



CITY OF WINDSOR

COMMITTEE OF ADJUSTMENT

MINUTES

FOR THE HEARING OF

April 24, 2025

A virtual hearing by the Committee of Adjustment for the City of Windsor was held on April 24, 2025, by Video Conference. The Hearing was called to order at 3:30 PM.

ATTENDANCE:

Present:

Committee Members

Mike Sleiman, Chair
Dante Gatti, Vice Chair
Joe Balsamo, Member
Frank Cerasa, Member
Mohammed Baki, Member

Jessica Watson, Secretary-Treasurer
Riley Dufour, Committee Clerk

Regrets:

Also in attendance, administrative staff representing the interests of the City of Windsor were:

Planning & Building Services Department

Zaid Zwayyed, Planner II
Brian Nagata, Planner II
Jason Campigotto Planner II
Conner O'Rourke, Zoning Co-ordinator
Stefan Pavlica, Zoning Co-ordinator
Patrick, Golan - Plan Examiner

Engineering & Geomatics Department

Thomas Huynh, Technologist I

Transportation Planning Department

Chris Gerardi, Transportation Engineer

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DISCLOSURE OF PECUNIARY INTEREST
and the general nature thereof

Mr. Balsamo declares conflict with Items #3 & 4, being A-30/25 and B-024/25, PLAN 717 PT BLK E; RP 12R12969 PARTS 2 & 4 and known as Municipal Number 1290 JEFFERSON BLVD and removes himself from proceedings.

APPLICANT and SUBJECT LANDS:

Owner(s): MARCEL JOHN JOSEPH HUOT, JODY LYNNE HUOT

Subject Lands: PLAN 1160; LOTS 46 & 47; PT ALLEY; RP 12R29200; PART 1 and known as Municipal Number 2793 PILLETTE RD

Zoning: Residential RD1.2

RELIEF: Proposed single unit dwelling with increased maximum encroachment of an Architectural feature into a required side yard (north side) and reduced minimum north side yard width for retained parcel and reduced minimum lot width for severed parcel, thereby seeking the following relief:

INTERESTED PARTIES PRESENT:

David Rodriguez, Agent

PRELIMINARY PROCEEDINGS

Move by - D. Gatti

Seconded By - J. Balsamo

That files A-029/25 and B-019/25; subject lands - **PLAN 1160; LOTS 46 & 47; PT ALLEY; RP 12R29200; PART 1 and known as Municipal Number 2793 PILLETTE RD** be heard concurrently.

The Chair confirms with the applicant if they agree with the recommendations and comments provided in the report from Administration.

The Chair asks if there are any questions/comments from Committee Members and Administration. None noted.

DISCUSSION

Mr. Rodriguez confirms they agree with the recommendations and comments provided in the report from Administration. Mr. Sleiman asks for the side yard width of the By-law zoning 8600 with the required 1.20m and the proposed is 0.64m and he feels it's a significant reduction to over half of the required width and expresses his concern about safety and privacy. The Chair asks for the setback not being able to meet it. Mr. Rodriguez outlines that more room for the proposed severance is for balancing the lots. He outlines that the dwelling structure is already on the lot line. The Chair asks if there was consultation with the Fire Department? Mr. Sleiman asks how close the northern neighbour is. Mr. Rodriguez outlines that there is approximately 5-6 meters separation to the northern neighborhood. Mr. Cerasa asks if the committee could grant conditional consent until observations from the Fire Department are made. Mr. Nagata outlines that Fire safety is addressed through the building permit stage, and if the dwellings are too close, it is addressed through the building department with respect to the building code. Mr. Nagata confirms that the applicants are planning to meet the minimum side yard. Mr. Gatti seeks clarification, with respect to the building permits and granting process on abutting land. Concerns and discussions are entered amongst administration with respect to surrounding sound proofing, fire grading and building permit process with respect to the Ontario Building Code. A Building Department representative joins the meeting to discuss the concerns with the Committee with respect to the Building Code matters.

Mr. Golan outlines the OBC only speaks to the property lines and not the subject buildings. Mr. Golan outlines what they review with respect to SUD permits, prior to issuance. The Chair is concerned about the sidelines and asks if the building department would have restrictions on this development before the committee. The building representative outlines it is hard to discuss and give a definitive response without knowing and reviewing what is being proposed. Mr. Golan outlines that what is permitted would be discussed with the owner. Mr. Gatti seeks further clarification with respect to what is required at Permit time. Mr. Golan outlines when the permits are applied for SUD and drawings, and a lot of grading plans must be provided for the

proposed building and the neighbouring property are to ensure that proper drainage and slope are met. Discussions with respect to the severance lot line, and possible movement could trigger additional severances possibly, and the Agent advises that he appreciates going back to his applicant and discussing the options present and coming back to the Committee at the next meeting with respect to the troublesome corners.

