



CITY OF WINDSOR
COMMITTEE OF ADJUSTMENT
MINUTES
FOR THE HEARING OF
March 13, 2025

A virtual hearing by the Committee of Adjustment for the City of Windsor was held on March 13, 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
Frank Cerasa, Member

Jessica Watson, Secretary-Treasurer
Riley Dufour, Committee Clerk

Regrets:
Joe Balsamo, Vice-Chair
Mohammed Baki, Member

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

Planning & Building Services Department

Jim Abbs, Deputy City Planner (Acting)
Zaid Zwayeed, Planner
Brian Velocci, Planner
Stefan Pavlica, Zoning Co-ordinator
Conner O'Rourke, Zoning Co-ordinator
Diana Radulescu, Planner
Averil Parent, Planner

Engineering & Geomatics Department

Dan Perissionotti, Technologist

Transportation Planning Department

Juan Paramo, Transportation Engineer

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DISCLOSURE OF PECUNIARY INTEREST
and the general nature thereof

There being no disclosure of pecuniary interest at this time, the following applications were considered in the order as contained herein.

APPLICANT and SUBJECT LANDS:

Owner(s): 1000925148 ONTARIO INC

Subject Lands: PLAN 709 LOT 373 and known as Municipal Number 408 HANNA
ST E

REQUEST: Create a new Lot.

INTERESTED PARTIES PRESENT:

Ryan Solcz, Agent
Joe Donato, 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.

DISCUSSION

The Agent objects to the recommendations presented by Administration and discussion surrounding the easements as a condition placed by the Engineering department is further discussed. The applicant agrees with obviously granting this severance because we applied for it, but the applicant proposes the imposition of the condition that administration is recommending and I apologize, Mr. Chair, but I had submitted a letter late last night responding to this condition that was being imposed because. Mr. Solcz outlines Cut to access parking in front of the building. It goes virtually the length of the property. These lands will never be restored to landscaping in the Boulevard, given the length of the curb cut. He would like more info with respect to the restoration about the concrete Blvd., as it is this way and has been for many years. Mr. Solcz outlaws that with legitimate expectations advising there has been no issues and then submits consultations, with the possibility of conditions and then applies, and is given this condition at the time of the hearing. He feels this is holding a purchase of the property and sale at ransom. Mr. Gatti and Mr. Sleiman outlines that based on ownership of the properties, this will pose a conflict of interest. The Secretary-Treasurer outlines this item will be deferred due to no quorum. The Agent would like it to be deferred to March 27th.

IT IS HEREBY DECIDED that the application **BE DEFERRED**.

CARRIED.

APPLICANT and SUBJECT LANDS:

Owner(s): 1000982881 ONTARIO INC

Subject Lands: PLAN 709 LOT 373 and known as Municipal Number 987 FORD BLVD

Zoning: Residential RD1.2

RELIEF: Proposed reduced minimum lot width and maximum lot coverage for an accessory building.

INTERESTED PARTIES PRESENT:

Andrew Liburdi, Agent

PRELIMINARY PROCEEDINGS

The Secretary-Treasurer outlines letters of objections have been received for this item, and shared with Administration, the Agent/Applicant and Committee prior to today's hearings.

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

The Chair asks for public presentation. None

Moved by: F. Cerasa

Seconded by: D. Gatti

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): 9636650 CANADA LTD.

Subject Lands: PLAN 148; LOT 10 and known as Municipal Number 227-229
LANGLOIS AVE

Zoning: Residential RD2.2

REQUEST: The severance of the lot by the common interior lot line that separates the semi-detached dwelling units, as shown on the attached drawing.

INTERESTED PARTIES PRESENT:

Saksham Sharma, Agent

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. Sharma confirms they agree with the recommendations and comments provided in the report from Administration. Mr. Gatti wants to confirm that once they are severed, they will follow the zoning by-laws. So, Ms. Parent outlines that there are no Minor variances required.

