

Committee of Adjustment Meeting Agenda

Monday, October 27, 2025, 5:00 pm
Tecumseh Town Hall - Council Chambers
917 Lesperance Road
Tecumseh, Ontario N8N 1W9

Pages

- A. Roll Call
- B. Call to Order
- C. Disclosure of Pecuniary Interest
- D. Minutes

- 1. September 22, 2025

4 - 16

Recommendation

Moved by _____

Seconded by _____

That the minutes of the regular Committee of Adjustment meeting held Monday, September 22, 2025, **be approved**, as printed and circulated.

- E. Supplementary Agenda Adoption

Recommendation

Moved by _____

Seconded by _____

That the Committee of Adjustment Minutes of September 22, 2025 and the Planning Report dated October 27, 2025, added as supplementary items to the regular meeting agenda for the Committee of Adjustment, **be approved**.

- F. Applications

1. Application for Consent B-05-25 Roch LaBelle St Pierre Street 17 - 19
- Recommendation**
Moved by _____
Seconded by _____
That Application for Consent B-05-25, **be (approved/denied).**
2. Application for Consent B-06-25 Andrew and Claire Ujj (by POA Jody Wellwood) 6719 Walker Road 20 - 23
- Recommendation**
Moved by _____
Seconded by _____
That Application for Consent B-06-25, **be (approved/denied).**
3. Application for Consent A-19-25 Andrew and Claire Ujj (by POA Jody Wellwood) West Side Walker Road 24 - 26
- Recommendation**
Moved by _____
Seconded by _____
That Application for Minor Variance A-19-25, **be (approved/denied).**
4. Application for Minor Variance A-20-25 Christopher and Katherine Dunn 12722 Riverside Drive 27 - 31
- Recommendation**
Moved by _____
Seconded by _____
That Application for Minor Variance A-20-25, **be (approved/denied), subject to the following:**
1. That the application be approved in accordance with the site plan presented as part of the application; and
 2. That the proposed detached stand-alone deck have a maximum height of 0.76 metres (2.5 feet) above grade, with see-through railings, and that it remain open and unenclosed).
5. Application for Minor Variance A-21-25 Walter Caza 857 St Pierre Street 32 - 34
- Recommendation**
Moved by _____
Seconded by _____
That Application for Minor Variance A-21-25, **be (approved/denied).**

6. Application for Minor Variance A-22-25 Elie Baillargeon 1800 Deslippe Drive 35 - 38

Recommendation

Moved by _____

Seconded by _____

That Application for Minor Variance A-22-25, **be (approved/denied), subject** to the following:

1. That paving, landscaping and other items as identified in easement be prohibited within the easement area.

7. Application for Minor Variance A-23-25 Mark Aquino 12781 Keith Avenue 39 - 41

Recommendation

Moved by _____

Seconded by _____

That Application for Minor Variance A-23-25, **be (approved/denied), subject** to the following:

1. That the existing detached garage be removed.

G. Deferrals

H. Planning Report

1. October 27, 2025 42 - 74

I. Unfinished Business

J. New Business

K. Adjournment

Recommendation

Moved by _____

Seconded by _____

That there being no further business, the Monday, October 27, 2025 regular meeting of the Committee of Adjustment now **adjourn** at pm.

Committee of Adjustment Minutes

Date: Monday, September 22, 2025
 Time: 5:00 pm
 Location: Tecumseh Town Hall - Council Chambers
 917 Lesperance Road
 Tecumseh, Ontario N8N 1W9

Present:

Chair, Tom Fuerth
 Member, Christopher Lanman
 Member, Tom Marentette
 Member, Tony Muscedere
 Member, Doug Pitre

Absent:

Secretary-Treasurer, Donna Ferris
 Member, Lori Chadwick
 Member, Paul Jobin

Also Present:

Manager Planning Services & Local Economic Development, Chad Jeffery
 Senior Planner, Enrico De Cecco
 Systems Analyst, Laiyin DiMaio

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. August 25, 2025

Motion: CA-39-25

Moved By Member Tom Marentette
 Seconded By Member Tony Muscedere

That the minutes of the regular Committee of Adjustment meeting held Monday, August 25, 2025, **be approved**, as printed and circulated.

Carried

Motion: CA-40-25

Moved By Member Doug Pitre

Seconded By Member Christopher Lanman

That in the absence of the Secretary-Treasurer, Enrico De Cecco, Senior Planner, **is appointed** as Secretary-Treasurer for tonight's meetings only.

Carried

E. Supplementary Agenda Adoption**Motion: CA-41-25**

Moved By Member Doug Pitre

Seconded By Member Tony Muscedere

That the Planning Report added as a supplementary item to the regular meeting agenda for the Committee of Adjustment, **be approved**.

Carried

F. Applications

1. Application for Minor Variance A-15-25 Brandt Properties Ltd 5655 (5515-5725) Outer Drive

Interested parties present: Frank Bojkovsky, Brandt Developments

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

1. Subsection 14.1.16 which establishes a maximum of 6 visitor parking spaces permitted in the front yard; and
2. Subsection 5.33 which establishes a minimum of 69 parking spaces, two of which are to be barrier free.

The Applicant is proposing to construct a 3419 square metre (36,807 square foot) industrial addition resulting in a 4,626 square metre (49,793 square foot) facility while providing a total of 61 parking spaces, two of which are barrier free and 27 of which are located in the front yard.

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

Administration/Agency Comments**Public Works and Engineering**

- PWES has no comments regarding the requested minor variance.
- The applicant and future owners should be made aware that future property amendments will be subject to the Site Plan Control process, under which PWES will work with the owners and its consultants regarding site servicing and stormwater management. This includes, but is not necessarily limited to, submission of site servicing and grading plans, and SWM reports that capture the proposed amendments for PWES review and approval.

Building Department

- Designer and civil consultant to ensure the required size of the proposed septic system can be accommodated.

Fire Department

- No concerns with application.

Essex Region Conservation Authority

- The property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.
- No objection to application.

Discussion

Frank Bojkovsky appears before the Committee to discuss the Application. Frank Bojkovsky acknowledges that the Planning Report was quite thorough. Frank Bojkovsky advises that the placement of the addition was driven by the location of the existing building which was centrally located on the site. With the proposed large addition spanning over four properties, the proponent was limited which resulted in having a vast front yard which would be wasted space except for the fact that it could be utilized for parking which would significant impact the usability of the site. The parking was sized based on the proponent's long-term goals of the organization plan. Brandt is currently operating over 100 dealerships across Canada, therefore, is very knowledgeable as to their parking needs on their properties. Frank Bojkovsky indicates that the 61 parking spaces provided will be sufficient noting that the east portion of the property is fully paved which could provide additional parking in the future, if required.

Tom Fuerth informs the proponent that the number of parking spaces required by the zoning by-law are based on the size of the building and not the intended use of the building. Tom Fuerth indicates that if in the future the property is sold, the use could be totally different than what is currently being proposed and more or less parking could be needed.

Reid Leflair of 5501 Outer Drive indicates that he owns a residential lot amongst the industrial zoned properties as a legal non-conforming use. Reid Leflair is concerned with respect to drainage as a result of the parking area on the subject lands that abuts his property. Reid Leflair seeks clarification as to which parking spaces require relief and the location of the property lines. Tom Fuerth informs Mr. Leflair that relief for 61 parking spaces of which 27 parking spaces that are in the front yard. Tom Fuerth indicates that the Planning Report detailed information with respect to drainage for the subject application. Chad Jeffery indicates that drainage is dealt with through the site plan control process and through that process stormwater management is addressed to ensure that stormwater does not drain onto abutting properties. Reid Leflair inquires what does the Committee consider when essential allowing for more front yard parking than what is permitted in the zoning by-law. Chad Jeffery advises that the provision to permit no greater than six parking spaces in the front yard is a bit of a relict provision in that the Sandwich South Zoning By-law attempted to address site plan control issues through their zoning by-law which is not customary. Chad Jeffery further advises that the Sandwich South Zoning By-law is one of three zoning by-laws currently being consolidated by the Town. The purpose of the provision was for ascetic reasons. Chad Jeffery also indicates that any light pollution as a result of the parking lot being in the front of the building can be addressed through the site plan control process to ensure that there is a buffer along the northeast side of the property to address any light pollution from vehicles that are parked in the front yard and elsewhere throughout the site.

Tom Fuerth informs Reid Leflair that in order to determine the location of the property lines, a survey can be obtained. Reid Leflair indicates that he is more concerned with the fact that he had greenspace beside him and now he is going to have a parking lot. Tom Fuerth reminds Mr. Leflair that he has the property that is a legal non-conforming use and that his house is in the middle of an industrial park to which parking is essential.

Doug Pitre seeks clarification from Administration as to how many parking spaces are permitted in the front yard in the current zoning by-law for Sandwich South. Chad Jeffery advises that the current zoning by-law permits six parking spaces in the required front yard. Doug Pitre inquires what the provision will be once the consolidated by-law is adopted by Council and is informed that said provision is being eliminated entirely from the zoning by-law.

Tony Muscedere inquires from Administration if the zoning by-law has any provisions with respect to buffer spacing between industrial and residential uses. Tony Muscedere notes that a buffer area is depicted on the sketch but is not carried through to the parking spaces behind it. Chad Jeffery advises that as the properties are designate business park, the long-term objective is that the lands in the business park are developed as industrial. The residential use is non-conforming but is permitted to exist as a use in

a non-conforming status which has restrictions on expansions etc. Therefore, there is no buffer with respect to the existing non-conforming use, but a buffer space does exist with respect to residentially zoned properties. Chad Jeffery indicates that Administration can seek to have some buffer space through the site plan control process in the form of fencing or landscaping along the northeast portion of the subject property however, there is no by-law requirement for such buffering.

Doug Pitre is supportive of the application as the proposal is in keeping with the intent of the zoning by-law, the official plan, it is minor in nature and the proposal is in keeping with the character of the neighbourhood. The proposal will also have to adhere to regulations provided from the Essex Region Conservation Authority and apply for site plan control with the Town.

Motion: CA-42-25

Moved By Member Doug Pitre

Seconded By Member Tom Marentette

That Application for Minor Variance A-15-25, be approved.

Carried

2. Application for Minor Variance A-16-25 JCJ Sal Holdings 5145 Hennin Drive

Interested parties present: Johncarlo Salvatore, Owner and Jason Thibert, Architect

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

1. Subsection 5.33 which establishes a minimum of 12 parking spaces, one of which is to be barrier free; and
2. Subsection 14.1.9 c) which establishes a minimum side yard width of 6.0 metres (19.68 feet).

The Applicant is proposing to construct a 765 square metre (8234 square foot) industrial addition resulting in a 1025 square metre (11033 square foot) facility while providing a total of nine parking spaces, one of which is barrier free. The proposed addition will result in an easterly side yard width of 3.0 metres (10 feet), as depicted on the attached sketch.

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

Administration/Agency Comments

Public Works and Engineering

- PWES has no concerns with the requested minor variance.
- The applicant and future owners should be made aware that future property amendments will be subject to the Site Plan Control process, under which PWES will work with the owners and its consultants regarding site servicing and stormwater management. This includes, but is not necessarily limited to, submission of site servicing and grading plans, and SWM reports that capture the proposed amendments for PWES review and approval.

Building Department

- Fire Access route to be assessed at time of site plan control consideration.

Fire Department

- No concerns with application.

Essex Region Conservation Authority

- The property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.
- No objection to application.

Public Comments

- Written comments have been received from the following abutting property:

Property Owner at 5135 Hennin Drive (property that abuts to the north)

Concerns include:

- Drainage between properties (during heavy rainfall and snowfall)
- Ability for emergency vehicles to access property
- Property infringement and damage to adjacent properties during construction
- Air flow and building-to-building fire spread (exposure risk)

With respect to the noted concerns, Town Administration offers the following:

- Stormwater will not be permitted to drain onto abutting properties. Proper on-site drainage will be required through the approval of a lot grading/drainage plan that is required as part of the site plan

control process the property will be required to complete prior to any construction taking place;

- Emergency access vehicles will be able to enter/access the property from the property's driveway and laneway along the southern side yard;
- The reduced side yard width will still allow for the construction of the building without the need to encroach onto abutting properties; and
- Air flow between the buildings will be maintained and all building code and fire code regulations will need to be met for the proposed building's reduced setback.

Discussion

Johncarlo Salvatore, Owner and Jason Thibert, Architect appear before the Committee to discuss the application. The Committee is informed that the zoning by-law permits 40 percent lot coverage and the proposal is well under the requirement at 34.7 percent noting that the requests in the proposal are very reasonable.

As the property owner at 5135 Hennin Drive raised concerns in his comments with respect to damage to adjacent properties during construction, Tony Muscedere inquires from Administration what is the Town policy or by-law regarding this matter. Chad Jeffery indicates that he is not familiar with any building by-law that pertains to construction of property as that matter would be a question for the Building Official however, the proponent is to remain on their own property during construction noting that there is a provision where it is absolutely necessary to gain access to adjacent property, upon notice, may enter onto adjacent lands, to perform said works. Chad Jeffery indicates that the Town has provided relief to a number of properties for side yard setback, similar to the current proposal, and there has not been any issues in the past with respect to damage to adjacent lands as a result of relief being granted for a 10-foot side yard setback.

Chris Lanman is supportive of the proposal as it meets the four tests of a minor variance, the proposal is in keeping with the intent of the zoning by-law and official plan, it is minor in nature and is in keeping with the neighbourhood.

Motion: CA-43-25

Moved By Member Christopher Lanman
Seconded By Member Tony Muscedere

That Application for Minor Variance A-16-25, be approved.

Carried

3. Application for Minor Variance A-17-25 Maxwell Mariani 186 Edgewater Blvd

Interested parties present: Maxwell Mariani, Applicant

The purpose of the Application is to request relief from Subsection 5.19.1 d) i) of Zoning By-law 2065 which establishes that accessory buildings in residential zones shall not exceed 10 percent of total lot area or 90.0 square metres (969 square feet) in area, whichever is the lesser, and no individual accessory building or structure shall exceed 70 square metres (753 square feet) in area.

The Applicant is requesting relief to construct an 82.2 square metre (885 square foot) garage as depicted on the attached sketch. The existing garage is being demolished.

The subject property is designated Residential in the Official Plan and zoned Residential Zone 2 (R2) in Zoning By-law 2065.

Administration/Agency Comments

Public Works and Engineering

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

Essex Region Conservation Authority

- The property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.
- No objection to the application.

Building Department

- Two building permits will be required, one for the demolition and a separate permit required for the proposed new build.

Fire Services

- No concerns with application.

Discussion

Maxwell Mariani, Applicant appears before the Committee to discuss the Application. Maxwell Mariani advises he has no additional information to add.

John Crozier, 189 St. Mark's Road, neighbour to the rear, is present to advise he has no concerns with the construction of the new garage.

Tom Marentette inquires what the rear yard setback requirement is for accessory buildings? Chad Jeffery indicates that the setback for an accessory structure when it abuts an alley is two feet but normally four feet if the structure is greater than 107 square feet.

Tony Muscedere inquires if the demolition permit is issued for the existing garage prior to issuing of the building permit for the new garage. Chad Jeffery indicates that the Building Department has requested that the minor variance be conditional upon the existing garage being demolished first in addition to the fact that the relief requested would not be sufficient if the existing garage was not demolished first. The Planning Report recommends, as a condition, that existing detached garage located on the property be removed/demolished. Maxwell Mariani informs the Committee that he wishes to demolish the existing garage following the construction of the new garage as he has no where to store his personal belongings if the existing garage is demolished. Tony Muscedere inquires if the Town has a policy with respect to matters of this nature. Chad Jeffery indicates that there is no formal policy but past practices has permitted the existing garage to be demolished following the completion of the proposed garage, upon receipt of security from the proponent to ensure that the existing building is removed. Chad Jeffery suggests that if the Committee is considering imposing such a condition, that it be worded "to the satisfaction of Town Administration". Tom Fuerth inquires if there is sufficient space to access the rear yard if the existing garage is not demolished. Maxwell Mariani advises that he will only be using small machinery to construct the garage and does not anticipate any problems accessing the rear yard.

Tony Muscedere is supportive of the application as it is in keeping with the intent of the zoning by-law and official plan, the proposal is minor in nature and is in keeping with the character of the neighbourhood. Tony Muscedere indicates that the approval is to be conditional upon a permit for the demolition of the existing detached garage be concurrently with a separate building permit for the construction of the new detached garage and that adequate financial security be provided for the demolition permit, to the satisfaction of Town Administration.

Motion: CA-44-25

Moved By Member Tony Muscedere
Seconded By Member Tom Marentette

That Application for Minor Variance A-17-25, **be approved, subject** to the building permit being applied for the demolition of the existing detached garage concurrently with a separate building permit for the construction of

the new detached garage. Adequate financial security shall be provided for the demolition permit, to the satisfaction of Town Administration.

Carried

**4. Application for Minor Variance A-18-25 Joseph and Elhama Shaban
12854 Riverside Drive**

Interested parties present: Joseph and Elhama Shaban, Applicants

The purpose of the Application is to request relief from the following subsections of Zoning By-law 1746:

1. Subsection 6.1.5 which establishes a maximum lot coverage of 30 percent; and
2. Subsection 6.1.10 a) which establishes a minimum interior side yard width of 1.8 metres (5.9 feet).

The Applicant is proposing to demolish the existing single unit dwelling and construct a new two-storey single unit dwelling, having a building footprint of 370.8 square metres (3,991 square feet) resulting in a lot coverage of 44 percent and both an easterly and westerly interior side yard width of 1.2 metres (4.0 feet) as depicted on the attached sketch. The requested lot coverage will enable the Applicant to maintain the existing 33.4 square metre (360.0 square foot) garage on the subject property.

The property is designated Residential in the Official Plan and zoned Residential Zone 1 (R1) in Zoning By-law 1746.

Administration/Agency Comments

Public Works and Engineering

- No comments with regard to the requested minor variance,

Building Department

- Owner/contractor to ensure all Zoning provisions for Lake St. Clair site lines are met by providing a setback survey at time of footing placement. An engineered lot grading plan will need to be submitted for review and approval at time of permit application.

Fire Services

- No concerns with application.