The Chair asks for public presentation. None noted

Moved by: M. Sleiman

IT IS HEREBY DECIDED that the application **BE DEFERRED** until the next meeting for consultation to continue with the development.

CARRIED.

The Chair advised the applicant that approval of the application is subject to a 20-day appeal period, and that written notice of the decision accompanied by instructions would be duly sent to the owner or authorized agent as prescribed by the Planning Act.

APPLICANT and SUBJECT LANDS:

Owner(s): MARCEL JOHN JOSEPH HUOT, JODY LYNNE HUOT

Subject Lands: PLAN 1160; LOTS 46 & 47; PT ALLEY; RP 12R29200; PART 1 and known as Municipal Number 2793 PILLETTE RD

Zoning: Residential RD1.2

REQUEST: Severance of lands as shown on the attached drawing for the purpose of creating a new Lot.

INTERESTED PARTIES PRESENT:

David Rodriguez, Agent

PRELIMINARY PROCEEDINGS

Moved by: D. Gatti

Seconded By: J. Balsamo

That files A-029/25 and B-019/25; subject lands - **PLAN 1160; LOTS 46 & 47; PT ALLEY; RP 12R29200; PART 1 and known as Municipal Number 2793 PILLETTE RD** be heard concurrently.

The Chair confirms with the applicant if they agree with the recommendations and comments provided in the report from Administration.

The Chair asks if there are any questions/comments from Committee Members and Administration. None noted.

DISCUSSION

Mr. Rodriguez confirms they agree with the recommendations and comments provided in the report from Administration. Mr. Sleiman asks for the side yard width of the By-law zoning 8600 with the required 1.20m and the proposed is 0.64m and he feels it's a significant reduction to over half of the required width and expresses his concern about safety and privacy. The Chair asks for the setback not being able to meet it. Mr. Rodriguez outlines that more room for the proposed severance is for balancing the lots. He outlines that the dwelling structure is already on the lot line. The Chair asks if there was consultation with the Fire Department? Mr. Sleiman asks how close the northern neighbour is. Mr. Rodriguez outlines that there is approximately 5-6 meters separation to the northern neighborhood. Mr. Cerasa asks if the committee could grant conditional consent until observations from the Fire Department are made. Mr. Nagata outlines that Fire safety is addressed through the building permit stage, and if the dwellings are too close, it is addressed through the building department with respect to the building code. Mr. Nagata confirms that the applicants are planning to meet the minimum side yard. Mr. Gatti seeks clarification, with respect to the building permits and granting process on abutting land. Concerns and discussions are entered amongst administration with respect to surrounding sound proofing, fire grading and building permit process with respect to the Ontario Building Code. A Building Department representative joins the meeting to discuss the concerns with the Committee with respect to the Building Code matters.

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his applicant and discussing the options present and coming back to the Committee at the next meeting with respect to the troublesome corners.

The Chair asks for public presentation. None noted

Moved by: M. Sleiman

IT IS HEREBY DECIDED that the application **BE DEFERRED** until the next meeting for consultation to continue with the development.

CARRIED.

The Chair advised the applicant that approval of the application is subject to a 20-day appeal period, and that written notice of the decision accompanied by instructions would be duly sent to the owner or authorized agent as prescribed by the Planning Act.

APPLICANT and SUBJECT LANDS:

Owner(s): RAY ANTHONY LENARDUZZI

**Subject Lands: PLAN 717 PT BLK E;RP 12R12969 PARTS 2 & 4 and known as
Municipal Number 1290 JEFFERSON BLVD**

Zoning: Residential RD1.1

RELIEF: New Lot with reduced minimum lot width for the severed lot.

INTERESTED PARTIES PRESENT:

Ray Lenarduzzi, Owner

PRELIMINARY PROCEEDINGS

Move by - F. Cerasa

Seconded By - J. Balsamo

That files A-030/25 and B-024/25; subject lands - **PLAN 717 PT BLK E;RP 12R12969 PARTS 2 & 4 and known as Municipal Number 1290 JEFFERSON BLVD** be heard concurrently.

The Chair confirms with the applicant if they agree with the recommendations and comments provided in the report from Administration.

The Chair asks if there are any questions/comments from Committee Members and Administration. None noted.

