



COMMITTEE OF ADJUSTMENT (FENCE BY-LAW)

APPLICANT : KENNETH HART

ADDRESS : 820 ROSSINI BOULEVARD

 SUBJECT LANDS



CITY OF WINDSOR

File: A-046/25

COMMITTEE OF ADJUSTMENT PUBLIC HEARING

PURSUANT to Section 45 of the Planning Act, a Committee of Adjustment public hearing will be held to consider a minor variance to Fence Bylaw 170-2012. This is not an application for a zoning change.

You are receiving this notice of hearing as a courtesy because the Committee of Adjustment identified your property as located within a 40 meters circulation area of the subject lands. Notice as required by the Planning Act was given by publication of the Committee of Adjustment’s Agenda Record in the Windsor Star on May 28, 2025.

APPLICATION FOR MINOR VARIANCE – Relief from the operation of Fence Bylaw 170-2012

Owner: KENNETH HART Location: 820 ROSSINI BLVD

Legal Description: CON. 1; PT LOT 107; PLAN 813; LOT 36; PT CLOSED ALLEY & PT ROSSINI PARK Zoning: Residential RD1.1

Official Plan: Residential

Explanation: Existing fence with increased maximum residential front and side yard fence height, thereby requesting the following relief:

Section 4.1b- Maximum Residential Front Yard Fence Height

By Law Requirements	Proposed
1.2 m	1.85 m

Section 4.1a-Maximum Residential Side or Rear Yard Fence Height

By Law Requirements	Proposed
2.20 m	2.55 m

COMMITTEE OF ADJUSTMENT HEARING - 519-255-6543 ext 6436 or 6450

When: June 12, 2025 at 3:30 pm

Where: VIA VIDEO CONFERENCE
(information on how to join the public meeting will be on the City of Windsor website prior to the meeting date)

You are invited to attend this hearing and express any interest you may have in this application. Written comments are also acceptable and may be submitted in person, by mail, by fax or by email. All comments must be received **NO LATER than 4:30PM on the Wednesday, prior to the meeting date.** Comments received after such, will not be included at time of hearing.

The applicant or agent must attend the meeting. If you do not attend or send a representative, the Committee may proceed in your absence without any further notice to you. To be notified of the decision of the Committee of Adjustment regarding this application, you must submit a written request to the Secretary-Treasurer.

It is the practice of Committee of Adjustment members to visit the site prior to considering this application. Administrative comments are available by email after 12:00 noon on the Friday prior to the hearing.

Jessica Watson
Secretary-Treasurer, Committee of Adjustment

Dated: May 29, 2025

Suite 210, 350 City Hall Square West
Windsor ON N9A 6S1

Tel: 519-255-6543
Fax: 519-255-6544
Email: jwatson@citywindsor.ca
Web: www.citywindsor.ca

1	Application Information		
	Name of ALL Owners Ken Hart	Contact No. 515 990 3378	Business Telephone No. /
	Address kenhart@windson.ca 820 Rossini Blvd Windsor N8Y2Z3		Postal Code →
	E-Mail Address:		
	Name of Contact Person/Agent (if different than owner)	Contact No.	Business Telephone No.
	Address	Postal Code	Fax No.
	E-Mail Address:		
	PAYMENT CONTACT INFORMATION ONLY:		
	Name:		
	Contact No:		
2	Date application submitted to the City of Windsor. May 5 2025		
3	Present Official Plan Provisions applying to the land: residential		
4	Present Zoning By-law provisions applying to the land: RD1.1		
5	Nature and extent of relief applied for: (you MUST list each By-law Section etc. and relief requested) max residential front yard fence height 1.85m provided max res side/rear yard fence height 2.55m provided		
6	State why it is NOT possible to comply with the provisions of the by-law. (Must be complete) please see supporting documentation in addendum customized beautiful fence would look better and be very expensive to reduce height and would cause my anxiety and worse (Fear of being burglarized again)		
7	Legal Description of the Subject Land(s)		
	Municipality Windsor	Street Name Rossini	Street Address 820
	Concession Number(s) Con 1, part lot 107	Registered/reference Plan No. 813	Lot/Part No.(s) 36 part chisally and part Rossini Park
	Parcel No. /		
8	Dimensions of Land Affected: THIS SECTION MUST BE COMPLETE		
	Lot Frontage/Width 17.37m	Depth 55.30m	Lot Area 870.96²
9	Access (check appropriate space)	Provincial Highway Municipal road, maintained all year Municipal road, seasonally maintained Other public road Right of way Water only. If yes, the docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road	Yes No <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
10	Water Supply	Publicly owned and operated piped water system... Privately owned and operated..... Individual or communal well..... Lake or other water body..... Other	Yes No <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
11	Sewage Disposal	Publicly owned and operated piped sewage system..... Privately owned and operated individual or communal septic tank system..... Pit, privy, or other	Yes No <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>

