

Committee of Adjustment Meeting Agenda

Monday, November 25, 2024, 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. October 28, 2024	2 - 5
E. Applications	
1. Application for Consent B-12-24 and B-13-24 Maria Geloso 1402 Poisson Street	6 - 8
a. Sketch	9 - 9
2. Application for Consent B-14-24 Cooper Lane and Erida Ciellza 259 Kensington Boulevard	10 - 11
a. Sketch	12 - 12
F. Deferrals	
G. Planning Report	
1. To be posted.	
H. Unfinished Business	
I. New Business	
J. Adjournment	

**Committee of Adjustment
Minutes**

Date: Monday, October 28, 2024
 Time: 5:00 pm
 Location: Tecumseh Town Hall - Council Chambers
 917 Lesperance Road
 Tecumseh, Ontario N8N 1W9

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

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

Others:
 Senior Planner, Enrico De Cecco
 Communications Officer, Mackenzie Vanderberg

Absent:
 Member, Paul Jobin
 Member, Christopher Lanman

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 26, 2024

Motion: CA-52-24

Moved By Member Tony Muscedere
 Seconded By Member Doug Pitre

That the minutes of the regular Committee of Adjustment meeting held August 26, 2024 **be approved**, as printed and circulated.

Carried

E. Applications

1. Application for Minor Variance A-27-24 Guy and Monica Pritchard 12810 Riverside Drive

a. Sketch

Interested parties present: John Gillis, Architect and Guy Pritchard, Applicant

The purpose of the Application is to request relief from Subsection 6.1.11 of Zoning By-law 1746 which establishes that the mid-point of the wall nearest to Lake St. Clair of any new dwelling or any addition to an existing dwelling for lots on the north side of Riverside Drive shall not extend beyond the established building line.

The Applicant is requesting relief to allow a 36.79 square metre (396 square foot) addition to the dwelling (highlighted in orange on the attached sketch), the midpoint of which would extend 2.6 metres (8.5 feet) beyond the established building line as depicted in the sketch.

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

Administration/Agency Comments

Public Works and Engineering

- No comments regarding the requested minor variance.

Building Department

- A building permit will be required for the proposed addition in the event the minor variance is approved.

Fire Department

- No comments regarding the requested minor variance.

Essex Region Conservation Authority

- The above noted lands are subject to our Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 41/24). The parcel falls within the regulated area of Lake St. Clair. The property owner will be required to obtain a Permit 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 applicable hazard lands requirements for development must be satisfied.

- No objection to application.

Essex Powerlines

- No comments regarding the requested minor variance.

The owners of the properties to the immediate east and west of the subject property have provided correspondence indicating they have no concerns with the application.

Discussion

John Gillis, Architect and Agent along with Guy Pritchard, Applicant appear before the Committee to discuss the Application. John Gillis informs the Committee that his client is seeking a variance to construct an enclosed addition to the dwelling on the north side of Riverside Drive of which a portion of the addition requires relief as it is beyond the established building line. John Gillis also informs the Committee that there several homes to the east and to the west that are substantially closer to the water's edge and the proposed addition would be more in line with the existing homes in the area.

Tom Marentette inquires from Administration how the established building line is determined. Chad Jeffery indicates that the established building line is a straight line joining the nearest point of the wall of the adjacent dwelling to the nearest point of the wall of the next adjacent dwelling.

Lori Chadwick inquires as to the size in area of the addition that requires relief, noting that the distance requested is 2.6 metres. Enrico De Cecco advises that the area being requested is approximately 50 percent of the proposed addition which is 19.24 square metres.

Tom Marentette seeks clarification regarding the addition being a one-storey addition and fully enclosed and do the neighbour's understand that the proposed addition is fully enclosed. John Gillis informs the Committee that the proposal is a fully enclosed addition and not an open sided covered porch as he is aware of the concerns with respect to screening, etc for properties on the north side of Riverside Drive. Guy Pritchard advises that he spoke directly with his neighbours showing them the plans and advising that if they were not supportive of his proposal, he would not proceed with the project. Both neighbours indicated they had no concerns with the proposal.

Tony Muscedere is supportive of the application as it meets the four tests and the immediate neighbours both to the east and to the west have no concerns with the proposal.

Motion: CA-53-24

Moved By Member Tony Muscedere
Seconded By Member Tom Marentette

That, Application for Minor Variance A-27-24, **be approved.**

Carried

F. Deferrals

G. Planning Report

1. October 28, 2024

H. Unfinished Business

I. New Business

J. Adjournment

Motion: CA-54-24

Moved By Member Doug Pitre
Seconded By Member Lori Chadwick

That there being no further business, the Monday, October 28, 2024 regular meeting of the Committee of Adjustment now **adjourn** at 5:13 pm.