DISCUSSION

Mr. Lenarduzzi confirms they agree with the recommendations and comments provided in the report on Administration. The Chair asks of the lots on Jefferson sizes. Mr. Zwayyed, outlines there are similar widths ranging from 41-43 feet. Mr. Zwayyed shares his screen for a visual for discussion with respect to the neighbouring properties within a radius of the subject lands for comparison of lot sizes. Mr. Lenarduzzi outlined that his concern is the services and who is responsible for it prior to the sale of the property. He wanted confirmation of selling the unserved lot so that the new owners would have to service it.

The Chair asks for public presentation. None noted

Moved by: D. Gatti

Seconded by: F. Cerasa

IT IS HEREBY DECIDED that the application **BE GRANTED** as applied for

CARRIED.

The Chair advised the applicant that approval of the application is subject to a 20-day appeal period, and that written notice of the decision accompanied by instructions would be duly sent to the owner or authorized agent as prescribed by the Planning Act.

APPLICANT and SUBJECT LANDS:

Owner(s): RAY ANTHONY LENARDUZZI

**Subject Lands: PLAN 717 PT BLK E;RP 12R12969 PARTS 2 & 4; and known as
Municipal Number 1290 JEFFERSON BLVD**

Zoning: Residential RD1.1

**REQUEST: Severance of lands, as shown on the attached drawing, for the
purposes of creating a new lot.**

RELIEF:

INTERESTED PARTIES PRESENT:

Ray Lenarduzzi, Owner

PRELIMINARY PROCEEDINGS

Moved by - F. Cerasa
Seconded By - J. Balsamo

That files A-030/25 and B-024/25; subject lands - **PLAN 717 PT BLK E;RP 12R12969 PARTS 2 & 4 and known as Municipal Number 1290 JEFFERSON BLVD** be heard concurrently.

The Chair confirms with the applicant if they agree with the recommendations and comments provided in the report from Administration.

The Chair asks if there are any questions/comments from Committee Members and Administration. None noted.

DISCUSSION

Mr. Lenarduzzi confirms they agree with the recommendations and comments provided in the report on Administration. The Chair asks of the lots on Jefferson sizes. Mr. Zwayyed, outlines there are similar widths ranging from 41-43 feet. Mr. Zwayyed shares his screen for a visual for discussion with respect to the neighbouring properties within a radius of the subject lands for comparison of lot sizes. Mr. Lenarduzzi outlined that his concern is the services and who is responsible for it prior to the sale of the property. He wanted confirmation of selling the unserved lot so that the new owners would have to service it.

The Chair asks for public presentation. None noted

Moved by: Dante Gatti

Seconded by: F. Cerasa

IT IS HEREBY DECIDED that the application **BE GRANTED WITH CONDITIONS.**

CARRIED.

The Chair advised the applicant that approval of the application is subject to a 20-day appeal period, and that written notice of the decision accompanied by instructions would be duly sent to the owner or authorized agent as prescribed by the Planning Act.

APPLICANT and SUBJECT LANDS:

Owner(s): STEVEN ANTHONY PIMISKERN, JULIE JAYE MOORE

Subject Lands: PLAN M27 LOT 224 and known as Municipal Number 2947 APPLE LANE

Zoning: Residential RD1.7

RELIEF: Proposed construction of a detached garage requesting relief from the increased maximum lot coverage for all accessory buildings.

INTERESTED PARTIES PRESENT:

Steven Pimiskern, Owner

PRELIMINARY PROCEEDINGS

The Chair confirms with the applicant if they agree with the recommendations and comments provided in the report from Administration.

The Chair asks if there are any questions/comments from Committee Members and Administration. None noted.

DISCUSSION

Mr. Pimiskern confirms they agree with the recommendations and comments provided in the report from Administration. Mr. Balsamo outlines whether this is a garage or an ADU. Mr. Cerasa asks if this for Commercial use. Mr. Pimiskern outlines this is a garage and it is for residential use.

The Chair asks for public presentation. None noted

Moved by: F. Cerasa

Seconded by: D. Gatti

IT IS HEREBY DECIDED that the application **BE GRANTED** as applied for

CARRIED.

The Chair advised the applicant that approval of the application is subject to a 20-day appeal period, and that written notice of the decision accompanied by instructions would be duly sent to the owner or authorized agent as prescribed by the Planning Act.

APPLICANT and SUBJECT LANDS:

Owner(s): TRAVIS BRIAN FRICKEY

Subject Lands: PLAN 1215; LOTS 101 TO 103 & PT CLOSED ALLEY; RP 12R27297; PARTS 9 & 10 and known as Municipal Number 3539 BYNG RD

Zoning: Residential RD1.1

REQUEST: Severance of lands, as shown on the attached drawing, for the purpose of severing an alley.