Essex Region Conservation Authority

- The property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or

site alteration or other activities affected by Section 28 of the Conservation Authorities Act.

- The development is subject to appropriate setbacks from Lake St. Clair. A costal hazards assessment undertaken by a qualified costal engineer may be required to support this development.
- No objection to the application.

Public Comments

Written comments have been received from the following abutting properties:

1. Resident at 12846 Riverside Drive (property abutting to west of subject property)

- Supports the project and has no concern with proposed variance application.

2. Resident at 12858 Riverside Drive (property abutting to east of subject property)

- Supports the project and has no concern with proposed variance application.

Discussion

Joseph and Elhama Shaban, Applicants appear before the Committee to discuss the Application. Joseph Shaban advises that the existing house is currently one-foot from the property line and the construction of the new dwelling will result in the dwelling having a side yard setback of four feet and be situate slightly more south than the existing dwelling. The Applicant advises that the architect designed the house so as to be in line with the abutting houses so as not to obstruct their view. Tom Fuerth notes that the neighbouring property owners have no concerns with the application.

Upon and inquiry from Doug Pitre, the Applicant informs the Committee that the second building on the property is a garage. Tom Marentette advises that he attended at the property today and inquires if the site line traverses through the patio. The Applicant advises the existing concrete patio will be demolished with the construction of the new dwelling. Tom Marentette inquiries if the north wall of the existing house is the same distance from the rear of the property as the proposed new dwelling and is informed by the Applicant that it is the same. The Chair seeks clarification from Administration with respect to the established building line (site line). Chad Jeffery advises that unlike the St. Clair Beach zoning by-law, the Tecumseh zoning by-law determines the established building line (site line) by adjoining the nearest point of the wall to the adjacent dwelling on the east and west sides of the subject property. The midpoint of wall closest to Lake St. Clair of any addition or new building has to be behind

the site line noting that it is not the entire portion of the addition or new structure but rather just the midpoint of wall cannot be beyond the site line.

Tony Muscedere inquiries about the two sets of stairs on the dwelling layout. Joseph Shaban advises that the stairs in the garage lead to the basement.

Tom Marentette is supportive of the application as it meets the four tests, the proposal meets the intent of the zoning by-law and official plan, the proposal is in keeping with the character of the neighbourhood and is minor in nature. The approval is subject to the existing dwelling located on the property being demolished.

Motion: CA-45-25

Moved By Member Tom Marentette

Seconded By Member Doug Pitre

That Application for Minor Variance A-18-25, **be approved**, subject to the existing dwelling located on the property being demolished.

Carried

G. Deferrals

H. Planning Report

1. September 22, 2025 - Supplementary Item

I. Unfinished Business

J. New Business

K. Adjournment

Motion: CA-46-25

Moved By Member Doug Pitre

Seconded By Member Christopher Lanman

That there being no further business, the Monday, September 22, 2025 regular meeting of the Committee of Adjustment now **adjourn** at 5:46 pm

Carried

Tom Fuerth, Chairperson

Enrico De Cecco, Acting Secretary-Treasurer



Notice of Public Hearing

Application for Consent/Severance

Town of Tecumseh Committee of Adjustment

File Number

B-05-25

Applicant(s)

Roch Labelle

Location of Property

1005 St. Pierre Street

Purpose of Application

The purpose of the Application is to sever a parcel of land (outlined in red), having an approximate area of 178 square metres (1,915.9 square feet), and add it to the residential property to the south (1013 St. Pierre Street). Both the retained lot (1005 St. Pierre Street) and the lot to which the severed parcel is proposed to be added (1013 St. Pierre Street) will have a lot frontage of 3.7 metres (44.9 feet) and an area of 543 square metres (5,844.8 square feet).

A portion of the existing garage (lean-to) on the retained land will be demolished to meet the side yard setback requirement established in the Zoning By-law for accessory buildings. In addition, the two tent-like accessory structures are also being removed.

Minor Variance Applications will be required for both lots resulting from the proposed lot addition severance to provide relief for the undersized lot area and lot frontage.

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

Take Notice

That an application under the above-noted file number will be heard by the Town of Tecumseh Committee of Adjustment on Monday, October 27, 2025 at 5:00 pm in Town Municipal Office Council Chambers at 917 Lesperance Road, Tecumseh, Ontario.

Any person may attend this public meeting to express their views about this application, or alternatively they may be represented by Counsel for that purpose.

Please note that the Town of Tecumseh has transitioned its Committee of Adjustment meetings to a hybrid meeting with a mix of in-person attendees and remote participants. Members of the public now have the option of participating either in person at the Town of Tecumseh Municipal Building or electronically via Zoom. If you wish to attend via Zoom, **you must contact the Secretary-Treasurer of the Committee of Adjustment** via email at dferris@tecumseh.ca or



phone 519-735-2184 ext. 132, **no later than 12 p.m. on the meeting date noted above.** Attendees/Delegates will be contacted directly with registration details prior to the meeting.

Written Comments

If you wish to submit written comments on this application, they **must be provided to the attention of the Secretary-Treasurer of the Committee of Adjustment.** Comments can be sent by mail to the Town of Tecumseh, 917 Lesperance Road, Tecumseh, ON, N8N 1W9 or emailed to dferris@tecumseh.ca **no later than 12 p.m. on the meeting date noted above.** Information you choose to disclose in your correspondence will be used to receive your views on the relevant issue(s) to enable the Committee to make its decision on this matter. This information will become part of the public record.

Failure to Attend Hearing

If you do not attend 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 Committee of Adjustment in respect to this application, **you must submit a written request to the Secretary-Treasurer of the Committee of Adjustment** by mail to the Town of Tecumseh, 917 Lesperance Road, Tecumseh, ON, N8N 1W9 or by email to dferris@tecumseh.ca.

If a person or public body has the ability to appeal the decision of the Town of Tecumseh Committee of Adjustment in respect of the proposed Consent to the Ontario Land Tribunal but does not make written submissions to the Town of Tecumseh Committee of Adjustment before it gives or refuses to give a provisional Consent, the Tribunal may dismiss the appeal.

To appeal the decision to the Ontario Land Tribunal, send a Notice of Appeal to the Secretary-Treasurer outlining the reasons for appeal. You must enclose the appeal fee of \$400.00 for each application appealed, paid by cheque, made payable to the Ontario Minister of Finance.

Additional information regarding the application may be obtained by contacting:

Donna Ferris, Secretary-Treasurer, at dferris@tecumseh.ca or at 519-35-2184 ext. 132.

Date: October 10, 2025

Donna Ferris, Secretary-Treasurer
Town of Tecumseh Committee of Adjustment
917 Lesperance Rd., Tecumseh, ON N8N 1W9
Telephone: 519-735-2184 ext. 132 Email: dferris@tecumseh.ca

TO BE RETAINED
Approximately
13.4m X 39.6m lot
(543 sq. metres)

**TO BE SEVERED AND
ADDED TO LOT
SHADED IN PINK**
Approximately
4.5m X 39.6m
(178 sq. metres)

New Lot to be
approximately
13.4m X 39.6m
(543 sq. metres)



Application B-05-25
1005 St. Pierre Street

Note: Map is for illustrative purposes only





Notice of Public Hearing

Application for Consent/Severance

Town of Tecumseh Committee of Adjustment

File Number

B-06-25

Applicant(s)

Andrew and Claire Ujj (by POA Jody Wellwood)

Location of Property

6719 Walker Road

Purpose of Application

This application is being filed as a technical severance. The proposed retained lot (6719 Walker Road) and the proposed severed lot (vacant lot, west side of Walker Road) had always been two separate parcels of land up until November 29, 2023, when title to the proposed severed lot was transferred from Andrew Ujj to Andrew Ujj and Claire Ujj as joint tenants (the same ownership as the proposed retained lot). At the time of the transfer of what is now the proposed severed lot, the solicitor for Andrew Ujj was not aware that there had been a prior conveyance of a portion of what is now the proposed retained lot by way of a small lot addition to an abutting non-farm related residential lot (area hatched in yellow that is part of the lot at 6731 Walker Road). As a result of this small lot addition, the Planning Act consent on the proposed retained lot was broken, thereby causing it to inadvertently merge with any abutting lots under the same ownership (the proposed severed and retained lots in this case). Accordingly, in the absence of a further consent (the subject application), they are no longer separately conveyable.

Therefore, the purpose of the Application is to request consent to sever and recreate the original vacant farm parcel having an approximate lot frontage of 120.4 metres (395.0 feet) and an approximate lot area of 9.74 hectares (24.1 acres), outlined in red on the attached sketch.

The retained farm parcel (6719 Walker Road), containing a house, garage, shed and a farm building, has an approximate lot frontage of 235.8 metres (773.78 feet) and an approximate lot area of 20.03 hectares (49.5 acres), outlined in green on the attached sketch.

The application is being heard concurrently with Minor Variance Application A-19-25 for the severed farm parcel to address the undersized lot area and minimum lot frontage.

The lands are designated Agricultural in the Official Plan and zoned Agricultural (A) in Zoning By-law 85-18.



Take Notice

That an application under the above-noted file number will be heard by the Town of Tecumseh Committee of Adjustment on Monday, October 27, 2025 at 5:05 pm in Town Municipal Office Council Chambers at 917 Lesperance Road, Tecumseh, Ontario.

Any person may attend this public meeting to express their views about this application, or alternatively they may be represented by Counsel for that purpose.

Please note that the Town of Tecumseh has transitioned its Committee of Adjustment meetings to a hybrid meeting with a mix of in-person attendees and remote participants. Members of the public now have the option of participating either in person at the Town of Tecumseh Municipal Building or electronically via Zoom. If you wish to attend via Zoom, **you must contact the Secretary-Treasurer of the Committee of Adjustment** via email at dferris@tecumseh.ca or phone 519-735-2184 ext. 132, **no later than 12 p.m. on the meeting date noted above**. Attendees/Delegates will be contacted directly with registration details prior to the meeting.

Written Comments

If you wish to submit written comments on this application, they **must be provided to the attention of the Secretary-Treasurer of the Committee of Adjustment**. Comments can be sent by mail to the Town of Tecumseh, 917 Lesperance Road, Tecumseh, ON, N8N 1W9 or emailed to dferris@tecumseh.ca **no later than 12 p.m. on the meeting date noted above**. Information you choose to disclose in your correspondence will be used to receive your views on the relevant issue(s) to enable the Committee to make its decision on this matter. This information will become part of the public record.

Failure to Attend Hearing

If you do not attend 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 Committee of Adjustment in respect to this application, **you must submit a written request to the Secretary-Treasurer of the Committee of Adjustment** by mail to the Town of Tecumseh, 917 Lesperance Road, Tecumseh, ON, N8N 1W9 or by email to dferris@tecumseh.ca.

If a person or public body has the ability to appeal the decision of the Town of Tecumseh Committee of Adjustment in respect of the proposed Consent to the Ontario Land Tribunal but does not make written submissions to the Town of Tecumseh Committee of Adjustment before it gives or refuses to give a provisional Consent, the Tribunal may dismiss the appeal.



The Corporation of the Town of Tecumseh

Page 3 of 3

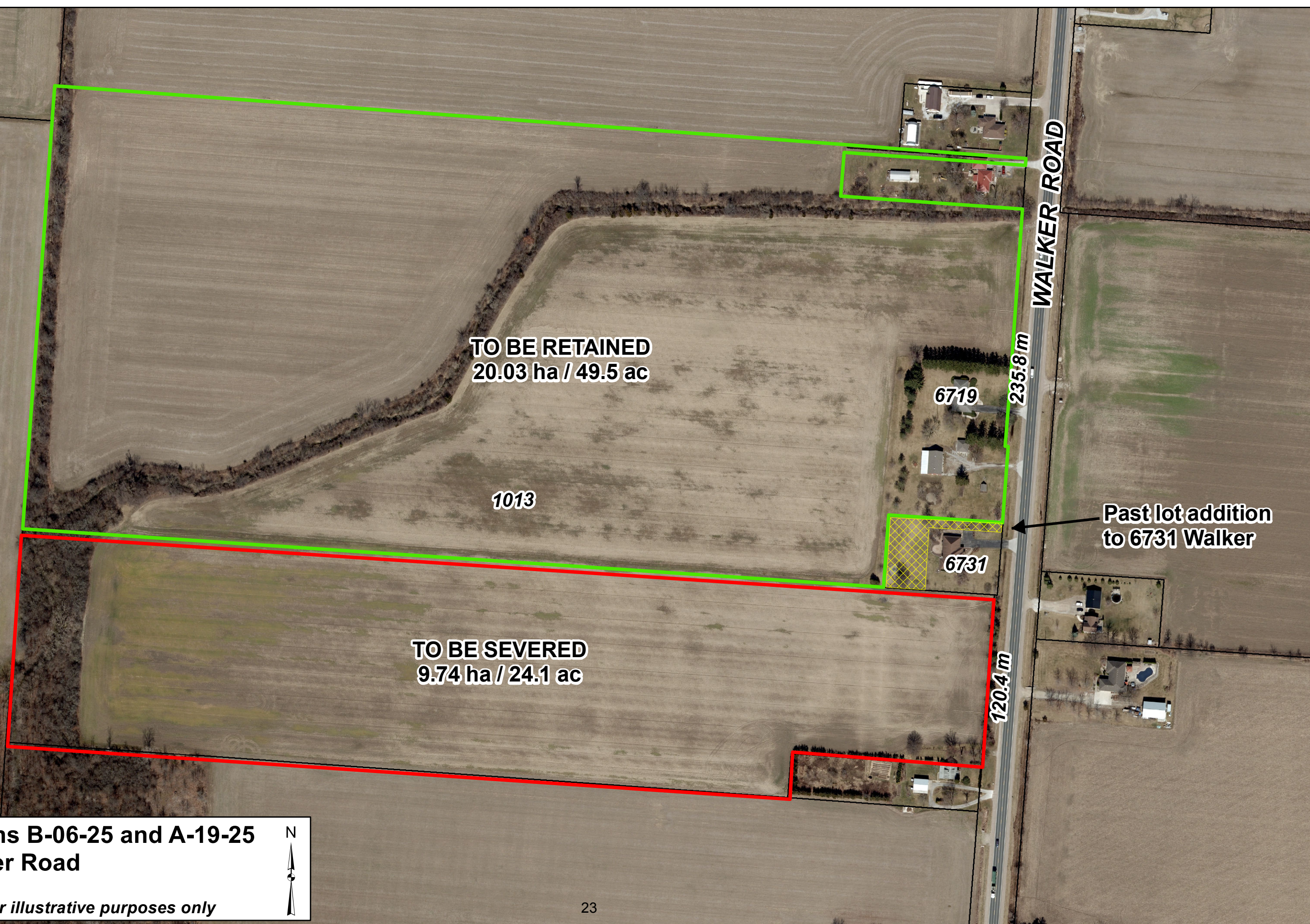
To appeal the decision to the Ontario Land Tribunal, send a Notice of Appeal to the Secretary-Treasurer outlining the reasons for appeal. You must enclose the appeal fee of \$400.00 for each application appealed, paid by cheque, made payable to the Ontario Minister of Finance.

Additional information regarding the application may be obtained by contacting:

Donna Ferris, Secretary-Treasurer, at dferris@tecumseh.ca or at 519-35-2184 ext. 132.

Date: October 10, 2025

Donna Ferris, Secretary-Treasurer
Town of Tecumseh Committee of Adjustment
917 Lesperance Rd., Tecumseh, ON N8N 1W9
Telephone: 519-735-2184 ext. 132 Email: dferris@tecumseh.ca



Applications B-06-25 and A-19-25
6719 Walker Road

Note: Map is for illustrative purposes only





Notice of Public Hearing

Application for Minor Variance

Town of Tecumseh Committee of Adjustment

File Number

A-19-25

Applicant(s)

Andrew and Claire Ujj (by POA Jody Wellwood)

Location of Property

Westside Walker Road (Vacant Farm Parcel)

Purpose of Application

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

1. Subsection 15.1.3 which establishes a minimum lot area of 19.0 hectares (46.94 acres); and
2. Subsection 15.1.4 which establishes a minimum lot frontage of 150 metres (492.13 feet).

The Applicant is seeking relief to permit a farm lot having a lot area of 9.74 hectares (24.1 acres) and a lot frontage of 120.4 metres (395.0 feet). The Application is being heard concurrently with Consent Application B-06-25 which proposes to sever and recreate the subject farm parcel which had inadvertently merged.

The lands are designated Agricultural in the Official Plan and zoned Agricultural (A) in Zoning By-law 85-18.

Take Notice

That an application under the above-noted file number will be heard by the Town of Tecumseh Committee of Adjustment on Monday, October 27, 2025 at 5:05 pm in Town Municipal Office Council Chambers at 917 Lesperance Road, Tecumseh, Ontario.