12	Storm Drainage	Municipal Sewers Ditches or Swales Other (specify)	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
13	The existing uses of the subject land: <i>residential</i> NOTE: legal non-conforming use applications <u>must</u> provide evidence to support its status to the Planning Department (Zoning Coordinator and Planner).			
14	The proposed uses of the subject land: <i>residential</i>			
15	Whether any buildings or structures are proposed to be built on the subject land. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown If the answer to item 15 is yes, for each building or structure please provide on the drawing submitted the type of building or structure, the setback from the front lot line, rear lot line, and side lot lines, the height in metres of the building or structure and the dimensions or floor area of the building or structure.			
16	Date the subject land was acquired by the current owner. <i>Unknown</i>			
17	The date the existing buildings or structures on the subject land were constructed. <i>Unknown</i>			
18	The length of time that the existing uses of the subject land have continued. <i>Unknown</i>			
19	If known, whether the subject land has ever been the subject of an application under section 45 of the Act? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown If yes, describe briefly: Year: Type of Relief:			
20	If known, whether the subject land is the subject of an application under the Act for approval of a plan of subdivision or a consent? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown If yes, the status of the application:			
21	Applications submitted without the noted requirements will be considered incomplete and will be returned. <u>Minimum Standards for Drawings:</u> Ontario Regulations 200/96 of the Planning Act provides the requirement of a sketch showing the following: its: a) The boundaries and dimensions of the subject land. b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and side yard lot lines. c) The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream bands, wetlands, wooded areas, wells and septic tank. d) The current uses on land that is adjacent to the subject land. e) The location, width and name of any roads withing or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way. f) If access to the subject land is by water only, the location of the parking and docking facilities to be used. g) The location and nature of any easement affecting the subject land. The required sketch map has been included with this application form. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Included <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	Not Applicable <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>

PLAN OF SURVEY OF
PART OF ALLEY
(CLOSED BY BY-LAW 9361, AS IN R1044987)
REGISTERED PLAN 813
GEOGRAPHIC TOWNSHIP OF SANDWICH EAST
CITY OF WINDSOR
COUNTY OF ESSEX

SCALE 1 : 250 METRES



SURVEYORS ON SITE INC.

THE INTENDED PLOT SIZE OF THIS PLAN IS 610mm IN WIDTH BY 457mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:250.

LEGEND

□	MONUMENT PLANTED
■	MONUMENT FOUND
SIB	STANDARD IRON BAR
IB	IRON BAR
M	MEASURED
S	SET
P1	REGISTERED PLAN 813
D1	INSTRUMENT 1048477
FN1	FIELD NOTES OF VERHAEGEN, STUBBERFIELD, HARTLEY, BREWER, BEZAIRE INC, O.L.S.
	DATED: DECEMBER 9, 1987; JOB NO.: 4-02427
	FILE: E-639-0
FN2	FIELD NOTES OF VERHAEGEN, STUBBERFIELD, HARTLEY, BREWER, BEZAIRE INC, O.L.S.
	DATED: APRIL 5, 1972; FILE: 1271/121
HKJ	H.J. KOESTER, O.L.S.
1201	CLARKE SURVEYORS LTD., O.L.S.
1744	VERHAEGEN, STUBBERFIELD, HARTLEY, BREWER, BEZAIRE INC.
OU	ORIGIN UNKNOWN
BF	BOARD FENCE
CLF	CHAIN LINK FENCE

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 26th DAY OF MARCH, 2024.

MAY 3, 2024

R. Wannack
ROBERT JOHN WANNACK
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-73781.

NOTES

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE COMBINED SCALE FACTOR OF 0.999906323.

BEARINGS ARE UTM GRID DERIVED FROM NETWORK RTK GPS OBSERVATIONS (SMARTNET) ON MONUMENTS (A) AND (B) AS SHOWN HEREON, HAVING A GRID BEARING OF N65°53'30"E, NAD83 CSRS (2010.0) AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° W LONGITUDE).

FOR BEARING COMPARISONS, THE FOLLOWING ROTATIONS WERE APPLIED:
P1 - 1°00'30" CLOCKWISE

SCHEDULE				
PART	PART OF	REGISTERED PLAN	PIN	AREA (m ²)
1	ALLEY (CLOSED BY BY-LAW 9361 AS IN R1044987)	813	ALL OF PIN 01097 - 0808 (LT)	35.1
2				35.1

PARTS 1 AND 2: SUBJECT TO EASEMENT AS IN R1044987.

COORDINATES BELOW ARE DERIVED FROM NETWORK RTK GPS OBSERVATIONS (SMARTNET) AND ARE REFERRED TO UTM ZONE 17, NAD83 (CSRS) (2010.0).			
COORDINATES COMPLY WITH THE URBAN ABSOLUTE ACCURACY PER SEC. 14(2) OF O.REG. 216/10.			
POINT ID	NORTHING	EASTING	
(A)	4687741.90	336417.25	
(B)	4687763.17	336464.79	
(C)	4687809.65	336477.47	
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.			

