

Committee of Adjustment
Minutes

Date: Monday, November 27, 2023
Time: 5:00 pm
Location: Tecumseh Town Hall - Council Chambers
917 Lesperance Road
Tecumseh, Ontario N8N 1W9

A. Roll Call

Present:
Vice-Chairman, Tom Marentette
Member, Paul Jobin
Member, Christopher Lanman
Member, Tony Muscedere
Member, Doug Pitre

Absent:
Member, Lori Chadwick
Chair, Tom Fuerth

Also Present:
Manager Planning Services & Local Economic Development, Chad Jeffery
Senior Planner, Enrico De Cecco
Secretary-Treasurer, Donna Ferris

Others:
Manager Information Technology, David Doyon

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

E. Applications

1. **5:05 pm Application for Minor Variance A-12-23 James Ross 130 St. Pierre Street**

a. Sketch

Interested Parties Present: James Ross, Applicant

The purpose of the Application is to obtain relief from subsection 7.1.5 of Zoning By-law 1746 which establishes a maximum lot coverage of 30 percent. The Applicant is proposing to construct a 223.3 square metre (2,404 square foot) addition to the existing home which includes an attached garage, covered rear and front porches and additional living space resulting in lot coverage of 32 percent.

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

Correspondence

Engineering

- Town Engineering has no comments/concerns regarding the requested minor variance.

Building Department

- Owners/contractor will be required to meet all requirements of the Ontario Building Code at time of building permit application.

Fire Services

- No comments.

Essex Region Conservation Authority

- ERCA notes that the low-lying nature of the roadway may result in excess water over the road during a 1:100 year flood event. The Municipality must confirm, through applicable emergency services (i.e. fire, police, etc.), that they have the ability to safely access this area during a 1:100 year flood event, in order to fulfill the Municipality's responsibilities under Section 3.1.7 of the Provincial Policy Statement (2020).
- ERCA Permit #525 - 23 has already been issued for this development.

Essex Powerlines

- Customer will need to call in for an overhead service relocation as the location of the new garage will be in its way.

Discussion

James Ross, Applicant appears before the Committee to discuss the Application. James Ross advises that Essex Powerlines have already

removed the power lines to the residence. James Ross further advises that he contacted Essex Powerlines this morning to obtain clarification.

Doug Pitre inquires if there are any residents present this evening for this Application.

Jennifer George of 12407 Riverside Drive advises that her property abuts the north side of the subject lands. Jennifer George inquires where the additional two percent lot coverage is coming from and requests clarification on how it could affect her property line. Chad Jeffery advises that the proposed addition to the dwelling would result in 32 percent lot coverage. The lot coverage is determined by taking the total area of the dwelling along with any other structures on the property and dividing it by the total area of the subject lands. If that number is 30 percent or less, it meets the by-law. If it is greater than 30 percent, in this case 32 percent, which is marginally over what is permitted in the by-law. Jennifer George indicates it therefore would not encroach onto her property. Chad Jeffery indicates that the proposal meets the interior minimum side yard requirements of the by-law. Chad Jeffery refers to the sketch advising that the side yard exceeds the minimum required by the by-law by more than two feet at its closest point at the northeast corner of the garage and up to 16 feet, 14 inches at the northwest corner of the garage. The Applicant indicates that the northeast corner of the garage is actually abutting the neighbour at 12413 Riverside Drive and that the proposal is closer to 16'-14" along the property line of Jennifer George. James Ross indicates that the house is further away from their property than the existing gravel driveway. Jennifer George also indicates that the previous addition which has since been demolished overlooked her backyard and inquires whether the proposal has a second storey. James Ross indicates that the proposal is a one-storey structure but will be raised slightly to accommodate ERCA's requirements. James Ross also indicates that the two rusty sheds in the rear yard have also been removed from the property. The garage has been made larger to incorporate storage in the garage as opposed to having multiple structures in the rear yard.

Doug Pitre is supportive of the Application as it meets the four test and is in keeping with the neighbourhood.

Motion: CA-45-23

Moved By Member Doug Pitre
Seconded By Member Paul Jobin

That Application for Minor Variance A-19-23, be approved.

Carried

**2. 5:10 pm Application for Minor Variance A-20-23 701289 Ontario Inc.
5085 Walker Road**

a. Sketch

Interested parties present: Piero Aleo, Architect, Agent

The purpose of the Application is to seek relief from subsection 14.1.16 of Zoning By-law 85-18 which establishes that no parking other than a maximum of 6 visitor's parking spaces shall be permitted in the front yard. As a result of the proposed construction of a 2777.8 square metre (29,900 square foot) manufacturing building and the need to conserve a gravel area in the rear of the lot for storage of equipment/material, the applicant is proposing 13 parking spaces in the front yard. The existing shipping container/structure located at the northwest corner of the property will be removed/demolished upon completion of the construction of the proposed building.

The property is designated Business Park in the Official Plan and zoned Industrial Zone (M1-2) in Zoning By-law 85-18.

Correspondence

Engineering

- Town Engineering has no comments regarding the requested minor variances.
- Public Works and Engineering Services continues to work with the owner and its consultants regarding site servicing and stormwater management as part of the Site Plan Control process in relation to the construction of the new building and parking areas at this address.

Essex Region Conservation Authority

- No concerns with application.

County of Essex

- The minimum setback for any proposed structures on this property must be 42 feet from the limit of County Road 11. Permits are necessary for any changes to existing structures and entrances, or the construction of new structures and entrances. Once the application passes committee of adjustment stage, further review and permits will be required. Also, based on the site change, the County will request a Traffic Assessment from a traffic engineer.
- We are requesting a copy of the Decision on the aforementioned application.

Building Department

- Building has no concerns to proposed changes to the parking lot as long as the site plan and stormwater management requirements are met for management of surface water.

Fire Services

- No comments.

Essex Powerlines

- Not within Essex Powerlines service area.

Discussion

Piero Aleo, Architect and Agent, appears before the Committee to discuss the Application. Tony Muscedere inquires if the subject property is subject to Site Plan Control and is advised by Chad Jeffery that the property is under Site Plan Control.

Tony Muscedere is supportive of the Application as it meets the four tests and the proposal is beneficial to the Town as it creates employment opportunity in the manufacturing sector of the Town.

Motion: CA-46-23

Moved By Member Tony Muscedere

Seconded By Member Doug Pitre

That Application for Minor Variance A-20-23 **be approved** subject to the following matter be addressed to the satisfaction of Town Administration as part of the requisite site plan agreement:

1. The existing shipping container/structure located at the northwest corner of the property will be removed/demolished upon completion of the construction of the proposed building.

Carried

F. Deferrals

G. Planning Report

1. November 27, 2023

H. Unfinished Business

I. New Business

J. Adjournment**Motion: CA-47-23**

Moved By Member Tony Muscedere
Seconded By Member Doug Pitre

That there being no further business, the Monday, November 27, 2023 regular meeting of the Committee of Adjustment now **adjourn** at 5:20 pm.

Carried

Tom Marentette, Vice-Chairperson

Donna Ferris, Secretary-Treasurer