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Written Comments

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Failure to Attend Hearing

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Notice of Decision

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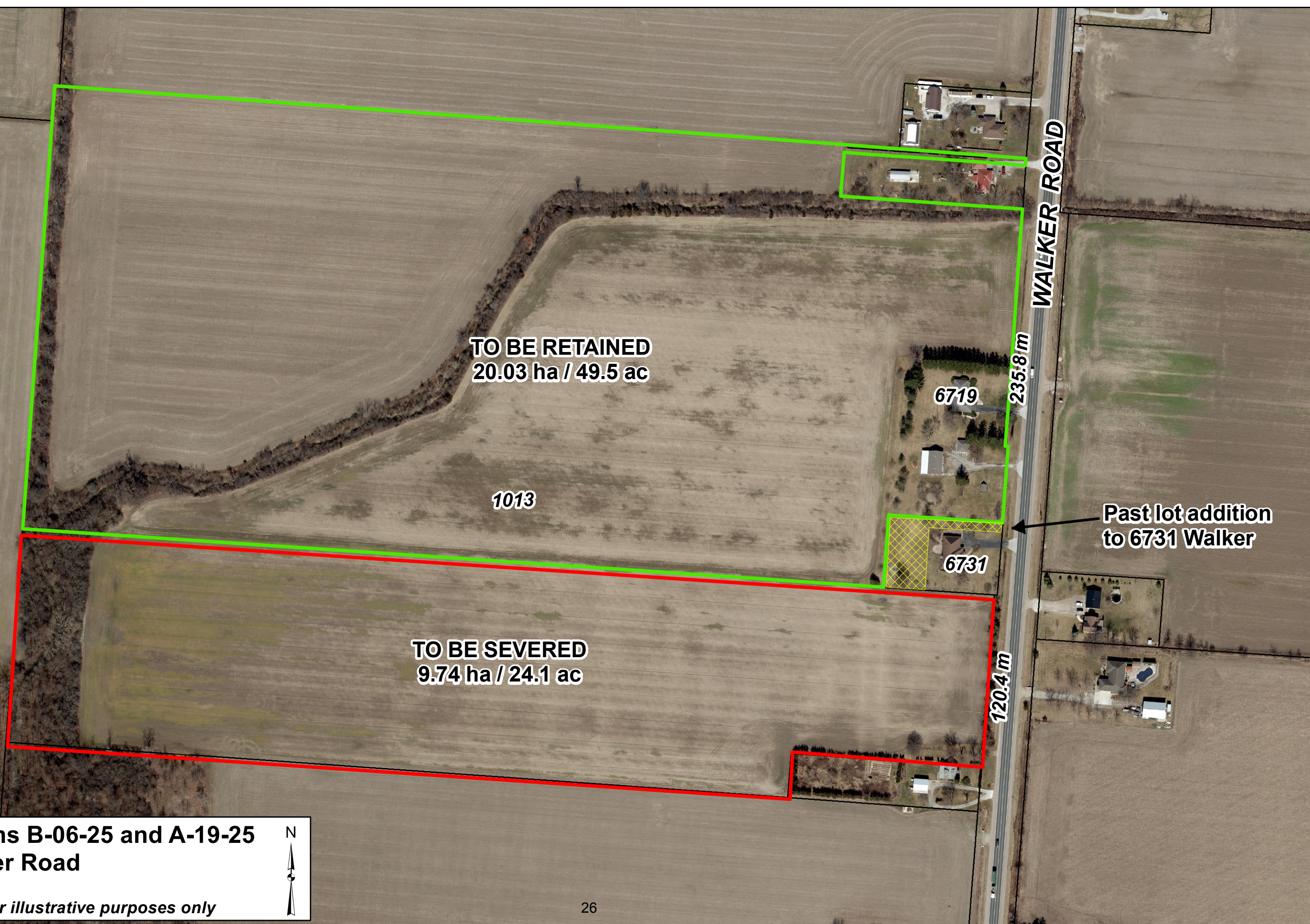
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Donna Ferris, Secretary-Treasurer, at dferris@tecumseh.ca or at 519-35-2184 ext. 132.

Date: October 10, 2025

Donna Ferris, Secretary-Treasurer
Town of Tecumseh Committee of Adjustment
917 Lesperance Rd., Tecumseh, ON N8N 1W9
Telephone: 519-735-2184 ext. 132 Email: dferris@tecumseh.ca



Applications B-06-25 and A-19-25
6719 Walker Road

Note: Map is for illustrative purposes only



REVISED NOTICE – Please note that the original notice has been revised with the additional information in red text below.

Notice of Public Hearing

Application for Minor Variance

Town of Tecumseh Committee of Adjustment

File Number

A-20-25

Applicant(s)

Christopher and Katherine Dunn

Location of Property

12722 Riverside Drive

Purpose of Application

The purpose of the Application is to request relief from the following subsections of Zoning By-law 1746:

1. Subsection 6.1.10 which establishes a minimum side yard width of 1.8 metres (6.0 feet) for a two-storey dwelling; and
2. 6.1.11 which establishes that the mid-point of the wall nearest to Lake St. Clair of any new dwelling, shall not extend beyond the established building line.

The Applicant is proposing to construct a new, two-storey, single unit dwelling in the same general location as the recently demolished two-storey, single unit dwelling. The new dwelling will have a building footprint of 221.4 square metres (2382.9 square feet). The proposed construction will result in the mid-point of the wall nearest to Lake St. Clair extending beyond the established building line a distance of 6.7 metres (22.1 feet) (see attached sketch). A total of 48.7 square metres (524.5 square feet) of the proposed dwelling will be beyond the established building line. In addition, the proposed dwelling will have an easterly side yard width of 1.2 metres (4.0 feet). The westerly side yard width will comply with the 1.8 metre (6 foot) minimum.

In addition to the above noted, the application has been revised to also include relief from the following subsections of Zoning By-law 1746:

1. Subsection 5.25.4 i) which establishes that an accessory building or structure shall be erected within 2.5 metres of any side lot line between the main building and the water's edge of Lake St. Clair;



2. Subsection 5.25.4 ii) which establishes that any accessory building or structure on the north side of Riverside Drive is to be no closer than 12.2 metres (40 feet) from the water's edge of Lake St. Clair; and
3. Subsection 5.25.4 iii) which establishes that only one accessory building or structure is permitted in the rear yard with a maximum ground floor area of 9.3 sq m (100.1 sq ft).

The applicants are also proposing to construct a free-standing open deck (i.e. not attached to main dwelling) adjacent to the northern wall of the proposed new dwelling. In order to comply with ERCA requirements, the proposed deck cannot be attached to the main dwelling, and therefore, is defined as an accessory structure under the Zoning By-law.

The proposed deck will be located 1.2 metres (3.94 feet) from the eastern side lot line and will have a height of 0.76 metres (2.5 feet) and a total area of 23 square metres (248 square feet). The proposed deck will extend 3.4 metres (11.25 feet) beyond the main dwelling, resulting in it being 11.8 metres (38.75 feet) from the water's edge of Lake St. Clair.

The property is designated Residential in the Official Plan and zoned Residential Zone 1 (R1) in Zoning By-law 1746.

Take Notice

That an application under the above-noted file number will be heard by the Town of Tecumseh Committee of Adjustment on Monday, October 27, 2025 at 5:10 pm in Town Municipal Office Council Chambers at 917 Lesperance Road, Tecumseh, Ontario.



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Written Comments

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Notice of Decision

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The Corporation of the Town of Tecumseh

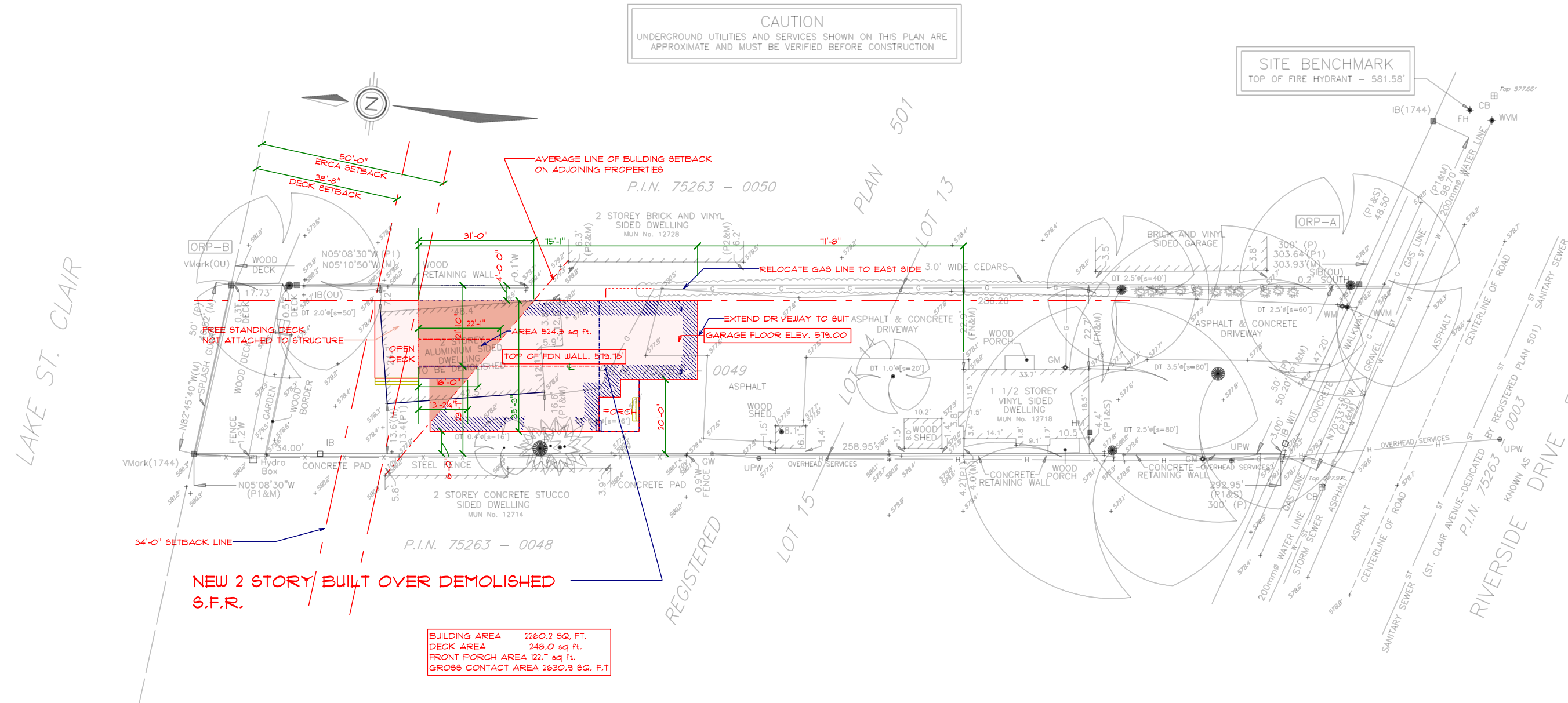
Page 4 of 4

Additional information regarding the application may be obtained by contacting:

Donna Ferris, Secretary-Treasurer, at dferris@tecumseh.ca or at 519-35-2184 ext. 132.

Date: October 15, 2025

Donna Ferris, Secretary-Treasurer
Town of Tecumseh Committee of Adjustment
917 Lesperance Rd., Tecumseh, ON N8N 1W9
Telephone: 519-735-2184 ext. 132 Email: dferris@tecumseh.ca



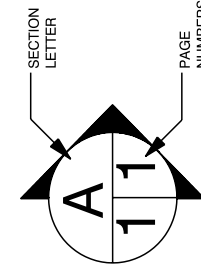
SITE PLAN

SCALE: 1" = 30'-0"

Minor Variance Application A-20-25 12722 Riverside Drive

PROPOSED SITE PLAN AND BUILDING LAYOUT

Dan Boudreau Designs
225 Herring Ave PHONE: 519 738 4859
Harrow danboudreaudesigns@gmail.com
Dan Boudreau BCIN 32825



Katie Dunn
Riverside Project
Windsir

DRAWN BY:
SCALE: 1" = 30'-0"
DATE: October 10, 2025

PAGE:
2/3



Notice of Public Hearing

Application for Minor Variance

Town of Tecumseh Committee of Adjustment

File Number

A-21-25

Applicant(s)

Walter Caza

Location of Property

857 St. Pierre Street

Purpose of Application

The purpose of the Application is to request 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 36.2 square metre (390 square foot) garage resulting in a lot coverage of 37 percent as depicted on the attached sketch.

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

Take Notice

That an application under the above-noted file number will be heard by the Town of Tecumseh Committee of Adjustment on Monday, October 27, 2025 at 5:15 pm in Town Municipal Office Council Chambers at 917 Lesperance Road, Tecumseh, Ontario.

Any person may attend this public meeting to express their views about this application, or alternatively they may be represented by Counsel for that purpose.

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Written Comments

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Notice of Decision

If you wish to be notified of the decision of the Committee of Adjustment in respect to this application, **you must submit a written request to the Secretary-Treasurer of the Committee of Adjustment** by mail to the Town of Tecumseh, 917 Lesperance Road, Tecumseh, ON, N8N 1W9 or by email to dferris@tecumseh.ca.

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Additional information regarding the application may be obtained by contacting:

Donna Ferris, Secretary-Treasurer, at dferris@tecumseh.ca or at 519-35-2184 ext. 132.

Date: October 14, 2025

Donna Ferris, Secretary-Treasurer
Town of Tecumseh Committee of Adjustment
917 Lesperance Rd., Tecumseh, ON N8N 1W9
Telephone: 519-735-2184 ext. 132 Email: dferris@tecumseh.ca

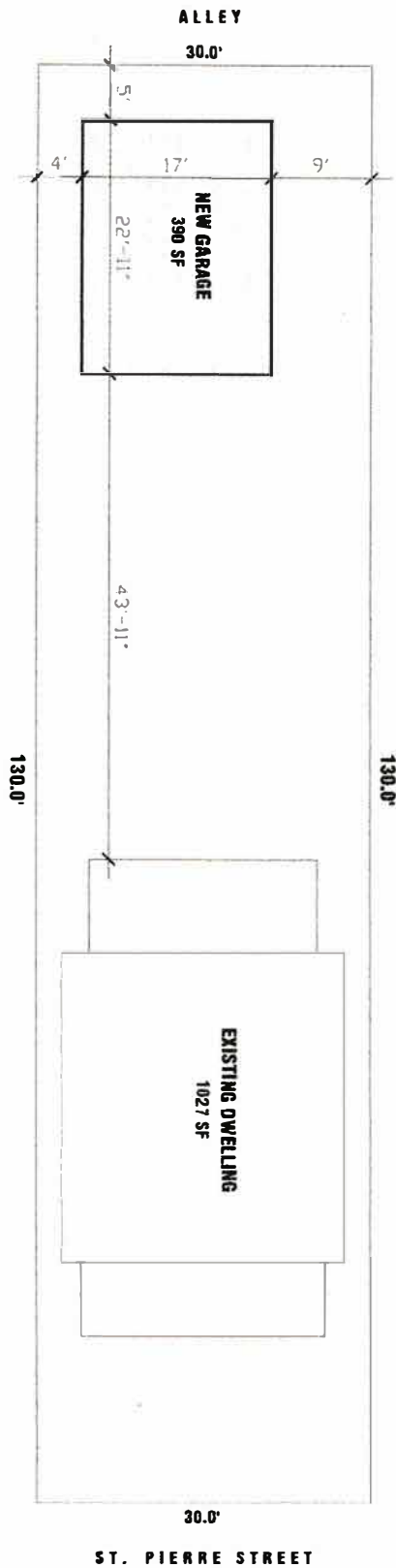
Minor Variance A-21-25

857 St Pierre Street

SITE PLAN

EXISTING HOUSE COVERAGE	1027 SF	26.3%
NEW GARAGE	390 SF	10.0%
TOTAL COVERAGE	1415 SF	26.3%

McNORTON STREET



SITE PLAN

SCALE: 3/32" = 1'-0"

857 ST. PIERRE STREET

SEPTEMBER 23, 2025

DETACHED GARAGE



Notice of Public Hearing

Application for Minor Variance

Town of Tecumseh Committee of Adjustment

File Number

A-22-25

Applicant(s)

Elie Baillargeon

Location of Property

1800 Deslippe Drive

Purpose of Application

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

1. Subsection 5.27.1 c) which establishes that accessory buildings shall not be closer than 1.22 metres (4.0 feet) to any lot line if greater than 10 square metres (107.6 square feet);
2. Subsection 5.27.1 d) i) which establishes that no individual accessory building shall exceed 70 square metres (753 square feet) in area; and
3. Subsection 5.27.1 e) i) which establishes that an accessory building shall not exceed 4.57 metres (15.0 feet) in height.

The Applicant is proposing to construct a 73.0 square metre (785.8 square foot) detached garage having a height of 5.2 metres (17 feet) to accommodate attic storage, as depicted on the attached sketch. The Applicant is also seeking relief to recognize a 17 square metre (183.0 square foot) existing shed that is 0.91 metres (3.0 feet) from the rear property line.

The subject property is designated Residential in the Official Plan and zoned Residential Zone 1 (R1) in Zoning By-law 85-18.

Take Notice

That an application under the above-noted file number will be heard by the Town of Tecumseh Committee of Adjustment on Monday, October 27, 2025 at 5:20 pm in Town Municipal Office Council Chambers at 917 Lesperance Road, Tecumseh, Ontario.



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Written Comments

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Notice of Decision

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The Corporation of the Town of Tecumseh

Page 3 of 3

Additional information regarding the application may be obtained by contacting:

Donna Ferris, Secretary-Treasurer, at dferris@tecumseh.ca or at 519-35-2184 ext. 132.