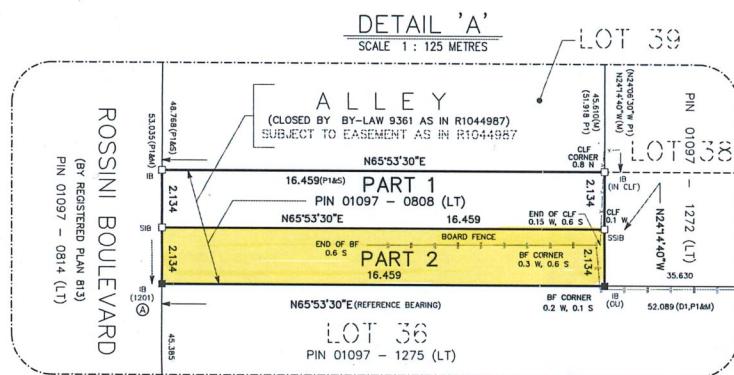
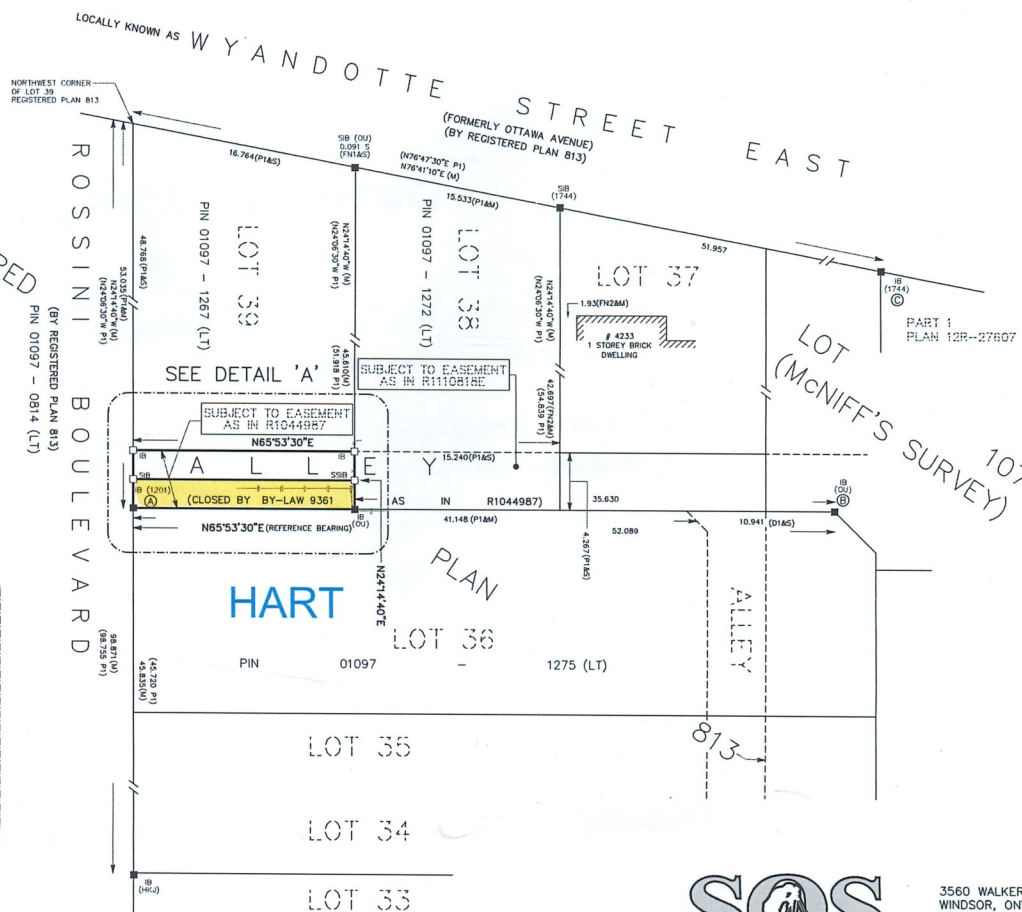
PLAN 12R-29741

Received and deposited

May 31st, 2024

Elizabeth Borrow

Representative for the
Land Registrar for the
Land Titles Division of
Essex (No.12)



3560 WALKER ROAD
WINDSOR, ONTARIO
N8W 3S4
519-818-0767
www.surveyorsonsite.com

DRAWN BY: AS CHECKED BY: RJW DATE: MAY 3, 2024 FILE: 2023-465/476

820 Rossini Blvd, Windsor



intruder-proof lattice & rebar security wall (+ locked gate to back yard)

820 Rossini Blvd, Windsor



burglar-proof lattice & rebar security wall (+ locked gate to back yard)

doc #10

doc #11

2 of 4 photos

Southside fence in
backyard



door gate

back alley

East side of
backyard,
gate/fence



doc # 12



4 of 4 photos

NORTH fence
back yard

doc #13