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): 1000982881 ONTARIO INC

Subject Lands: PLAN 1167 LOT 14 and known as Municipal Number 0/2451
WESTMINSTER BLVD

Zoning: Residential RD1.4

RELIEF: Proposed single-family dwelling and additional dwelling units (ADUs) with reduced minimum lot width and minimum lot area requirements.

INTERESTED PARTIES PRESENT:

Andrew Liburdi, Agent

PRELIMINARY PROCEEDINGS

The Secretary-Treasurer outlines letters of objections have been received for this item, and shared with Administration, the Agent/Applicant and Committee prior to today's hearings.

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. Liburdi confirms they agree with the recommendations and comments provided in the report from Administration. Mr. Gatti asks when it becomes a major variance and not minor. Ms. Radulescu, while our minor variance policies in our official plan do note that variances above 20% typically would be more appropriate through zoning bylaw amendments, there's also a policy that addresses existing undersized lots and advises that the Committee of Adjustment may consider variances above 20% were existing undersized. Lots. And that means a whole lot on a registered plan are being considered, such as this case for the purposes of infilling and intensification. So, to provide context, this this lot is a whole lot on a registered plan of subdivision. and the minor variances related to lot width and lot area are related to the dimensions of the whole lot on the registered plan and that's what the variances are related to. The Chair asks why the zoning requires 18m if it was previously approved. Ms. Radulescu outlines that RP of subdivisions were created before the 18 m in a RD.1 zone, and the reality is the whole lots on a RP are existing and undersized as described in the OP under the MV plans.

Mr. Cerasa asks what the planning departments recommendation is. Ms. Radulescu confirms the recommendation is to approve the minor variance without conditions.

The Chair asks for public presentation.

Mr. Gagliano, Neighbour outlines his concerns with the proposed variances. His concern is that the way the neighbourhood is currently single dwelling homes., he feels this is not going to be in alignment with such and doesn't feel multiple units on the lots should be permitted. He feels there will be privacy concerns.

Mr. Sleiman appreciates his concerns and outlines that anything over and above the main dwelling, however, that the provincial policy allows us to basically main dwelling, +2 ADU's and that came right from the provincial government, and it is not in the COA's jurisdiction basically to tell the applicant no, he cannot build. Mr. Sleiman outlines that the committee is seeing this more and more and unfortunately regardless of if they agree or disagree, it is out of their jurisdiction to make any decisions.

Moved by: F. Cerasa

Seconded by: D. Gatti with discussion on the motion.

Mr. Gatti addresses his thoughts with the province of Ontario making a profound mistake when they passed the legislation that allows people to do this exact same thing, which is to throw down homes in the side and in the rear, however, they've done that and of course this particular application is unaffected by the fact that the ADUs are being constructed and we have to focus only on the actual minor variance, which is the size of the lot. So, his vote is in favor of the motion, however he wishes he didn't have to.

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): LISA PAVAN
Subject Lands: PLAN 1589; LOT 43 and known as Municipal Number 3591 RANKIN AVE
Zoning: Residential RD1.4
RELIEF: Maximum lot coverage for all accessory buildings on a lot.

INTERESTED PARTIES PRESENT:

Lisa Pavan, Owner
Bruno Limarzi, 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

Ms. Pavin confirms they agree with the recommendations and comments provided in the report from Administration

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): CASTLEPLEX HOLDINGS LIMITED

Subject Lands: PLAN 1354 LOTS 91 & 92;PT CLOSED ALLEY and known as
Municipal Number 543 VANIER ST

Zoning: Residential RD1.3

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

INTERESTED PARTIES PRESENT:

Razik Sarsam, 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. Razik confirms they agree with the recommendations and comments provided in the report from Administration

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 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 **D. Gatti**
Seconded by **F. Cerasa**

That the minutes of the Committee of Adjustment Hearing held **February 27, 2025, BE ADOPTED.**

CARRIED.

ADJOURNMENT:

There being no further business before the Committee, the meeting accordingly adjourned at 4:17 p.m.

Mike Sleiman, Chairperson

Jessica Watson, Secretary-Treasurer