Date: October 15, 2025

Donna Ferris, Secretary-Treasurer
Town of Tecumseh Committee of Adjustment
917 Lesperance Rd., Tecumseh, ON N8N 1W9
Telephone: 519-735-2184 ext. 132 Email: dferris@tecumseh.ca

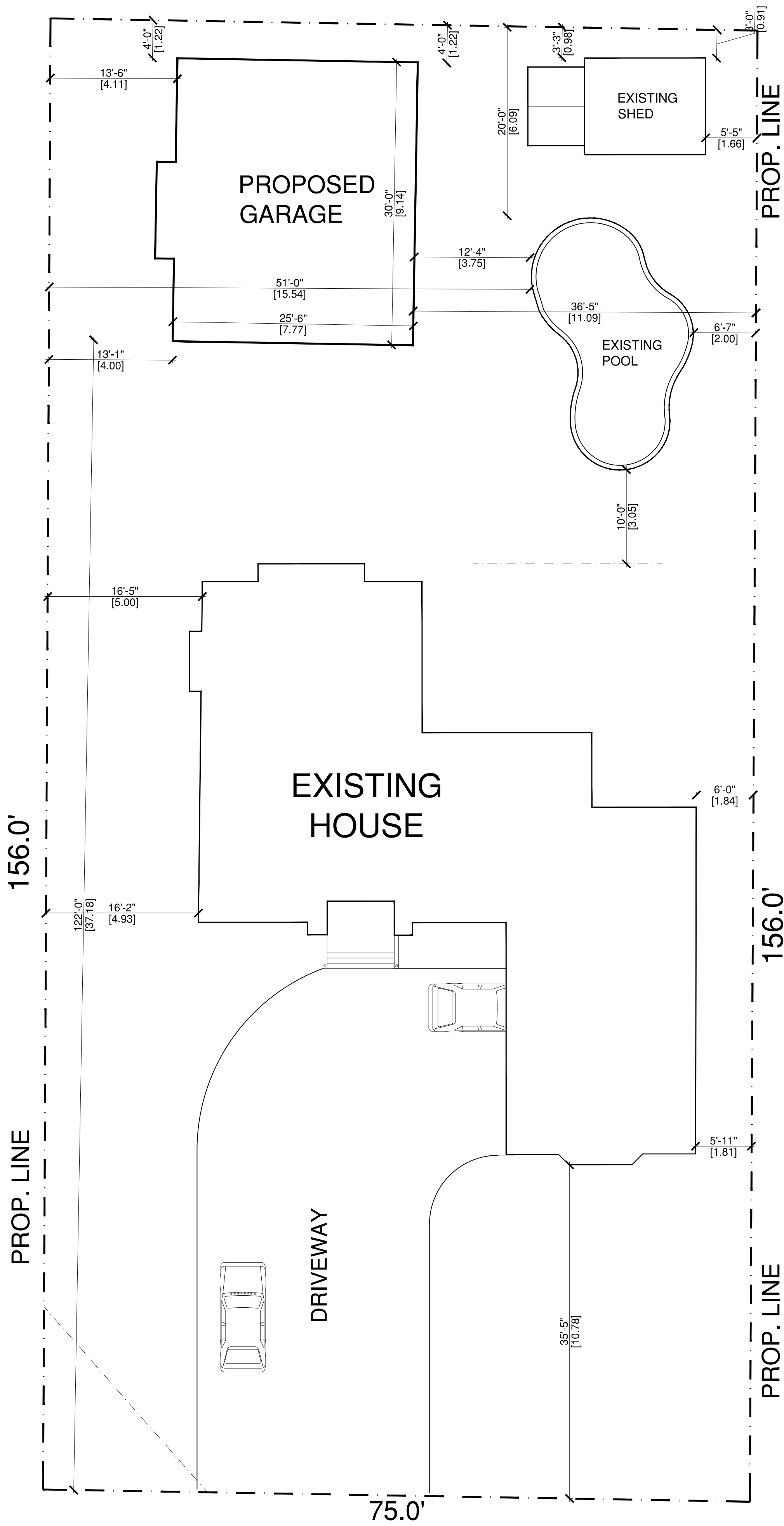
Minor Variance Application A-22-25
1800 Deslippe Drive

LOT AREA	: 1,087 SM
EXISTING HOUSE	: 174 SM
EXISTING SHED	: 17 SM
PROPOSED GARAGE	: 73 SM
TOTAL COVERAGE ALLOWED	: 380 SM (35%)
TOTAL COVERAGE PROPOSED	: 264 SM (24%)

SITE PLAN

SCALE: 1/8"=1'-0"

DESLIPPE DRIVE





VIJAY
VASANTGADKAR
ARCHITECT INC.

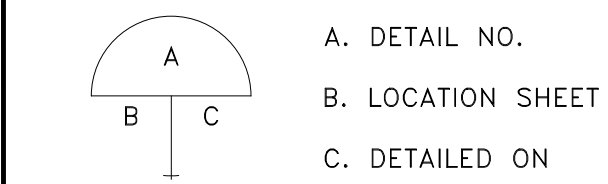
1614 Lesperance Road, Unit 8A
Tecumseh, Ont N8N 1Y3
Tel. (519) 988-1855



ONTARIO ASSOCIATION
of
ARCHITECTS
VIJAY VASANTGADKAR
LICENCE
3747

8-Oct-25

5.		
4.		
3.		
2.		
1.	PERMIT	10/10/25
No.	ISSUED FOR	DATE ONLY



A

B

C

A. DETAIL NO.

B. LOCATION SHEET

C. DETAILED ON

- ALL DIMENSIONS TO BE CHECKED AND VERIFIED ON THE JOB SITE.

- ANY AND ALL DISCREPANCIES TO BE REPORTED TO THE ARCH. / ENGINEER.

- ALL DRAWINGS REMAIN THE PROPERTY OF THE ARCHITECT.

- DO NOT SCALE DRAWINGS.

CLIENT:

PROJECT NAME AND LOCATION:
1800 DESLIPPE DRIVE
TECUMSEH, ONTARIO

DRAWING:

SITE PLAN

PROJECT NUMBER	2549
SCALE:	AS NOTED
DATE:	OCT. 10 2025
DRAWN BY	PG
CHECKED BY	V. V.

DRAWING NO.
SP-1



Notice of Public Hearing

Application for Minor Variance

Town of Tecumseh Committee of Adjustment

File Number

A-23-25

Applicant(s)

Mark Aquino

Location of Property

12781 Keith Avenue

Purpose of Application

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

The Applicant is proposing to construct a 225.8 square metre (2,430 square foot) single-storey addition to an existing dwelling resulting in a lot coverage of 39 percent as depicted on the attached sketch. The existing detached garage is to be demolished.

The subject property is designated Residential in the Official Plan and zoned Residential Zone 1 (R1) in Zoning By-law 1746.

Take Notice

That an application under the above-noted file number will be heard by the Town of Tecumseh Committee of Adjustment on Monday, October 27, 2025 at 5:25 pm in Town Municipal Office Council Chambers at 917 Lesperance Road, Tecumseh, Ontario.

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Notice of Decision

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Donna Ferris, Secretary-Treasurer, at dferris@tecumseh.ca or at 519-35-2184 ext. 132.

Date: October 15, 2025

Donna Ferris, Secretary-Treasurer
Town of Tecumseh Committee of Adjustment
917 Lesperance Rd., Tecumseh, ON N8N 1W9
Telephone: 519-735-2184 ext. 132 Email: dferris@tecumseh.ca

- GENERAL NOTES:
1. ALL CONSTRUCTION TO BE DONE AS PER ONTARIO BUILDING CODE (O.B.C.) AND AS PER ANY LOCAL BY-LAWS
 2. "GENERAL CONTRACTOR" (G.C.) TO BE INTERCHANGEABLE w/ "OWNER" THROUGHOUT THESE DOCUMENTS
 3. WINDOW AND DOOR SIZES ARE FOR REFERENCE ONLY. G.C. TO CONFIRM ALL SIZES w/ MANUF. OR SUPPLIER AND NOTIFY THIS DESIGNER OF ANY SIGNIFICANT CHANGES
 4. G.C. TO SUBMIT ENGINEERED TRUSS AND FLOOR JOIST DATA DESIGN SHEETS WHEN APPLICABLE
 5. A MIN. 2% GRADING TO BE MAINTAINED AROUND THE STRUCTURE
 6. ELECTRICAL BY OTHERS (as per O.B.C.)
 7. MECHANICAL AND HVAC BY OTHERS (as per O.B.C.)
 8. PLUMBING BY OTHERS (as per O.B.C.)
 9. DO NOT SCALE THESE DRAWINGS
 10. G.C. TO CONFIRM "ERCA" REQUIREMENTS AND SITE CONDITIONS PRIOR TO CONSTRUCTION
 11. THIS DESIGNER IS NOT RESPONSIBLE FOR LOCATING THE STRUCTURE ON THE SITE. AN ONTARIO LAND SURVEYOR IS RECOMMENDED TO LOCATE THE STRUCTURE, SET THE GRADE, AND TO PRODUCE LOT GRADING PLANS
 12. IF ANY CHANGES OR MODIFICATIONS ARE MADE ON SITE WITHOUT NOTIFYING THIS DESIGNER THEN THIS DESIGNER TAKES NO RESPONSIBILITY FOR CHANGES AND OR ERRORS MADE DURING CONSTRUCTION
 13. G.C. RESPONSIBLE FOR REVIEWING AND APPROVING ENGINEERED ROOF AND FLOOR TRUSS DESIGNS PRIOR TO MANUFACTURING AND MUST RELAY ANY RELEVANT INFORMATION TO THIS DESIGNER
 14. THESE DRAWINGS ARE FOR MIN. BUILDING PERMIT ONLY AND DO NOT GIVE ALL DETAILS FOR COMPLETE BUILDING PROCESS. G.C. IS RESPONSIBLE FOR ALL OTHER DETAILS: INFO, ENG. STAMPS FOR CONC. REINF. PORCHES OR POINT LOADING DIAGRAMS, LINTEL DESIGNS, BEAM REINFORCEMENT NEEDED FOR BUILDING PERMIT PROCESS IF REQUESTED BY LOCAL MUNICIPAL AUTHORITIES
 15. EXTERIOR FINISHES AND FINISHING SYSTEMS ARE FOR DEMONSTRATION. G.C. MAY USE APPROVED FINISHES AND FINISHING SYSTEMS THAT MEET MINIMUM CODE. DESIGNER MUST BE INFORMED AND APPROVE CHANGES FROM DEMONSTRATED FINISHES AND FINISHING SYSTEMS
 16. EXTERIOR FINISHES, WINDOWS, DOORS SIZES AND STYLES, KITCHEN LAYOUTS, BATH LAYOUTS, AND BASEMENT DESIGNS ARE THIS DESIGNER'S RENDERING OF WHAT THE HOUSE CAN INCLUDE. GENERAL CONTRACTORS CONTACT SHALL SUPERCEDE IN ALL ABOVE MENTIONED CATEGORIES AS LONG AS THEY MEET O.B.C. G.C. TO INFORM DESIGNER OF ANY DIFFERENCES TO THIS PLAN.
 17. G.C. TO NOTIFY THIS DESIGNER OF ANY DISCREPANCIES BETWEEN THIS DESIGN AND O.B.C. OR OF ANY CHANGES TO BE MADE TO THESE PLANS WITHIN 72 HOURS OR THIS DESIGNER TAKES NO RESPONSIBILITY FOR THE CHANGES OR DISCREPANCIES
 18. INSULATION VALUES AND LOCATIONS MAY VARY FROM WHAT IS NOTED. ONLY INSULATION LOCATIONS REQUIRED BY O.B.C. ARE MANDATORY ALL OTHERS ARE INFERRED TO BE OPTIONAL. IF SB-12 PERFORMANCE PACKAGE IS USED THEN THOSE VALUES SHALL SUPERCEDE NOTED VALUES.
 19. IF CERTAIN ITEMS NOTED ON THESE PLANS DIFFER FROM G.C.'S CONTRACT WITH CLIENT THEN THE CONTRACT SHALL TAKE PRECEDENT AS LONG AS THE CONTRACTS NOTED DIFFERENCE MEETS O.B.C.

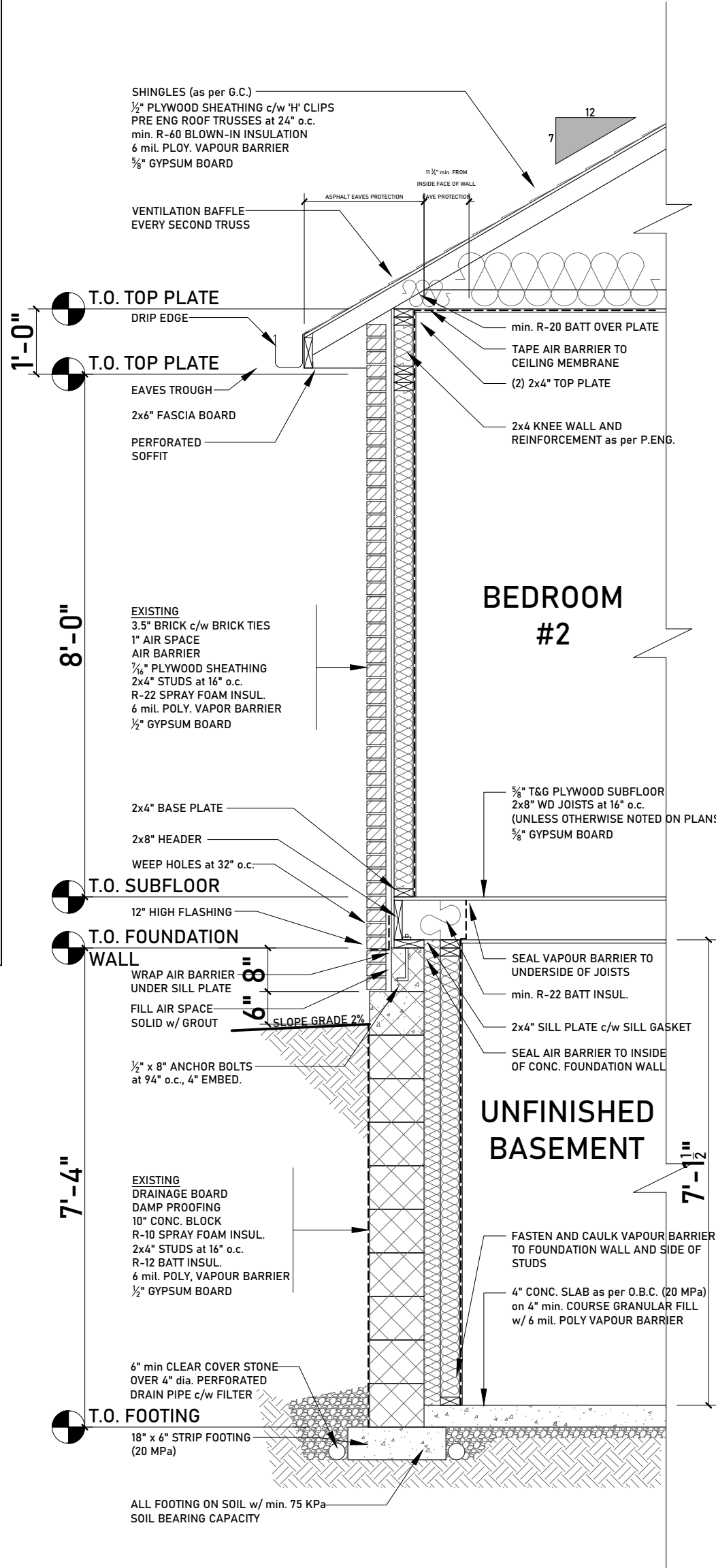
ADDRESS: 12781 Keith Ave.
Tumecseh, ON
ZONE: R1 Tumecseh
SITE AREA: 9377 sf

COVERAGE ALLOWANCE: 30% (2813) sf
PROPOSED COVERAGE: 39% (3666) sf
SETBACKS: as shown

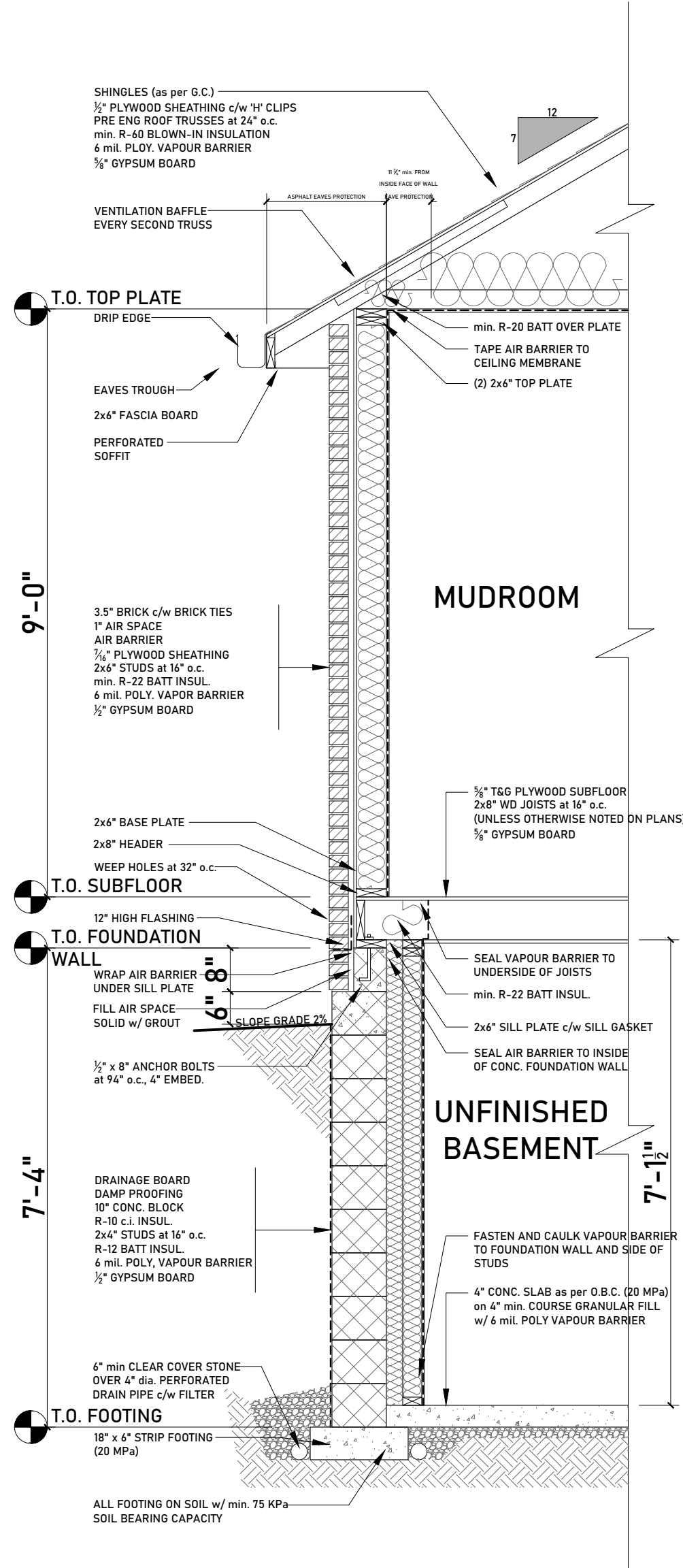
AREA:
EXISTING MAIN: 1236 sf
PROPOSED ADDITION: 1315 sf
BASEMENT (unfinished): 2551 sf
PROPOSED GARAGE: 550 sf
PROPOSED FRONT PORCH: 157 sf
PROPOSED BACK PORCH: 408 sf

NOTE: EEDS BY OTHERS, PLEASE SEE EEDS FOR PROPER INSULATION VALUES, METHODS OF INSULATION, AND EFFICIENCY VALUES.

