

## Committee of Adjustment Minutes

Date: Monday, August 28, 2023  
 Time: 5:00 pm  
 Location: Tecumseh Town Hall - Council Chambers  
 917 Lesperance Road  
 Tecumseh, Ontario N8N 1W9

Present:  
 Chair, Tom Fuerth  
 Member, Lori Chadwick  
 Member, Christopher Lanman  
 Member, Tom Marentette  
 Member, Tony Muscedere  
 Member, Doug Pitre

Absent:  
 Member, Paul Jobin

Also Present:  
 Manager Planning Services & Local Economic Development, Chad Jeffery  
 Secretary-Treasurer, Donna Ferris

Others:  
 Manager, Information Technology, David Doyon

### **A. Roll Call**

### **B. Call to Order**

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

### **C. Disclosure of Pecuniary Interest**

There is no disclosure of interest made.

### **D. Minutes**

#### **1. July 31, 2023**

#### **Motion: CA-35-23**

Moved By Member Doug Pitre  
 Seconded By Member Tom Marentette

**That** the minutes of the regular Committee of Adjustment meeting held July 31, 2023 **be approved**, as printed and circulated.

Carried

## E. Applications

### 1. 5:00 pm Application for Minor Variance A-11-23 Kenneth and Andrea MacKenzie, 850 Lacasse Boulevard

#### a. Sketch

Interested parties present: Kenneth and Andrea MacKenzie, Applicants

The purpose of the Application to seek relief from subsection 7.1.10 b) of Zoning By-law 1746 which establishes an interior side yard width of 1.8 metres (6 feet) for a two-storey dwelling. The Applicant is seeking relief for the construction of a 49.5 square metre (533 square foot) two-storey addition including a single car garage resulting in a northerly side yard width of 1.2 metres (4 feet).

The property is designated Residential in the Tecumseh Official Plan and zoned Residential Zone 2 (R2) in the Tecumseh Zoning By-law 1746.

Correspondence

#### Engineering

- No concerns with the proposed variance.

#### Building Department

- The owner/designer should review the proposed roof design where the new addition and old roof meet. The proposed area and design will likely encourage snow drifts and ice accumulation build up. All building permit submissions shall include drawings by a qualified individual with a BCIN # (Building Code Identification number).

#### Fire Services

- No concerns with the proposed variance.

#### Essex Region Conservation Authority

- No objections to Application for Minor Variance A-11-23.
- The site is not located within a regulated area that is under the jurisdiction of the ERCA (Section 28 of the *Conservation Authorities Act*). As a result, a permit is not required from ERCA for issues related to Section 28 of the *Conservation Authorities Act*, Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservations Authorities Act*, (Ontario Regulation No. 158/06).

#### Discussion

Kenneth and Andrea MacKenzie appear before the Committee to discuss the Application. Andrea MacKenzie informs the Committee that they have

consulted with their designer to ensure adequate drainage is provided as a result of the proposed construction. Tom Marentette inquires about the elevation of the proposal. Kenneth MacKenzie advises that they are merely at the design stage enabling them to apply for the minor variance which was the guidance received from the designer and the contractor as this is their first time constructing. Tom Marentette inquires from Administration with respect to the roof line. Chad Jeffery shares the drawings provided for the Committee's consideration. Andrea MacKenzie informs the Committee that Jennifer Fabbro with Avenna Studio designed the drawings. Doug Pitre inquires about the height of the structure. Administration advises that the height complies with the zoning by-law. Upon inquiry by Lori Chadwick, the Secretary-Treasurer advises that no correspondence has been received from 848 Lacasse Boulevard, the neighbouring property. Lori Chadwick also inquires as to whether or not there are any windows on the north side of the proposed addition that would have an adverse impact on the neighbouring property. Kenneth MacKenzie informs the Committee that they are still in the design stage but do not intend on having any windows on the north side of the addition. Kenneth MacKenzie indicates that they have discussed the proposal with their neighbour and they have no concerns noting that they have a good relationship with their neighbour therefore, they would not do anything to jeopardize their relationship. Tom Fuerth inquires about the air conditioning unit and questions whether or not its placement is in compliance with the zoning by-law. Donna Ferris informs the Applicants and the Committee that the air conditioning unit is in compliance, therefore relief from the zoning by-law is not required. Doug Pitre notes that there is a garage door at the rear of the garage and inquires as to its purpose. Kenneth MacKenzie advises that in the future, a riding lawn may be required as he has a large piece of property and as the side yards are minimal, having the garage door makes it easy to go from the front yard to the rear yard. Basically, it will provide better access to the rear yard for landscaping, bbq's, etc.

Doug Pitre is supportive of the Application as it meets the four tests. The Applicants are advised that there is a 20-day appeal period.

**Motion: CA-36-23**

Moved By Member Doug Pitre  
Seconded By Member Tony Muscedere

**That Application for Minor Variance A-11-23, be approved.**

Carried

**F. Deferrals**

**G. Planning Report**

**1. August 28, 2023**

**H. Unfinished Business**

**I. New Business**

**J. Adjournment**

**Motion: CA-37-23**

Moved By Member Tom Marentette

Seconded By Member Tony Muscedere

**That** there being no further business, the Monday, August 28, 2023 regular meeting of the Committee of Adjustment now **adjourn** at 5:14 pm.

Carried

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Tom Fuerth, Chairperson

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Donna Ferris, Secretary-Treasurer