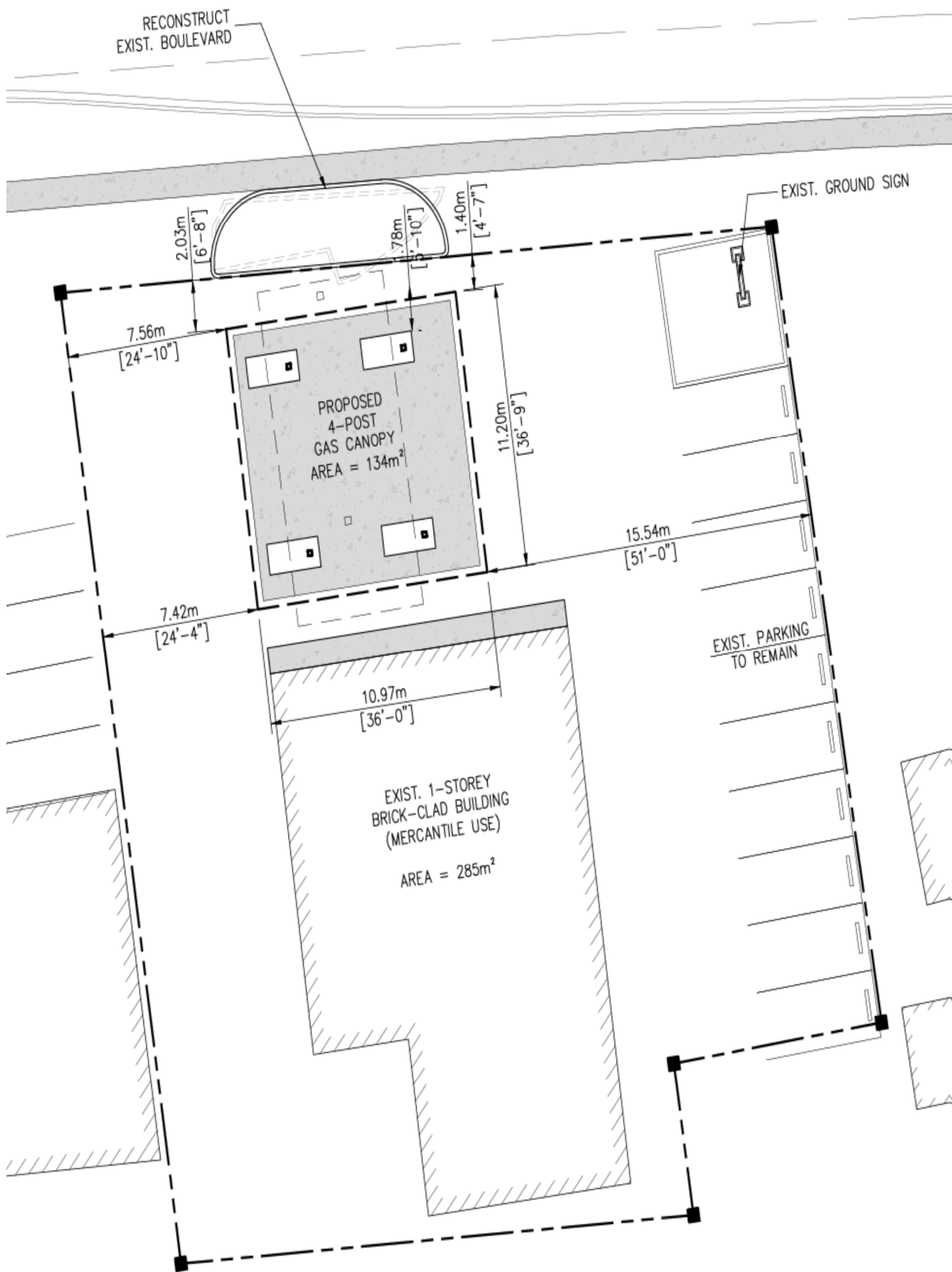
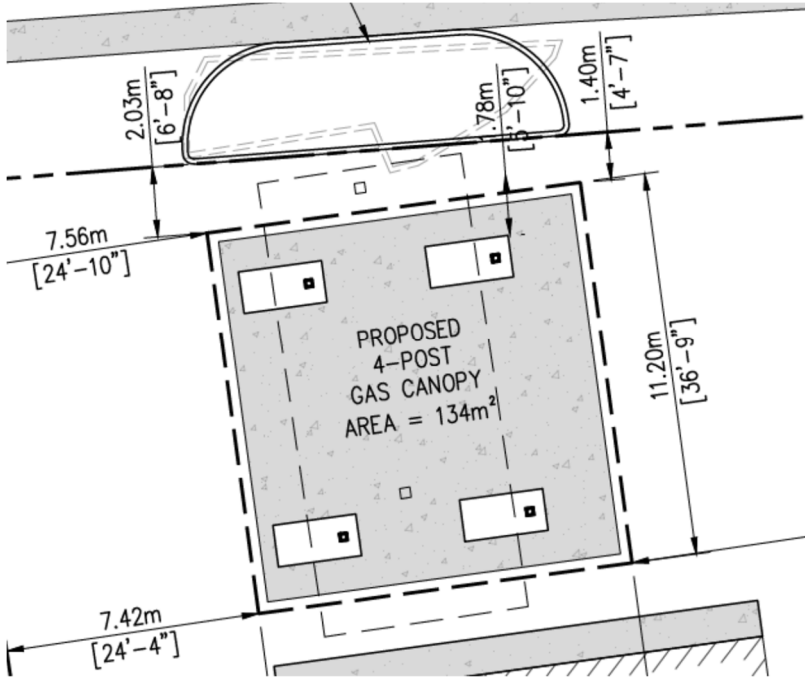
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Dated this 8th day of March, 2018

Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment

A-08/18
12219 Riverside Drive



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

Applicant: **Kimberly Cushing**

Location of Property: **321 Barry Avenue; Lot 123, Plan 1183**

Purpose of Application: **Minor Variance**

The purpose of the Application is to request relief from Subsection 6.1.5 of Zoning By-law 1746 which establishes a maximum total lot coverage of 30 percent. The Applicant is proposing to construct a 202.9 square metre (2184 square foot) residential dwelling resulting in total lot coverage of 34.94 percent. This Application was originally heard on February 26, 2018 requesting lot coverage of 40 percent. The matter was deferred to allow the Applicant an opportunity to revise the plans to reduce the lot coverage. The subject property is designated Residential in the Tecumseh Official Plan and zoned Residential Zone 1 (R1) in the Tecumseh Zoning By-law. See sketch attached.

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

ON

Monday, the 19th day of March, 2018 at 5:35 pm

PUBLIC HEARING

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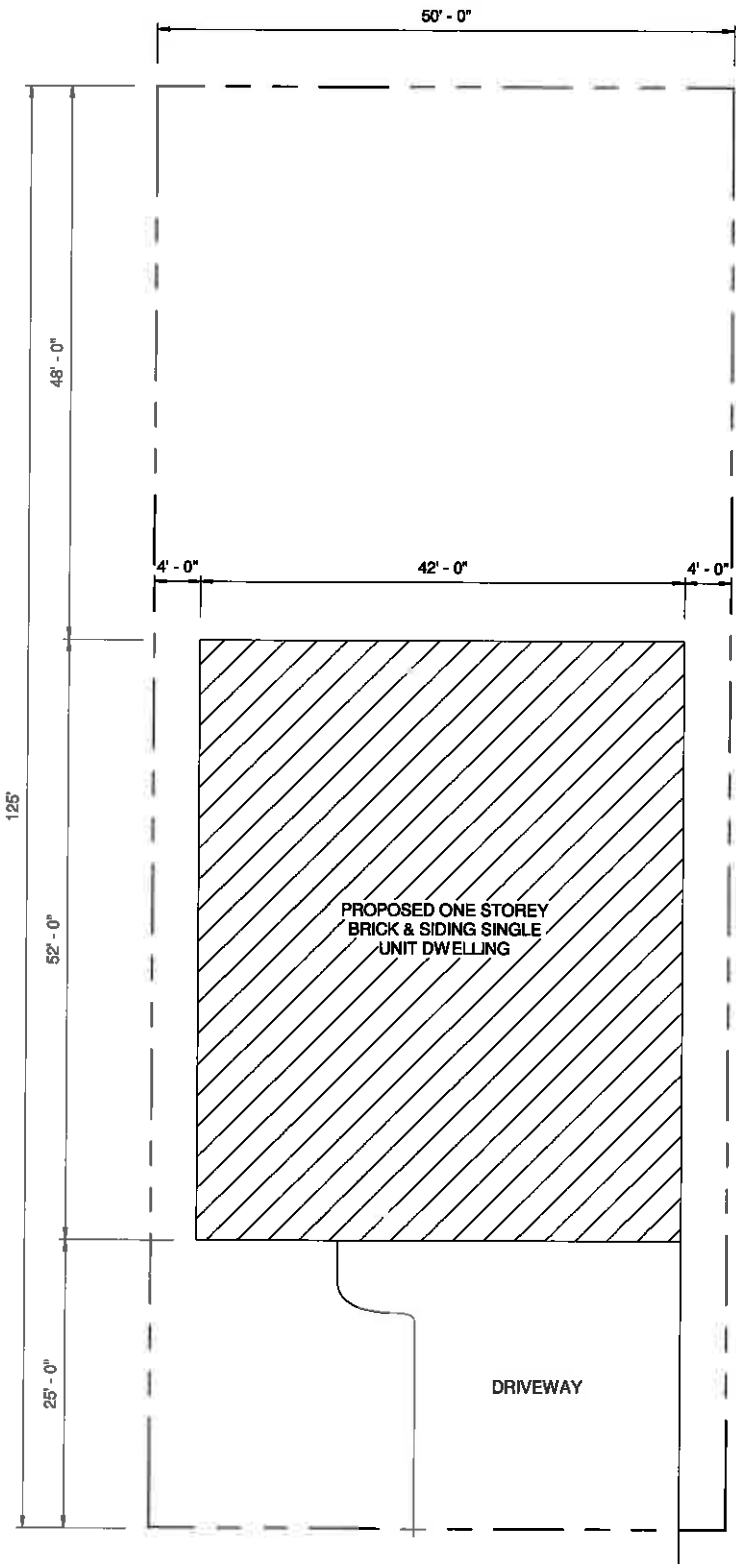
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Dated this 9th day of March, 2018

Donna Ferris
Secretary-Treasurer
Town of Tecumseh Committee of Adjustment



8.5 x 11 sheet size



LOT COVERAGE	
LOT SQUARE FOOTAGE =	6250 sq.ft.
HOUSE PLOT SQUARE FOOTAGE =	2184 sq.ft.
% LOT COVERAGE (30% allowable) =	34.94%

A-04/18
321 Barry Avenue