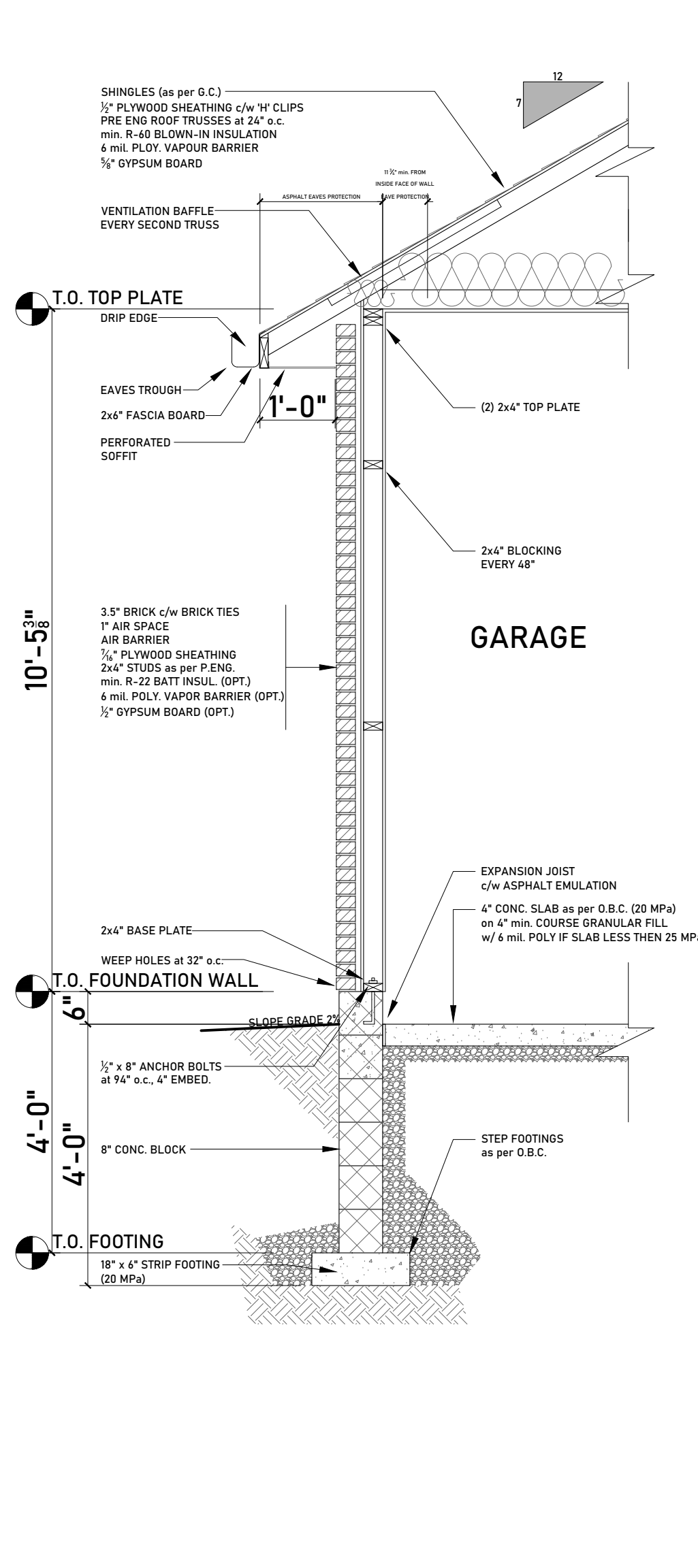
Minor Variance Application A-23-25 12781 Keith Avenue



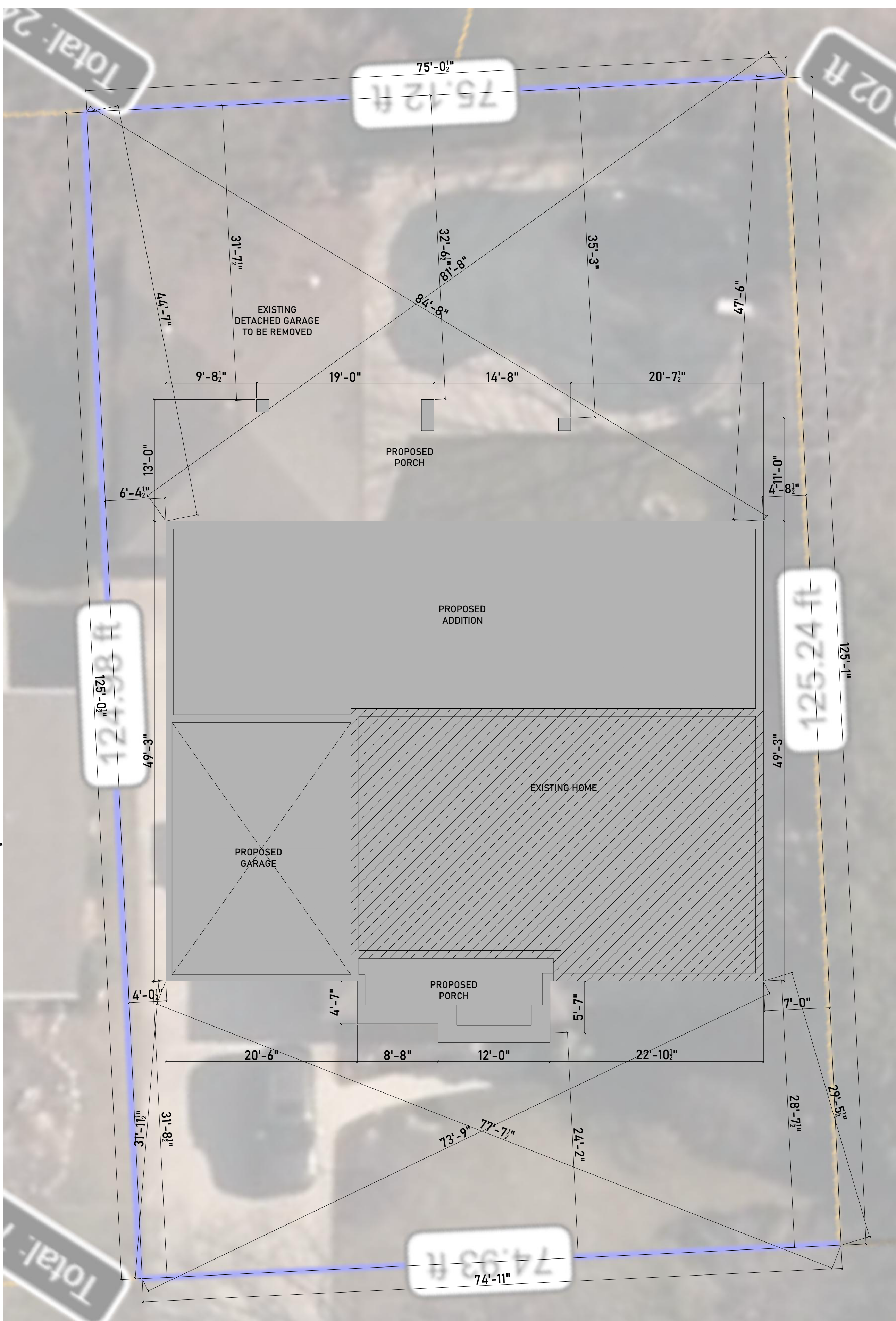
1 TYP. WALL SECTION - EXISTING
A00.1 1/2" = 1'



2 TYP. WALL SECTION - NEW
A00.1 1/2" = 1'



3 TYP. WALL SECTION - GARAGE
A00.1 1/2" = 1'



4 PROPERTY PLAN
A00.1 3/32" = 1'

80" DIG DEPTH w/ 8" B.L.

NOTE: THESE PRINTS ARE THE PROPERTY AND DESIGN OF THIS DESIGNER. THE DESIGNER RESERVES THE RIGHT TO REPRODUCE THE SAME HOUSE AT NO BENEFIT TO THE PURCHASER OF THIS HOME.

NOTE: THIS DESIGNER IS NOT RESPONSIBLE FOR ERCA, EASEMENTS, SITE PLAN CONTROL, APPROVALS AND DEVELOPMENTAL SITE CONDITIONS, AND LOT RESTRICTIONS.

JMD DESIGN & DRAFTING INC.

Email: jmdesignanddrafting@gmail.com
Cell: (519) - 818 - 0619

21197 - 12781 Keith
12781 Keith Ave. Tumecseh ON.

PROJECT NOTES:

Sep. 23. 2025.

APPROVED FINAL DRAWINGS FOR CONSTRUCTION. APPROVED FINAL DRAWINGS FOR CONSTRUCTION. APPROVED FINAL DRAWINGS FOR CONSTRUCTION.

A00.1



The Corporation of the Town of Tecumseh

Planning Report

To: Committee of Adjustment

From: Chad Jeffery, MA, MCIP, RPP

Hearing Date: October 27, 2025

Subject: **Severance Applications B-05-25 and B-06-25; and
Minor Variance Applications A-19-25 to A-23-25**

Please note that this Planning Report was prepared as of October 24, 2025. Any public comments received after this date have not been incorporated into this Report, however consideration of such public comments will be given at the Committee of Adjustment hearing on October 27, 2025 as the normal practice.

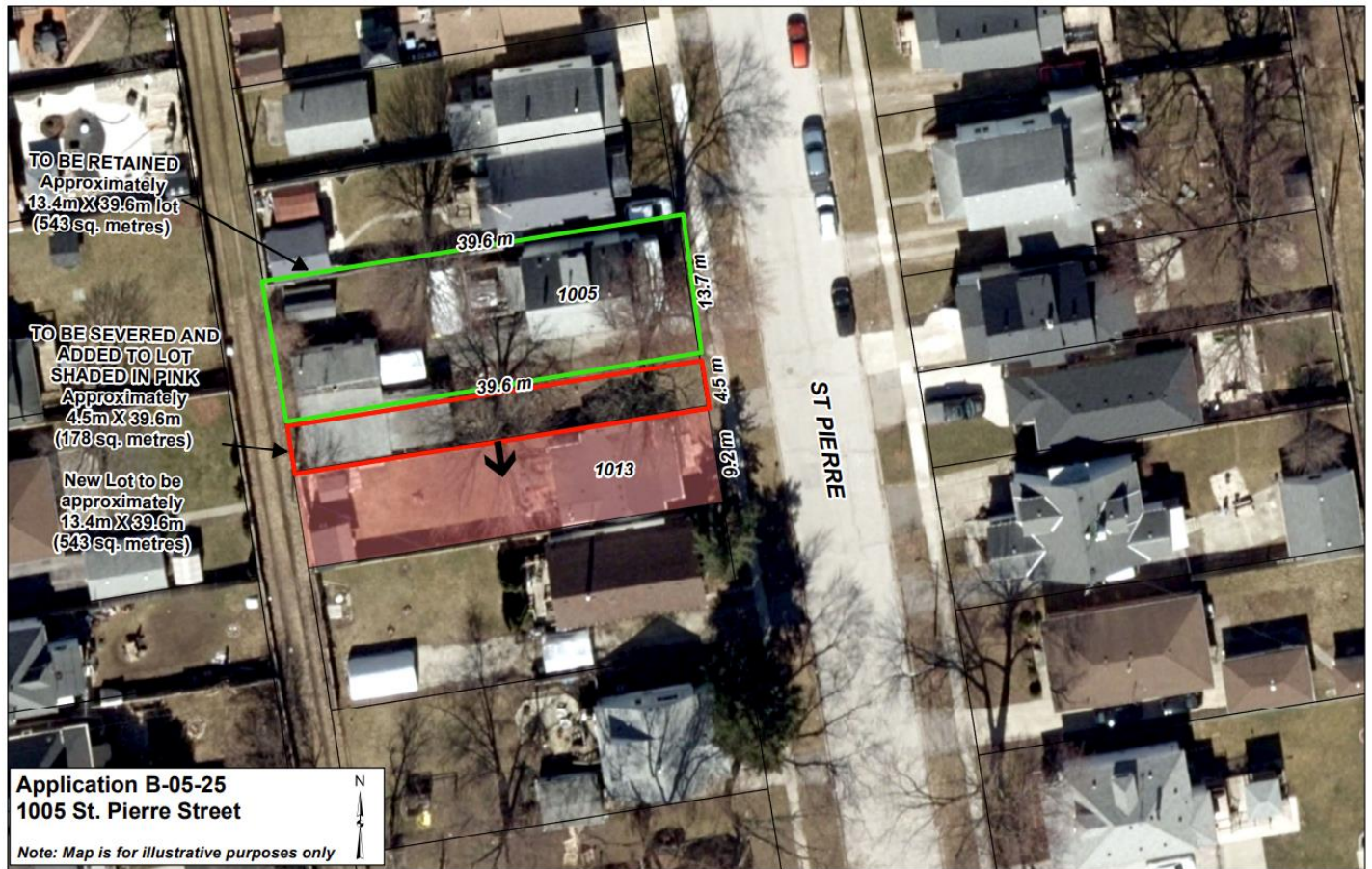
Application:	Severance Application B-05-25
Applicant:	Roch LaBelle
Location of Property:	1005 St. Pierre Street

The purpose of the application is to sever a parcel of land (outlined in red), having an approximate area of 178 square metres (1,915.9 square feet), and add it to the residential property to the south (1013 St. Pierre Street). Both the retained lot (1005 St. Pierre Street) and the lot to which the severed parcel is proposed to be added (1013 St. Pierre Street) will have a lot frontage of 3.7 metres (44.9 feet) and an area of 543 square metres (5,844.8 square feet).

A portion of the existing garage (lean-to) on the retained land will be demolished to meet the side yard setback requirement established in the Zoning By-law for accessory buildings. In addition, the two tent-like accessory structures are also being removed.

Minor Variance Applications will be required for both lots resulting from the proposed lot addition severance to provide relief for the undersized lot area and lot frontage.

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



Provincial Planning Statement

The *Planning Act* establishes that the Committee, when making decisions that affect a planning matter, “shall be consistent with” the 2024 Provincial Planning Statement (“PPS”) issued under the *Planning Act*. The subject lands are within an identified settlement area of the Town and are on full municipal services. Based on the foregoing, it is the opinion of the writer that the application for the proposed residential development is consistent with the PPS.

County of Essex Official Plan

The subject lands are situated within a Primary Settlement Area identified in the County Official Plan (COP). In addition, the COP establishes that the consent to sever process will continue to be the responsibility of Local Municipalities in accordance with the policies contained in local Official Plans which are required to be in conformity with the policies contained herein and to be consistent with Provincial Policy.

It is the opinion of the writer that the proposed severance meets the intent of the COP.

Tecumseh Official Plan

The lands subject to the application are designated Residential in the Tecumseh Official Plan (TOP). The proposed lot addition will permit the enlargement of an existing residential lot that will be in keeping with the lot frontage/area of other residential lots in the surrounding neighbourhood. Lot additions are permitted by the Consent Policies contained in Section 6.4 of the TOP. However, Section 6.4 iv) states:

- “iv) consents shall be granted only if they comply with the provisions of the Town’s Zoning By-law. Where a by-law amendment or minor variance is necessary, it shall be a condition of the decision;”

As the resulting new lots will be below the minimum lot area and minimum lot frontage established by the Zoning By-law, approval of minor variance applications will be required. This requirement will be established as a condition of consent approval, with these applications being brought forward at a future Committee of Adjustment meeting.

Based on the foregoing, it is the opinion of the writer that the proposed severance conforms to the TOP

Tecumseh Zoning By-Law

The lands subject to the application are zoned Residential Zone (R2) in Zoning By-law 1746. The R2 zone establishes a minimum lot area of 650 square metres (6,996 square feet) and a minimum lot frontage of 15 metres (49.2 feet). As depicted in the sketch, the proposed lot addition will result in both new lots having a lot area of 543 square metres (5,844 square feet) and a lot frontage of 13.7 metres (44.9 feet). As noted above, approval of a minor variance for both lots will be required as a condition of consent to address the deficient lot area and frontage resulting from the severance application. Both new lots will comply with all other requirements of the R2 zone.

Based on a review of the lot frontages and lot areas of surrounding lots along St. Pierre Street, Administration does not believe the resulting new lot frontages and lot areas will be of concern as several other lots in the area are of the same frontage and size (and in some instances, even smaller).

Administration/Agency Comments

1. Public Works and Engineering Services

- PWES has no comments regarding the requested consent.

2. Building Department

- Demolition permit required for accessory building that is in the proposed severance area
- Any reconstruction of the partially dismantled accessory building will require a permit

- No services (gas, water, sanitary, storm, etc.) from the existing lot to cross over newly created lot line
- Must maintain required side yard setback for the portion the accessory building to remain from the newly established lot line
- All surface water drainage must be managed on each individual lot and not adversely affect the adjoining property

3. **Fire Services**

- No concerns with applications.

4. **Essex Powerlines**

- No comments.

5. **Essex Region Conservation Authority**

- The property is not located within a regulated area that is under the jurisdiction of ERCA.
- No objections to the applications.

Public Comments

No public comments were received as of time of the writing of this report.

Summary/Recommendation

In the absence of additional public input or the introduction of other pertinent issues, it is my opinion that the proposed severance is consistent with the PPS, conforms to both the County and Tecumseh Official Plans and is in keeping with good planning principles.

The public hearing, in accordance with the requirements of *the Planning Act*, will provide an opportunity to hear concerns and comments, if any, of neighbouring owners and other interested stakeholders/agencies. It is important that the concerns and comments of these stakeholders be taken into consideration as part of the full evaluation of the application.

Recommended Conditions

1. That at the time the conveyance is prepared for certification, a reference plan prepared by an Ontario Land Surveyor in digital format (.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 duplicate (2) 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 \$1430.00 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 water supplies, storm and sanitary sewer systems to the satisfaction of the Town of Tecumseh Public Works and Water Departments prior to this severance being finalized;
6. That subsection 50(3) or (5), as the case may be, of the Planning Act, R.S.O. 1990, as amended shall apply to any subsequent conveyance of or transaction involving the parcel which is the subject of this consent ("subject parcel") the transfer of which shall be registered in the same name as the parcel to which it is to be added ("abutting parcel") so as to merge the two parcels. Further, that an Undertaking be provided by a solicitor licensed in Ontario to register on title an application to consolidate the subject parcel and abutting parcel and provide evidence of such registration and merger of the two parcels to the Secretary of the Committee of Adjustment within 15 days following registration of the transfer; and
7. That a demolition permit be obtained for the portion of the accessory (lean-to) building being demolished. The remaining portion of said accessory building must adhere to the side yard setback for accessory structures from the newly established lot line. In addition, the two tent-like accessory structures located on the property shall also be removed;
8. That the Applicant apply for and be granted a minor variance providing relief from subsections 7.1.3 and 7.1.4 of Zoning By-law 1746 to address the undersized lot area and minimum lot frontage for both the severed and retained parcels; and
9. That the above conditions be fulfilled on or before October 31, 2027 prior to this severance being finalized.