Carried

Tom Fuerth, Chairperson

Donna Ferris, Secretary-Treasurer



Notice of Public Hearing
Application for Consent/Severance
Town of Tecumseh Committee of Adjustment

File Number

B-12-24 & B-13-24

Applicant(s)

Maria Geloso

Location of Property

1402 Poisson Street

Purpose of Application

The purpose of the application is to create two new lots for a proposed semi-detached dwelling. This application will accommodate the division of the property along the common wall dividing the proposed semi-detached dwelling, such that each dwelling unit will be on its own lot and can be sold separately (i.e. freehold ownership). Specifically, the application proposes to:

1. sever two lots for the proposed semi-detached dwelling, being:
 - i) Lot A - identified as Parts 3 & 4 on 12R-22858, having a frontage of 12.2 metres (40 feet), a depth of 37.7 metres (123.7 feet) and a lot area of 459.8 square metres (4,949.7 square feet), outlined in red on the attached sketch;
 - ii) Lot B - identified as Parts 5 & 6 on 12R-22858, having a frontage of 12.2 metres (40 feet), a depth of 37.7 metres (123.7 feet) and a lot area of 459.9 square metres (4,950.5 feet), outlined in blue on the attached sketch; and
2. retain a parcel, identified as Parts 1 & 2 on 12R-22858, having a frontage of 36.5 metres (120.0 feet) and a lot area of 1378.6 square metres (14,839.9 square feet), outlined in green on the attached sketch. The proposed retain parcel is currently occupied by a single-unit dwelling.

The existing inground swimming pool on the subject lands is to be removed.

This matter was previously granted provisional Consent by the Committee of Adjustment on November 21, 2005 however, the time period lapsed prior to the conditions being fulfilled.

The severed lots (Lots A and B) are zoned Residential Zone (R2-22) in Zoning By-law 1746 which establishes site specific lot provisions to accommodate a semi-detached dwelling while



the retained parcel is zoned Residential Zone (R1-10) which permits a single-unit dwelling and establishes a minimum rear yard depth of 1.21 metres (4.0 feet).

Both the severed and retained lands are designated Residential in the Official Plan.

Take Notice

That an application under the above-noted file number will be heard by the Town of Tecumseh Committee of Adjustment on Monday, November 25, 2024 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: November 7, 2024

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

ARBOUR ST.

POISSON ST.

TO BE RETAINED
(1378.6 SQ. METRES)

1402

36.5 m

TO BE SEVERED
LOT A
(159.8 SQ. METRES)

12.2 m

37.7 m

TO BE SEVERED
LOT B
(159.9 SQ. METRES)

12.2 m

Application B-12-13-24
1402 Poisson St.



Note: Map is for illustrative purposes only



Notice of Public Hearing
Application for Consent/Severance
Town of Tecumseh Committee of Adjustment

File Number

B-14-24

Applicant(s)

Cooper Lane and Erida Ciellza

Location of Property

259 Kensington Boulevard

Purpose of Application

The purpose of the Application is to request consent to sever a residential lot having a frontage of 13.7 metres (45 feet), a depth of 42.6 metres (140 feet) and a lot area of 585.2 square metres (6,299 square feet) outlined in red on the attached sketch. The proposed retained lot has a frontage of 13.7 metres (45 feet), a depth of 42.6 metres (140 feet) and a lot area of approximately 585.2 square metres (6,299 square feet) outlined in green on the attached sketch.

This application will accommodate the division of the property along the common wall dividing the semi-detached dwelling that is currently under construction, such that each dwelling unit will be on its own lot and can be sold separately (i.e. freehold ownership).

The lands are designated Residential in the Official Plan and zoned Residential Zone 2 (R2-9) in Zoning By-law 2065.

Take Notice

That an application under the above-noted file number will be heard by the Town of Tecumseh Committee of Adjustment on Monday, November 25, 2024 at 5:05 pm in Town Municipal Office Council Chambers at 917 Lesperance Road, Tecumseh, Ontario.

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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: November 6, 2024

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 SEVERED
(585.2 SQ. METRES)

TO BE RETAINED
(585.2 SQ. METRES)

42.6 m

13.7 m

13.7 m

KENSINGTON BLVD.

Application B-14-24
259 Kensington Blvd.



Note: Map is for illustrative purposes only