INTERESTED PARTIES PRESENT:

Travis Frickey, Owner

PRELIMINARY PROCEEDINGS

The Chair confirms with the applicant if they agree with the recommendations and comments provided in the report from Administration.

The Chair asks if there are any questions/comments from Committee Members and Administration. None noted.

DISCUSSION

Mr. Frickey confirms they agree with the recommendations and comments provided in the report from Administration

The Chair asks for public presentation. None noted

Moved by: J. Balsamo

Seconded by: F. Cerasa

IT IS HEREBY DECIDED that the application **BE GRANTED** as applied for

CARRIED.

The Chair advised the applicant that approval of the application is subject to a 20-day appeal period, and that written notice of the decision accompanied by instructions would be duly sent to the owner or authorized agent as prescribed by the Planning Act.

APPLICANT and SUBJECT LANDS:

Owner(s): DYLAN JAMES KWIATKOWSKI, MIKAELA ANNISA KWIATKOWSKI

Subject Lands: PLAN 1215; LOTS 144 TO 146 & PT CLOSED ALLEY; RP 12R27296; PARTS 11; 12 & 29 and known as Municipal Number 3353 BYNG RD

Zoning: Residential RD1.1

RELIEF: The creation of a new lot with reduced minimum lot width and area.

INTERESTED PARTIES PRESENT:

Anthony Malandrucolo, Agent

PRELIMINARY PROCEEDINGS

Moved by -D. Gatti

Seconded By - J. Balsamo

That files A-032/25 and B-025/25; subject lands being **PLAN 1215; LOTS 144 TO 146 & PT CLOSED ALLEY; RP 12R27296; PARTS 11; 12 & 29 and known as Municipal Number 3353 BYNG RD** be heard concurrently.

The Chair confirms with the applicant if they agree with the recommendations and comments provided in the report from Administration.

The Chair asks if there are any questions/comments from Committee Members and Administration. None noted.

DISCUSSION

The Malandrucolo confirms they agree with the recommendations and comments provided in the report from Administration

The Chair asks for public presentation. None noted

Moved by: J. Balsamo

Seconded by: F. Cerasa

IT IS HEREBY DECIDED that the application **BE GRANTED** as applied for

CARRIED.

The Chair advised the applicant that approval of the application is subject to a 20-day appeal period, and that written notice of the decision accompanied by instructions would be duly sent to the owner or authorized agent as prescribed by the Planning Act.

APPLICANT and SUBJECT LANDS:

Owner(s): DYLAN JAMES KWIATKOWSKI, MIKAELA ANNISA KWIATKOWSKI

Subject Lands: PLAN 1215; LOTS 144 TO 146 & PT CLOSED ALLEY; RP 12R27296; PARTS 11; 12 & 29 and known as Municipal Number 3353 BYNG RD

Zoning: Residential RD1.1

REQUEST: Severance of lands, as shown on the attached drawing, for the purpose of creating a new lot.

INTERESTED PARTIES PRESENT:

Anthony Malandrucolo, Agent

PRELIMINARY PROCEEDINGS

Moved by - D. Gatti

Seconded By - J. Balsamo

That files A-032/25 and B-025/25; subject lands being **PLAN 1215; LOTS 144 TO 146 & PT CLOSED ALLEY; RP 12R27296; PARTS 11; 12 & 29 and known as Municipal Number 3353 BYNG RD** be heard concurrently.

The Chair confirms with the applicant if they agree with the recommendations and comments provided in the report from Administration.

The Chair asks if there are any questions/comments from Committee Members and Administration. None noted.

DISCUSSION

The Malandrucolo confirms they agree with the recommendations and comments provided in the report from Administration

The Chair asks for public presentation. None noted

Moved by: J. Balsamo

Seconded by: F. Cerasa

IT IS HEREBY DECIDED that the application **BE GRANTED WITH CONDITIONS.**

CARRIED.

The Chair advised the applicant that approval of the application is subject to a 20-day appeal period, and that written notice of the decision accompanied by instructions would be duly sent to the owner or authorized agent as prescribed by the Planning Act.

ADOPTION OF MINUTES

After reviewing the draft minutes presented by the Secretary-Treasurer, it was

Moved by **J. Balsamo**,
Seconded by **D. Gatti**,

That the minutes of the Committee of Adjustment Hearing held **April 10, 2025**, BE
ADOPTED AS AMENDED.

CARRIED.

ADJOURNMENT:

There being no further business before the Committee, the meeting accordingly adjourned at 5:15 p.m.

Mike Sleiman, Chairperson

Jessica Watson, Secretary-Treasurer