Application:	Severance Application B-06-25
Applicant:	Andrew and Claire Ujj (by POA Jody Wellwood)
Location of Property:	6719 Walker Road

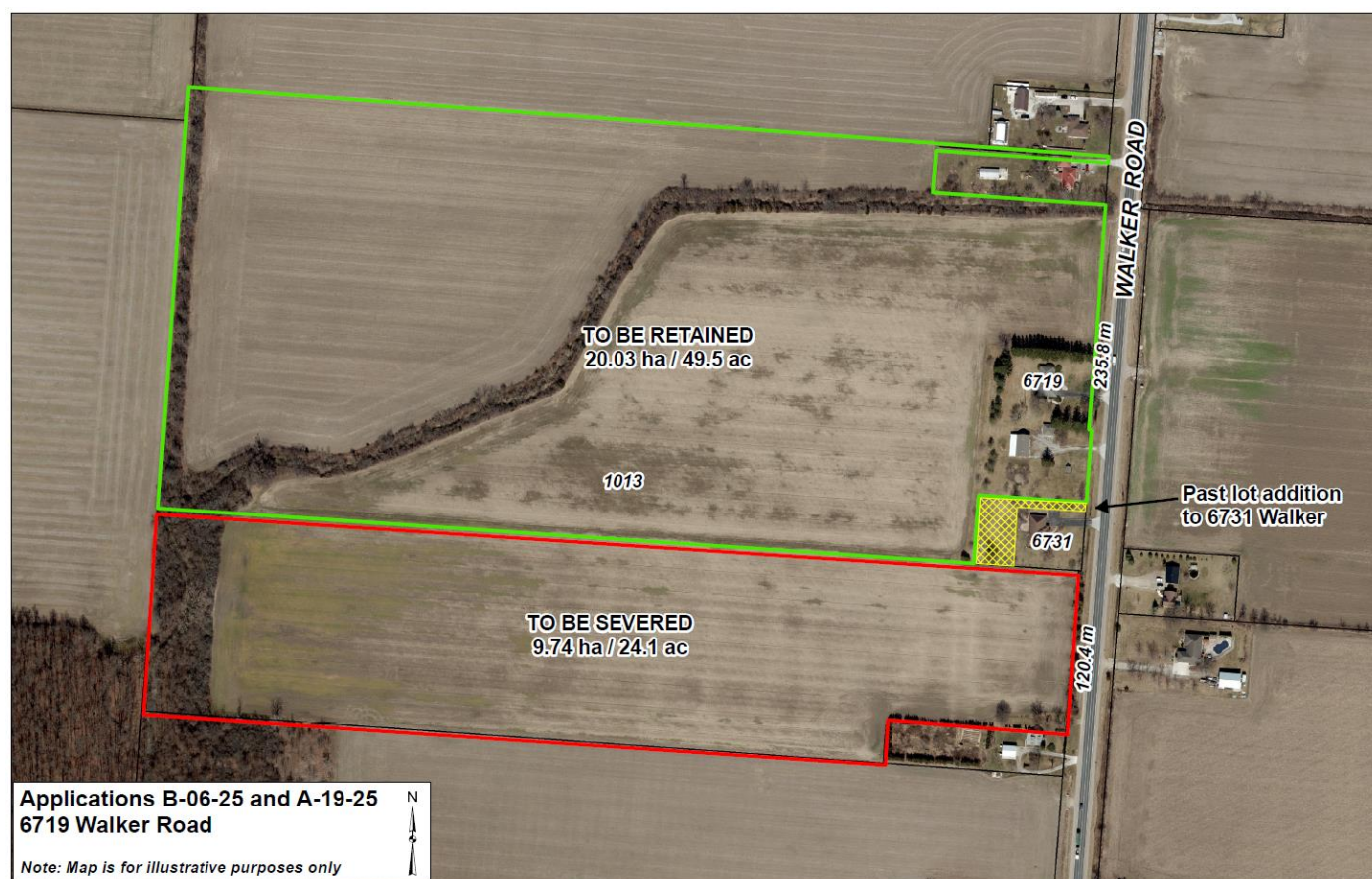
This application is being filed as a technical severance. The proposed retained lot (6719 Walker Road) and the proposed severed lot (vacant lot, west side of Walker Road) had always been two separate parcels of land up until November 29, 2023, when title to the proposed severed lot was transferred from Andrew Ujj to Andrew Ujj and Claire Ujj as joint tenants (the same ownership as the proposed retained lot). At the time of the transfer of what is now the proposed severed lot, the solicitor for Andrew Ujj was not aware that there had been a prior conveyance of a portion of what is now the proposed retained lot by way of a small lot addition to an abutting non-farm related residential lot (area hatched in yellow that is part of the lot at 6731 Walker Road). As a result of this small lot addition, the Planning Act consent on the proposed retained lot was broken, thereby causing it to inadvertently merge with any abutting lots under the same ownership (the proposed severed and retained lots in this case). This inadvertent “merging” took place at the time of the land transfer on November 29, 2023. Accordingly, in the absence of a further consent (the subject application), they are no longer separately conveyable lots.

The purpose of the Application is to request consent to sever and recreate the original vacant farm parcel having an approximate lot frontage of 120.4 metres (395.0 feet) and an approximate lot area of 9.74 hectares (24.1 acres), outlined in red on the attached sketch.

The retained farm parcel (6719 Walker Road), containing a house, garage, shed and a farm building, has an approximate lot frontage of 235.8 metres (773.78 feet) and an approximate lot area of 20.03 hectares (49.5 acres), outlined in green on the attached sketch.

The application is being heard concurrently with Minor Variance Application A-19-25 for the severed farm parcel to address the undersized lot area and minimum lot frontage.

The lands are designated Agricultural in the Official Plan and zoned Agricultural (A) in Zoning By-law 85-18.



Provincial Planning Statement

The *Planning Act* establishes that the Committee, when making decisions that affect a planning matter, “shall be consistent with” the 2024 Provincial Planning Statement (“PPS”) issued under the *Planning Act*. The PPS establishes the following land division policy for severances in prime agricultural areas:

“4.3.3 Lot Creation and Lot Adjustments

1. Lot creation in prime agricultural areas is discouraged and may only be permitted in accordance with provincial guidance for:
 - a) agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
 - ...
2. Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons.

As noted above, the application is being submitted to correct a recent administrative error that caused the inadvertent merger of two separate existing agricultural lots. Accordingly,

consideration is being sought to correct this inadvertent error by relying on the preceding policy of the PPS.

County of Essex Official Plan

The subject lands are designated Agricultural in the County Official Plan (COP). Subsection 5.A.5.1 – Lot Creation of the COP states:

“Lot creation in the “Agricultural” designation is discouraged and will only be permitted in accordance with Provincial Policy and the following:

....

c) Lot adjustments for legal or technical reasons, such as for easements, corrections of deeds, quit claims, and minor boundary adjustments, **which do not result in the creation of a new lot** are also permitted. In order to maintain County-wide consistency in the implementation of this policy, minor boundary adjustments will be interpreted to prohibit the creation of new residential or non-farm parcels..”

As noted above, the application is being submitted to correct an administrative error that caused the inadvertent merger of two separate existing agricultural lots. Although the COP makes reference to permitting lot adjustments “which do not result in the creation of a new lot”, the application is requesting special consideration relying on the fact the subject lots were separate entities only a year before the COP came into effect (November 6, 2024) and would have continued to be two separate lots except for a human error which cause the lots to merge. In other words, it is reasonable to take the position that the lot being created is not “new”. Also, it is worth noting that the technical severance does not result in the creation of a new residential or non-farm parcel – an action which is specifically prohibited by the policy.

Tecumseh Official Plan

The lands subject to the application are designated Agricultural in the Tecumseh Official Plan. Section 6.4.1 – Agricultural Severances states:

“On those lands designated Agricultural, consents may only be permitted if they are in accordance with the following additional land division policies:

...

v) lot adjustments for legal or technical reasons, such as easements, corrections of deeds, quit claims, and minor boundary adjustments, **which do not result in the creation of a new lot** are also permitted.”

This policy is generally identical to that found in the COP and as such our commentary is the same.

Should the Committee deem it appropriate to approve the noted severance application, the Tecumseh Official Plan, under subsection 6.4 iv) would require the following:

- “iv) consents shall be granted only if they comply with the provisions of the Town’s Zoning By-law. Where a by-law amendment or minor variance is necessary, it shall be a condition of the decision;”

Accordingly, if the Committee decides to grant the severance, it should also be made conditional to the requisite minor variance (being heard concurrently in this instance) to establish a minimum lot area and minimum lot frontage of the severed farm parcel.

Zoning By-Law

The proposed severed and retained lots are zoned Agricultural Zone (A) in Zoning By-law 85-18. As noted above, if the Committee decides to grant the severance, it must be made conditional to the aforementioned minor variance being granted.

Administration/Agency Comments

1. Public Works and Engineering Services

- The Applicant should be made aware that the subject properties are within the watershed of existing municipal drainage systems and may be liable for the costs of assessments relating to future works or improvement or maintenance in accordance with the provisions of the Ontario Drainage Act, RSO. 1990. Specifically, the subject farm property is within the watershed of the Merrick Creek Drain.
- The Applicant should be made aware of an ongoing drain maintenance project for the Merrick Creek Drain whereby future assessments may be imposed on the subject parcel(s) relating to drain maintenance work and engineering fees. Assessments will be determined according to the prevalent engineering report which will take into consideration the parcel configuration determined by this consent.
- The parcel to be retained and the parcel to be severed are to be serviced with separate entrances. However, it does appear that access to the retained parcel will not be affected by the proposed severance; access to the retained parcel is currently being provided from Walker Road. It is unclear how access will be provided to the parcel to be severed. If a dedicated access is currently not provided to the parcel to be severed, and new driveway access will be required. If this is the case, the Applicant and/or land owner shall be required to obtain approvals and permits from the County of Essex to install a new access driveway in accordance with all applicable County standards prior to the commencement of driveway construction within the County’s right-of-way. The cost of all access requirements will be at the expense of the applicant.

2. Building Department

- No services (gas, water, sanitary/septic system storm, etc.) from the existing lot to cross over newly created lot line.

- All surface water drainage must be managed on each individual lot and not adversely affect the adjoining property.

3. **Fire Services**

- No concerns with application.

4. **Essex Powerlines**

- No comments.

5. **Essex Region Conservation Authority**

- No objection to the application. If any new construction is proposed, the property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.

Public Comments

No public comments were received as of time of the writing of this report.

Summary/Recommendation

Town Administration has been advised that the applicant's solicitor will be providing the Committee with a presentation at the meeting to provide rationale in support of the application.

Recommended Conditions

In the event the Committee so chooses to approve the consent application, Town Administration would recommend the following Conditions:

1. That at the time the conveyance is prepared for certification, a reference plan prepared by an Ontario Land Surveyor in digital format (.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 duplicate (2) 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 \$1430.00 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. To prevent stormwater runoff from adversely affecting abutting properties, all surface water drainage must be managed on each individual lot and not adversely affect the adjoining property;
6. That the parcel to be retained and the parcel to be severed be serviced with separate entrances to the satisfaction of the Town's Engineer and the County of Essex;
7. 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;
8. That the Applicant apply for and be granted a minor variance providing relief from subsections 15.1.3 and 15.1.4 of Zoning By-law 85-18 to address the undersized lot area and reduced minimum lot frontage for the severed farm parcel; and
9. That the above conditions be fulfilled on or before October 31, 2027 prior to this severance being finalized.

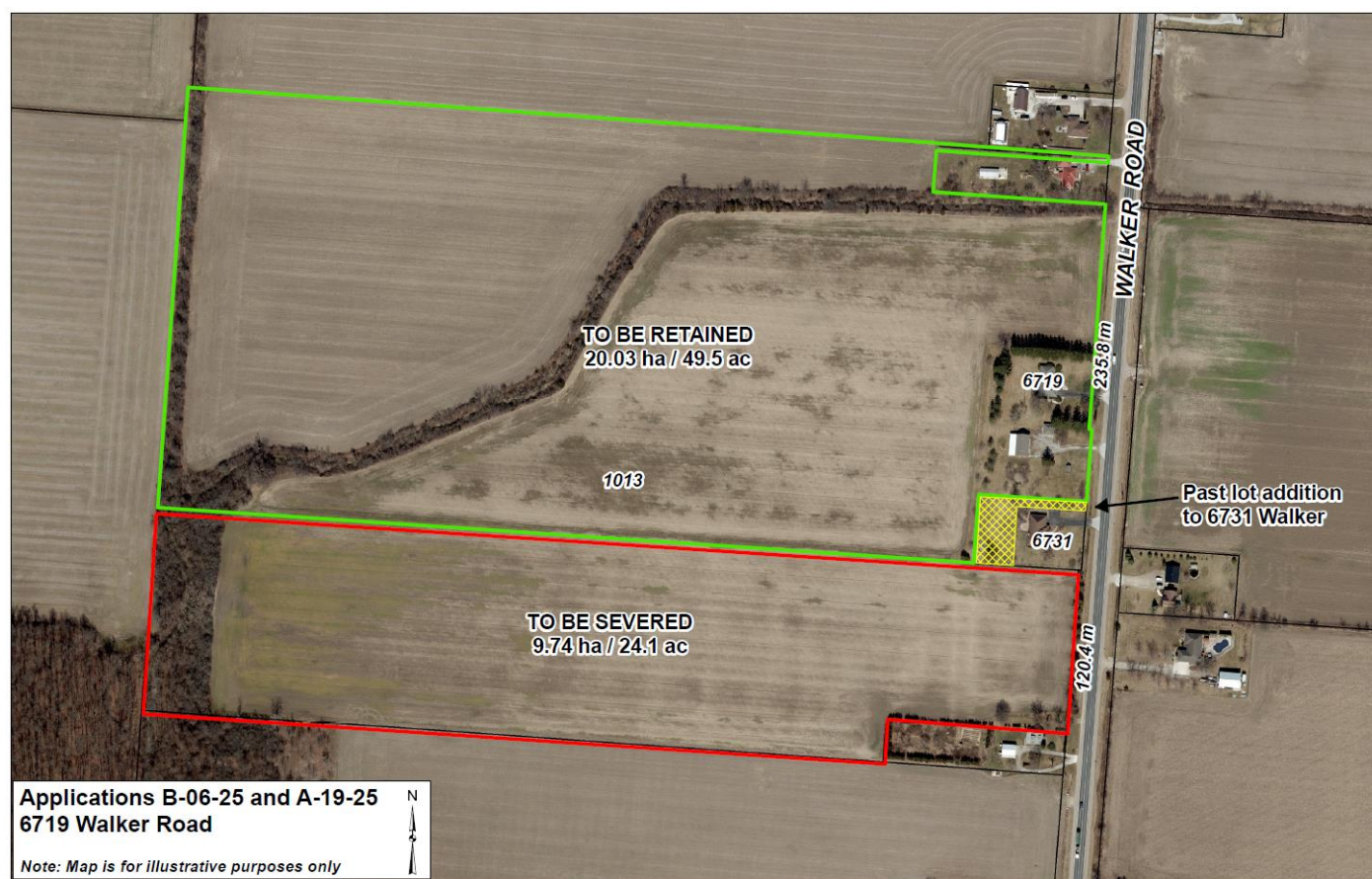
Application:	Minor Variance Application A-19-25
Applicant:	Andrew and Claire Ujj (by POA Jody Wellwood)
Location of Property:	West side of Walker Road (Vacant Farm Parcel)

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

1. Subsection 15.1.3 which establishes a minimum lot area of 19.0 hectares (46.94 acres); and
2. Subsection 15.1.4 which establishes a minimum lot frontage of 150 metres (492.13 feet).

The Applicant is seeking relief to permit a farm lot having a lot area of 9.74 hectares (24.1 acres) and a lot frontage of 120.4 metres (395.0 feet).

The Application is being heard concurrently with Consent Application B-06-25 which proposes to sever and recreate the subject farm parcel which had inadvertently merged in 2023. The lands are designated Agricultural in the Official Plan and zoned Agricultural (A) in Zoning By-law 85-18.



In accordance with the *Planning Act*, the Committee must be satisfied that the four tests set out in subsection 45(1) are met. The following comments are offered with respect to the subject application:

Is the intent of the Official Plan maintained?

The subject property is designated Agricultural in the Official Plan. As noted above as part of B-06-25, the minimum lot area being proposed by the application does not confirm to the Official Plan. The intent of the minimum lot area is to ensure that new farm parcels are of sufficient size and farmland fragmentation does not occur. Consideration is being sought to recognize that the subject property had legally existed at this size up until November 2023 and that the if the severance is granted this minor variance is strictly required for technical reasons.

Is the intent of the Zoning By-law maintained?

The subject property is zoned Agricultural Zone (A) in By-law 85-18.

As noted above, the intent of the minimum lot area of 19.0 hectares (46.94 acres) is to ensure that new farm parcels are of sufficient size and farmland fragmentation does not occur. The proposed lot area of 9.74 hectares (24.1 acres) approximately half the size established by the municipal zoning by-law.

The intent of the minimum lot frontage of 150 metres (492.13 feet) is to ensure the farm parcel has sufficient frontage onto a roadway for the day-to-day operations of the farm, provide an adequate width for the farm (rather than narrow, long/linear farms) along with providing adequate entry/exit to the lands for farm equipment. The proposed frontage 120.4 metres (395.0 feet) is marginally below the requirement and would be able to facilitate proper access onto the municipal roadway.

The subject property will comply with all other requirements of the A zone.

As noted previously, consideration is being sought to recognize that the subject property had legally existed at this size and frontage up until November 2023 and that the if the severance is granted this minor variance is strictly required for technical reasons.

Is the variance desirable for the appropriate development or use of the land?

The variances for minimum lot area and minimum lot frontage would re-establish the former area and frontage of a previous lot which had existed. Both the proposed area and frontage are of a size that can support the appropriate use of the land, as instructed by its historic use.

Is the variance requested minor?

No adverse impacts to surrounding land uses are anticipated if the minor variance is granted.

Administration/Agency Comments

1. Public Works and Engineering

- PWES has no comments regarding the requested minor variance.

2. Building Department

- No services (gas, water, sanitary/septic system storm, etc.) from the existing lot to cross over newly created lot line.
- All surface water drainage must be managed on each individual lot and not adversely affect the adjoining property.

3. Fire Department

- No concerns with application.

4. Essex Region Conservation Authority

- The No objection to the application. If any new construction is proposed, the property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.

5. **Essex Powerlines**

- No comments

Public Comments

No public comments were received as of time of the writing of this report.

Summary/Recommendation

As noted with severance application B-06-25, this is a very unique severance application that flows from need an unintended merging of properties due to human error in November 2023. The variances are technically required in the context of the Zoning By-law to legalize the lot area and frontage as it had previously existed.

Recommended Conditions

None.

Application:	Minor Variance Application A-20-25
Applicant:	Christopher and Katherine Dunn
Location of Property:	12722 Riverside Drive

The purpose of the Application is to request relief from the following subsections of Zoning Bylaw 1746:

1. Subsection 6.1.10 which establishes a minimum side yard width of 1.8 metres (6.0 feet) for a two-storey dwelling; and
2. Subsection 6.1.11 which establishes that the mid-point of the wall nearest to Lake St. Clair of any new dwelling, shall not extend beyond the established building line.

The Applicant is proposing to construct a new, two-storey, single unit dwelling in the same general location as the recently demolished two-storey, single unit dwelling. The new dwelling will have a building footprint of 221.4 square metres (2382.9 square feet). The proposed construction will result in the mid-point of the wall nearest to Lake St. Clair extending beyond the established building line a distance of 6.7 metres (22.1 feet) (see attached sketch). A total of 48.7 square metres (524.5 square feet) of the proposed dwelling will be beyond the established building line. In addition, the proposed dwelling will have an easterly side yard width of 1.2 metres (4.0 feet). The westerly side yard width will comply with the 1.8 metre (6 foot) minimum.

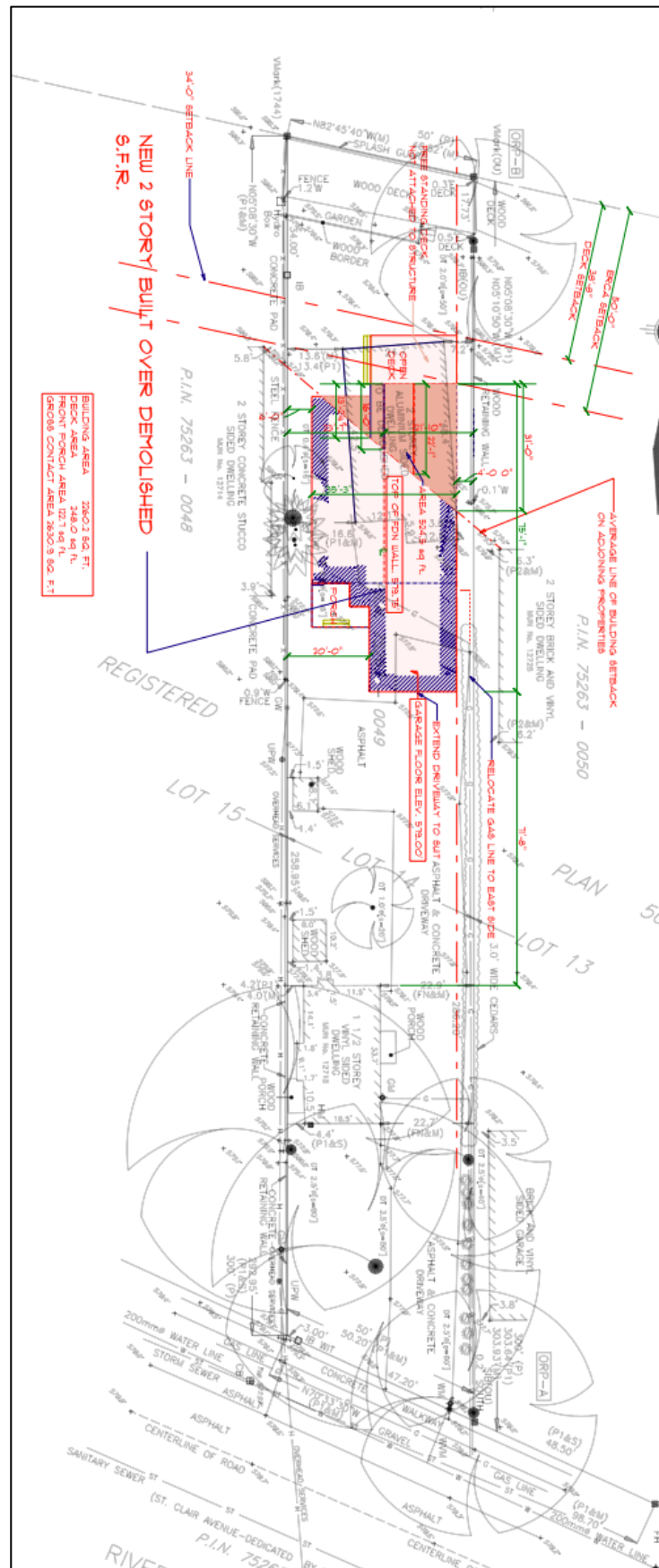
Following the issuance of the original notice of hearing, the application was revised to also include relief from the following subsections of Zoning By-law 1746:

1. Subsection 5.25.4 i) which establishes that no accessory building or structure shall be erected within 2.5 metres of any side lot line between the main building and the water's edge of Lake St. Clair;
2. Subsection 5.25.4 ii) which establishes that any accessory building or structure on the north side of Riverside Drive is to be no closer than 12.2 metres (40 feet) from the water's edge of Lake St. Clair; and
3. Subsection 5.25.4 iii) which establishes that only one accessory building or structure is permitted in the rear yard with a maximum ground floor area of 9.3 sq m (100.1 sq ft).

The applicants are also proposing to construct a free-standing open deck (i.e. not attached to main dwelling) adjacent to the northern wall of the proposed new dwelling. In order to comply with ERCA requirements, the proposed deck cannot be attached to the main dwelling, and therefore, is defined as an accessory structure under the Zoning By-law.

The proposed deck is located 1.2 metres (3.94 feet) from the eastern side lot line and has a height of 0.76 metres (2.5 feet) and a total area of 23 square metres (248 square feet). The proposed deck extends 3.4 metres (11.25 feet) beyond the main dwelling, resulting in it being 11.8 metres (38.75 feet) from the water's edge of Lake St. Clair.

The property is designated Residential in the Official Plan and zoned Residential Zone 1 (R1) in Zoning By-law 1746.



In accordance with the *Planning Act*, the Committee must be satisfied that the four tests set out in subsection 45(1) are met. The following comments are offered with respect to the subject application:

Is the intent of the Official Plan maintained?

The subject property is designated Residential in the Official Plan. The Residential designation permits single use dwellings and accessory structures.

Subsections 4.2.1 vii) and 4.2.2 xi) speak to **reasonably** protecting existing views of existing properties along Lake St. Clair. Given the position of the proposed new dwelling relative to the location of the former dwelling on the subject property and the dwellings on the adjacent properties, sightlines to Lake St. Clair will be reasonably maintained. Further, the deck will be open to the air (no roof), unenclosed (with walls or blinds) and have a height of only 0.76 metres (2.5 feet) above grade. Accordingly, the proposed relief meets the intent of the Official Plan

Is the intent of the Zoning By-law maintained?

The subject property is zoned Residential Zone 1 (R1) in Zoning By-law 1746.

The intent of the established building line provision is to ensure that new dwellings or additions to existing dwellings along north side of Riverside Drive are constructed in a manner that generally maintains and protects existing sightlines to Lake St. Clair enjoyed by current residents. The proposed variance would allow the reconstruction of a new home in a similar location were the recently-demolished home occupied the property. As such, it appears that the proposed dwelling will result in similar sightlines from the abutting properties that had previously existed. In fact, the northern wall of the recently demolished house extended farther beyond the established building line than the northern wall of the proposed dwelling. It should also be noted that the former dwelling was located closer to the Lake, where now an open, unenclosed deck is being proposed. Therefore, the proposed new dwelling is actually farther away from Lake St. Clair than the previous house thereby improving sightlines of the lake for the abutting properties.

The intent of the 1.8 metre (6 foot) interior side yard width for main dwellings is to ensure that sufficient space is provided to facilitate access to the rear yard and for any exterior maintenance. Due to the narrow nature of the lot, the applicant is proposing a 1.2 metre (4 foot) side yard width on the eastern side of the property but will maintain the required 1.8 metres (6 feet) on the western side. It should also be noted that the former dwelling that occupied the property also had an eastern side yard width of approximately 1.2 metres (4 feet). Administration believes this will continue to meet the foregoing objectives.

The intent of the 12.2 metres (40 feet) minimum setback from the water's edge of Lake St. Clair is to ensure that there is sufficient separation between the accessory structure and any potential flooding issues that may result from the movement of Lake St. Clair's water edge/levels. In order to provide the desired deck depth, the Applicants are requesting relief to permit the proposed deck to be located 11.8 metres (38.75 feet) from the water's edge of Lake St. Clair, which is only marginally below the requirement.

The intent of the maximum ground floor area of 9.3 square metres (100.1 square foot) and 2.5 metres (8.2 foot) minimum distance from a side lot line for accessory structures is to regulate building massing and to ensure that any accessory structures located in rear yards of properties abutting Lake St. Clair are of a size and scale that will not unduly obstruct views to the Lake. Given that the proposed deck is open to the air, has a height of only 0.76 metres (2.5 feet) above grade, and will be aligned with the eastern wall of the proposed dwelling, the impact of it being closer to Lake St. Clair, and closer to the easterly side lot line than the Zoning By-law permits, is mitigated to a reasonable level.

Given the foregoing, it is my opinion that the intent of the By-law will be maintained.

Is the variance desirable for the appropriate development or use of the land?

The proposed variance will allow the owner to construct a new dwelling on the property with only a small portion (48.7 square metres (524.5 square feet) or 22%) extending beyond the established building line (red shaded area in sketch above). As noted above, the proposed new dwelling will be in the general location of the recently demolished dwelling, and in fact, the northern wall of the recently demolished house extended farther beyond the established building line than the northern wall of the proposed dwelling. Therefore, the sightlines that have historically been in effect for this property will remain unchanged, even slightly improved. The Applicants have advised that shifting the proposed dwelling farther south (and thus eliminating the need for relief for sightline) would result in the removal of a large mature tree on the property and also result in the new dwelling being located too close to an existing coach-house located on the southerly portion of the lot, abutting Riverside Drive.

With respect to the proposed detached, open to the air, unenclosed deck, these types of structures are popular with homeowners on Lake St. Clair as they enhance the use of one's rear yard space by offering outdoor amenity areas while maintaining views of the lake due to their open/unenclosed design. However, in order to ensure the protection of existing sight-lines, particularly for views from the neighbouring properties to the east and west, and in accordance with past decisions, the Committee may want to consider adding, as a condition to a favourable decision, that the deck shall be constructed as presented to the Committee (i.e. maximum height of 0.76 metres (2.5 feet) above grade, with see-through railings and that it remain open and unenclosed). Subject to that condition, it is my opinion that the proposed relief is desirable for the appropriate development of the land.

Is the variance requested minor?

With respect to the dwelling, it does not appear that there either the proposed new dwelling or open to the air, unenclosed deck will result in undue adverse impact on the views that were historically enjoyed by the abutting properties.

Input from the neighbouring property owners, however, will be important in fully assessing the proposed relief.

Subject to the above-noted proposed condition and adequately addressing any concerns of neighbouring property owners, it is my opinion that the proposed variance will not result in any undue adverse impact and is minor in nature.

Administration/Agency Comments

1. Public Works and Engineering

- PWES has no comments regarding the requested minor variance.

2. Building Department

- ERCA clearance letter will be required prior to any building permits being issued
- An engineered lot grading plan will be required at time of permit application
- The owners shall provide at time of permit application a detailed drawing on how they will construct the deck as a detached accessory structure that is compliant with ERCA.

3. Fire Department

- No concerns with application.

4. Essex Region Conservation Authority

- The property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act, and all hazard lands requirements for development must be satisfied.
- No objections with application.

5. Essex Powerlines

- No comments.

Public Comments

The Town has received correspondence from the following property owners and tenant:

1. Property owner of 12714 Riverside Drive (the abutting property to the west of the subject property). The concerns are:
 - Want to ensure the “open deck” does not have a roof, columns, awning, or any other elements projecting beyond the setback line which could obstruct the water views.

- Want to question if the open deck encroachment from the required 40' down to 38'-8" can instead be achieved by moving the whole house closer to Riverside Drive, thereby not requiring relief from the bylaw.
 - Want to ensure the house does not obstruct the water views for any of our neighbours. We are opposing this as we are cautious of the precedent this variance would establish.
2. Property owners of 12728 Riverside Drive (the abutting property to the east of the subject property). The property owners have advised that they are not in favour of the proposed relief to the established building line or side yard width regulations, however, have no concerns with the relief being sought for the proposed deck. The property owners advised that they may be in attendance at the meeting to speak to those concerns.
 3. Property owners of 12746 Riverside Drive (the property four lots to the east of the subject property). The property owners are not in favour of the proposed relief to the established building line as it will impact the enjoyment and use of their property as it will permanently block the view of the lake and will make that view even smaller.
 4. Tenant at 12750 Riverside Drive (the property five lots to the east of the subject property). The tenant of the property provided the following concerns:
 - The building would project significantly past the established sightlines of neighbouring properties, creating both visual disruption and precedent risk.
 - This proposed extension toward Lake St. Clair will alter the natural rhythm of the shoreline development, infringe on long-standing sightlines, and negatively affect neighbourhood character.
 - Approval of a variance of this scale could set a troubling precedent in the area. Granting relief that allows such a significant encroachment toward the lake, combined with reduced side yard and accessory structure setbacks, could open the door for future applications seeking similar or greater exceptions, eroding the intent of the zoning by-law and community planning guidelines.
 - Based on the lot configuration, it appears there may be room for the proposed dwelling to be reoriented or repositioned closer to Riverside Drive to better comply with the building line, side yard, and ERCA-related setback requirements.

Summary/Recommendation

In the absence of additional public input or the introduction of other pertinent issues, it is the opinion of the writer that the applications satisfy the four tests of the *Planning Act*. The intent of the Official Plan has been met, the intent of the Zoning By-law has been met, the variance will result in appropriate development, the variance will not create undue adverse impact on adjacent properties and the variance is minor in nature.

The public hearing, in accordance with the requirements of the *Planning Act*, will provide an opportunity to hear concerns and comments of neighbouring owners and other interested stakeholders/agencies. It is important that the concerns and comments of these stakeholders be taken into consideration as part of the full evaluation of the applications.

Based on the foregoing, the writer supports the minor variance application and believes it to be based on sound planning principles.

Recommended Conditions

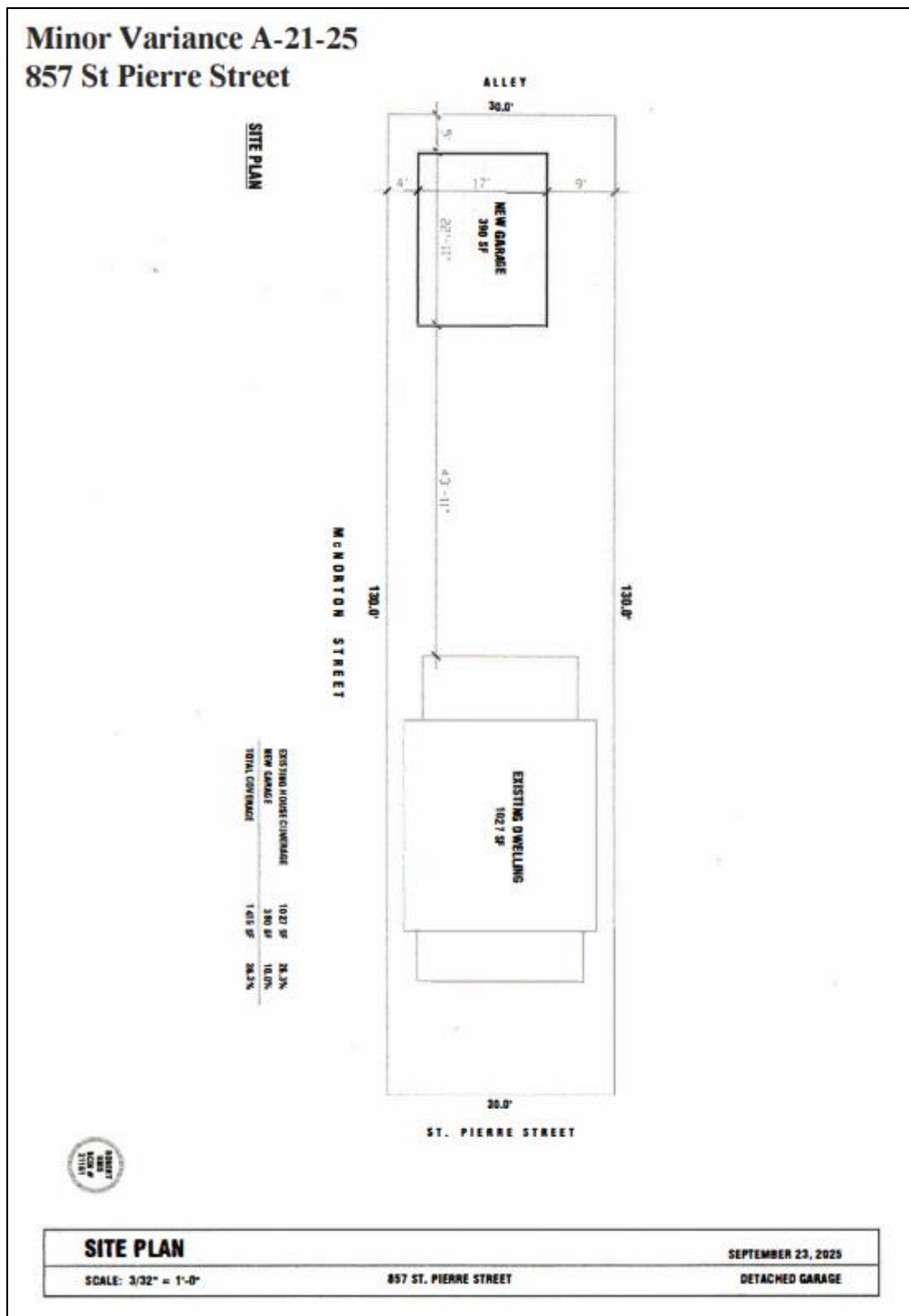
1. That the application be approved in accordance with the site plan presented as part of the application; and
2. That the proposed detached stand-alone deck have a maximum height of 0.76 metres (2.5 feet) above grade, with see-through railings, and that it remain open and unenclosed).

Application:	Minor Variance Application A-21-25
Applicant:	Walter Caza
Location of Property:	857 St. Pierre Street

The purpose of the Application is to request 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 36.2 square metre (390 square foot) garage resulting in a lot coverage of 37 percent as depicted in the sketch below.

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



In accordance with the *Planning Act*, the Committee must be satisfied that the four tests set out in subsection 45(1) are met. The following comments are offered with respect to the subject application:

Is the intent of the Official Plan maintained?

The subject property is designated Residential in the Official Plan. Residential dwellings and accessory structures are permitted within this designation. The proposed variance, which will facilitate the proposed 36.2 square metre (390 square foot) garage to the rear of the existing dwelling meets the intent of the policies of the Official Plan.

Is the intent of the Zoning By-law maintained?

The subject property is zoned Residential Zone 2 (R2) in Zoning By-law 1746.

The intent of the 30 percent maximum total lot coverage is to ensure that the scale and massing of buildings are appropriate and that the lot will be able to provide adequate areas for landscaping, parking and other amenities. The proposed lot coverage of 37 percent will facilitate the proposed new garage without resulting in any deficiencies in landscaping requirements or the ability of the site to provide for parking or open space areas.

All other requirements of the R2 zone will be complied with.

Given the foregoing, it is my opinion that the intent of the By-law will be maintained.

Is the variance desirable for the appropriate development or use of the land?

Construction of detached garages on properties with dwellings that cannot accommodate an attached garage are common within the older, stable areas of the Town as owners attempt to enhance the available storage space of the smaller homes located in these neighbourhoods. In this case, the proposed new garage within the rear yard will be able to be accessed from the side yard as the subject property is a corner lot. Although there will be a loss of outdoor amenity space, the remaining landscaped open space amounts to approximately 55 percent of the lot which is greater than the 30 percent minimum established in the Zoning By-law. Further, the resulting rear yard amenity space is similar in size and nature to the other lots immediately surrounding the subject property. Accordingly, it is my opinion that the proposed relief will result in development that represents a desirable use of the land.

Is the variance requested minor?

The location of the proposed garage is in keeping with the character and built form of the surrounding neighbourhood with no anticipated adverse impacts on the abutting properties. In addition, the proposed location of the garage will not affect the outdoor amenity area of the property that abuts to the north and west, as its proposed setbacks meet the requirements of the Zoning By-law. Accordingly, subject to adequately addressing any concerns raised, it is my opinion that the requested variance will not result in any undue adverse impact and is therefore minor in nature.

Administration/Agency Comments

1. Public Works and Engineering

- PWES has no comments regarding the requested minor variance.

2. Building Department

- A building permit will be required for the construction of the proposed building.

3. Fire Department

- No concerns with application.

4. Essex Region Conservation Authority

- The noted lands are not located within a regulated area that is under the jurisdiction of ERCA. As a result, a permit is not required.
- No objections with applications.

5. Essex Powerlines

- No comments.

Public Comments

No public comments were received as of time of the writing of this report.

Summary/Recommendation

In the absence of additional public input or the introduction of other pertinent issues, it is the opinion of the writer that the applications satisfy the four tests of the *Planning Act*. The intent of the Official Plan has been met, the intent of the Zoning By-law has been met, the variance will result in appropriate development, the variance will not create undue adverse impact on adjacent properties and the variance is minor in nature.

The public hearing, in accordance with the requirements of the Planning Act, will provide an opportunity to hear concerns and comments, if any, of neighbouring owners and other interested stakeholders/agencies. It is important that the concerns and comments of these stakeholders be taken into consideration as part of the full evaluation of the applications.

Based on the foregoing, the writer supports the minor variance application and believes it to be based on sound planning principles.

Recommended Conditions

None.

Application: Minor Variance Application A-22-25

Applicant: Elie Baillargeon

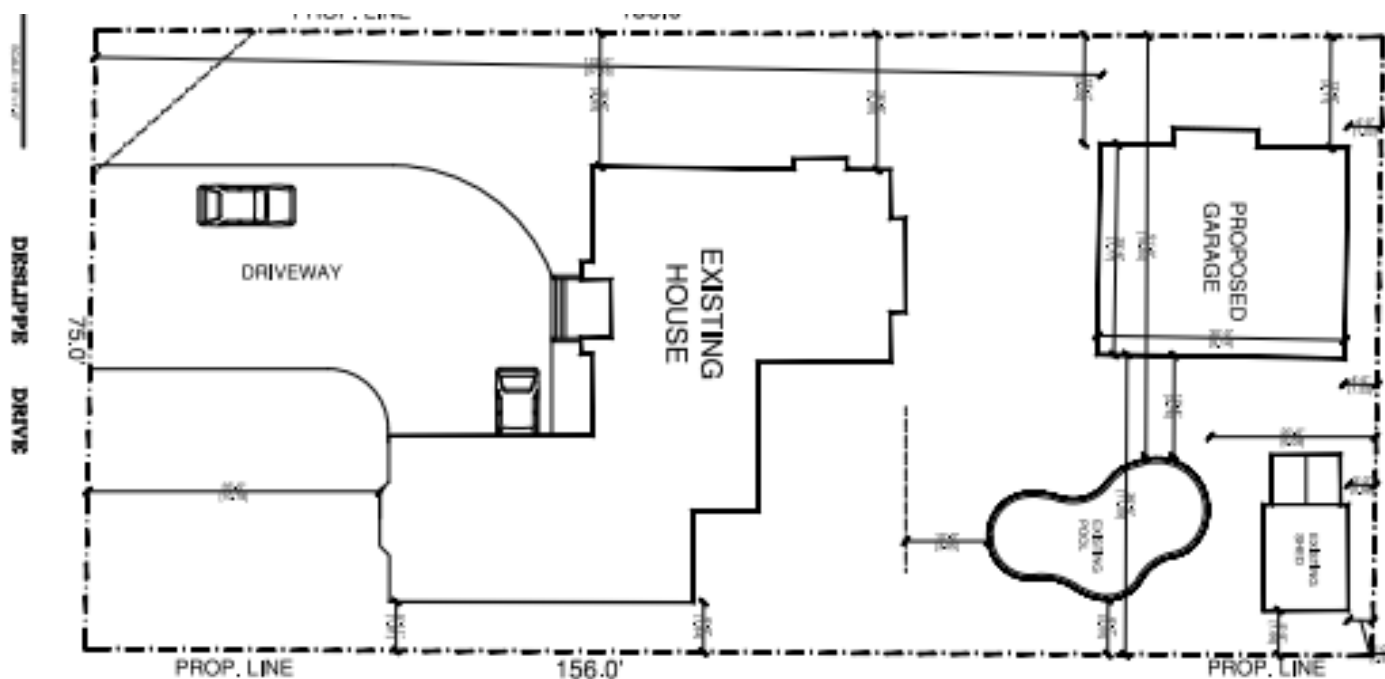
Location of Property: 1800 Deslippe Drive

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

1. Subsection 5.27.1 c) which establishes that accessory buildings shall not be closer than 1.22 metres (4.0 feet) to any lot line if greater than 10 square metres (107.6 square feet);
2. Subsection 5.27.1 d) i) which establishes that no individual accessory building shall exceed 70 square metres (753 square feet) in area; and
3. Subsection 5.27.1 e) i) which establishes that an accessory building shall not exceed 4.57 metres (15.0 feet) in height.

The Applicant is proposing to construct a 73.0 square metre (785.8 square foot) detached garage having a height of 5.2 metres (17 feet) to accommodate attic storage, as depicted on the sketch below. The Applicant is also seeking relief to recognize a 17 square metre (183.0 square foot) existing shed that is 0.91 metres (3.0 feet) from the rear property line.

The subject property is designated Residential in the Official Plan and zoned Residential Zone 1 (R1) in Zoning By-law 85-18.



In accordance with the *Planning Act*, the Committee must be satisfied that the four tests set out in subsection 45(1) are met. The following comments are offered with respect to the subject application:

Is the intent of the Official Plan maintained?

The subject property is designated Residential in the Official Plan. Residential dwellings and accessory structures are permitted in this designation. The proposed variance, which will facilitate the construction of a detached garage accessory to the residential use, along with legally recognizing the location of an existing shed, meets the intent of the Official Plan.

Is the intent of the Zoning By-law maintained?

The subject property is zoned Residential Zone 1 (R1) in Zoning By-law 85-18.

The intent of the maximum lot coverage of 10 percent for accessory structures and the 70 square metre (753 square foot) area maximum size for an individual accessory structure is to ensure that the presence of these structures does not overwhelm the intended residential character of the property and remain normally incidental, subordinate and exclusively devoted to the main residential use. Due to the large size of the lot (1087 square metres/11,700 square feet), the proposed 73.0 square metre (785.8 square foot) garage would equate to 6.7 percent lot coverage. When the existing shed is included in the calculation, the total lot coverage for accessory structures equates to 9.0 percent, which is under the Zoning By-law maximum of 10 percent. In addition, the proposed garage is only 2.9 square metres (32 square feet) larger than the maximum established by the zoning by-law.

The purpose of the 4.5-metre (15-foot) maximum building height for accessory structures in residential zones is to ensure that their scale is appropriate relative to the main dwelling and that they don't negatively impact abutting properties through shadowing or intrusive overlook into sensitive private amenity space. The Applicant has indicated that the extended height for the proposed addition is necessary to accommodate appropriate head-room above the main floor of the garage for the purpose of additional storage for storage of items related to owner's pool and the spouse's interior design profession. In addition, the proposed garage is located in an area of the lot where no impacts of the type mentioned above are anticipated.

The intent of the 1.2 metre (3.94 foot) minimum side and rear yard setback provision is to ensure that there is sufficient separation for an accessory structure from its respective side and rear lot lines to allow for access around the building for exterior maintenance and to maintain an appropriate distance from abutting properties. The minor variance is being sought to legally recognize the existing accessory structure located at the southeast corner of the subject property. It appears that the existing setbacks have allowed for adequate access around the accessory structure and sufficient space for exterior maintenance.

Based on the foregoing, it is my opinion that the intent of the By-law is maintained.

Is the variance desirable for the appropriate development or use of the land?

Given the size and depth of the subject property and the location of the proposed garage, along with its relationship to abutting properties, which include a future municipal right-of-way

to the north and vacant Residentially-designated lands to the east, the variance for lot coverage and height will result in appropriate development of the land.

However, it should be noted that through the administrative review process, it was identified that a 3.0 metre wide (10.0 foot wide) easement in favour of the Town and private utility companies related to telephone, internet, cable, hydro, and gas exists along the northern side yard of the property, extending from the front lot line to the rear lot line. The easement language establishes that these lands must be kept clear of any buildings or other obstructions including landscaped vegetation and any concrete or asphalt paving. In the event any of these items have been placed there, the owner shall be liable for any costs incurred for the removal of these obstructions if the Town or one of the noted utility companies need to gain access to their services. Town Administration has made the applicant aware of this easement.

The Applicant has advised that he is aware of the easement and that the intent of the garage doors is for ease of bringing in his riding lawnmower and one classic/vintage automobile that is only brought out and used a few times per year. The Applicant has indicated in the events where the automobile is taken out of the garage, he would drive it along the side yard on his grass, as it is only driven a few times per year. In addition, the Applicant indicated that he wishes to use the building as his personal workshop/tool area and as an occasional lounge area associated with the pool for family events.

In terms of the existing shed, it appears that its current location and distance from the rear and side lot lines have not negatively impacted the abutting properties and that access to and maintenance of the structure have not been an issue.

Based on the foregoing, it is my opinion that the proposed detached garage and existing shed are in keeping with the character of the surrounding residential area and will result in the appropriate development of the land.

Is the variance requested minor?

Given the proposed positioning/setbacks and design of the proposed detached garage relative to the surrounding land uses/structures, no undue adverse impact is anticipated to abutting properties. The existing shed was constructed over 25 years ago and no complaints being received by the Town from abutting property owners.

Accordingly, it is my opinion that the requested relief is minor in nature.

Administration/Agency Comments

1. Public Works and Engineering

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

2. Essex Region Conservation Authority

- The site is not located within ERCA's Limit of Regulated Area.
- No objection to the application.

3. Building Department

- A permit will be required for the proposed construction.
- No structures, etc., shall be placed on a municipal easement which is located on the north side yard of the property.

4. Fire Services

- No concerns with application.

5. Essex Power

- No comments.

Public Comments

No public comments were received at the time of the preparation of this report.

Summary/Recommendation

In the absence of additional public input or the introduction of other pertinent issues, it is the opinion of the writer that the application satisfies the four tests of the *Planning Act*. The intent of the Official Plan has been met, the intent of the Zoning By-law has been met, the variance will result in appropriate development, the variance will not create undue adverse impact on adjacent properties and the variance is minor in nature.

The public hearing, in accordance with the requirements of the *Planning Act*, will provide an opportunity to hear concerns and comments, if any, of neighbouring owners and other interested stakeholders/agencies. It is important that the concerns and comments of these stakeholders be taken into consideration as part of the full evaluation of the application.

Based on the foregoing, the writer supports the minor variance application and believes it to be based on sound planning principles.

Recommended Conditions

Administration recommends that the following conditions be added if the application is approved by the Committee:

1. That paving, landscaping and other items as identified in easement be prohibited within the easement area.

Application: Minor Variance Application A-23-25

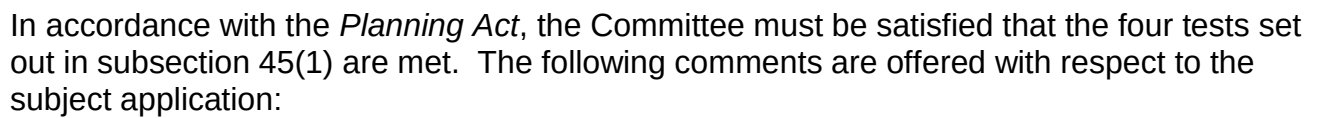
Applicant: Mark Aquino

Location of Property: 12781 Keith Avenue

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

The Applicant is proposing to construct a 225.8 square metre (2,430 square foot) single-storey addition to an existing dwelling resulting in a lot coverage of 39 percent as depicted in the sketch below. The existing detached garage is to be demolished.

The subject property is designated Residential in the Official Plan and zoned Residential Zone 1 (R1) in Zoning By-law 1746.



Is the intent of the Official Plan maintained?

The subject property is designated Residential in the Official Plan. Single-unit dwellings are permitted by this designation. The proposed variance, which will facilitate addition to an existing single-unit dwelling, meets the intent of the Official Plan.

Is the intent of the Zoning By-law maintained?

The subject property is zoned Residential Zone 1 (R1) in Zoning By-law 1746.

The intent of the 30 percent maximum total lot coverage is to ensure that the scale and massing of buildings are appropriate and that the lot will be able to provide adequate areas for landscaping, parking and other amenities. The proposed relief to permit a lot coverage of 39 percent will facilitate the proposed addition to the existing dwelling without resulting in any deficiencies in landscaped open space or parking requirements.

All other requirements of the R1 zone will be complied with.

Given the foregoing, it is my opinion that the intent of the By-law will be maintained.

Is the variance desirable for the appropriate development or use of the land?

The proposed variance will enable the owners to construct an attached garage and additional living space while maintaining and enhancing the outdoor amenity space through the construction of an open roofed porch and the removal of the detached garage. The significant grassed boulevard along the southeast side of Keith Avenue contributes to the sense of open space in this area and further assists in mitigating any impact that the proposed increase in lot coverage might have. Accordingly, it is my opinion that the proposed relief will result in development that represents a desirable use of the land.

Is the variance requested minor?

It does not appear that the proposed addition will have an undue negative impact on the surrounding residential properties. Accordingly, subject to adequately addressing any concerns raised, it is my opinion that the requested variance is minor in nature.

Administration/Agency Comments

1. Public Works and Engineering

- No comments with regard to the requested minor variance.

2. Building Department

- A building permit (along with and ERCA permit) will be required for the proposed construction.

3. Fire Services

- No concerns with application.

4. Essex Powerlines

- No comments.

5. Essex Region Conservation Authority

- The property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.
- No objection to the application.

Public Comments

No public comments were received at the time of the preparation of this report.

Summary/Recommendation

In the absence of additional public input or the introduction of other pertinent issues, it is the opinion of the writer that the application satisfies the four tests of the *Planning Act*. The intent of the Official Plan has been met, the intent of the Zoning By-law has been met, the variance will result in appropriate development, the variance will not create undue adverse impact on adjacent properties and the variance is minor in nature.

The public hearing, in accordance with the requirements of the *Planning Act*, will provide an opportunity to hear concerns and comments, if any, of residents in the surrounding neighbourhood and other interested stakeholders/agencies. It is important that the concerns and comments of these stakeholders be taken into consideration as part of the full evaluation of the application.

Based on the foregoing, the writer supports the minor variance application and believes it to be based on sound planning principles.

Recommendation Conditions

Based on the information provided within this Application and in this report, it is recommended that this Application, if approved, be subject to the following conditions:

1. That the existing detached garage be removed.