



CITY OF WINDSOR

COMMITTEE OF ADJUSTMENT

MINUTES

FOR THE HEARING OF

February 27, 2025

A virtual hearing by the Committee of Adjustment for the City of Windsor was held on February 27, 2025, by Video Conference. The Hearing was called to order at 3:30 PM.

ATTENDANCE:

Present:

Committee Members

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

Riley Dufour, Acting Secretary-Treasurer

Regrets:

Jessica Watson, Secretary-Treasurer

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

Planning & Building Services Department

Greg Atkinson, Deputy City Planner
Zaid Zwayyed Planner
Brian Velocci, Planner
Stefan Pavlica, Zoning Co-ordinator
Conner O'Rourke, Zoning Co-ordinator
Diana Radulescu, Planner
Kareem Kurdi, 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): 2832765 ONTARIO INC.

Subject Lands: PLAN 932 LOT 194 and known as Municipal Number 417 HYDE ST

Zoning: Residential RD1.3

RELIEF: Maximum lot coverage and minimum rear yard depth requirements for a single unit dwelling with ADUs.

INTERESTED PARTIES PRESENT:

Giovanni Miceli, 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. Miceli 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: J. Balsamo

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): 14351495 CANADA INC.

Subject Lands: PLAN 934 LOT A;PLAN 715 S PT LOT 5 and known as Municipal Number 982 CAMPBELL AVE

Zoning: Residential RD2.2

RELIEF: Maximum Gross Floor Area requirement for a single unit dwelling with ADUs.

INTERESTED PARTIES PRESENT:

Abdallah Elreyatty, 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. Elreyatty confirms they agree with the recommendations and comments provided in the report from Administration. The Chairs asks for confirmation on the GFA. Mr. Elreyatty confirms he is applying for 480 m²

Mr. Elreyatty outlines the overage would be distributed between 3 units, as it is a single unity dwelling with 2 ADU's.

Mr. Gatti expresses his concern with the 20% increase and address's administration at what point is it too much? Mr. Zwayyed proceeds to answer this question as per our official plan policies for minor variances, if it's generally around 20% variance, it's considered minor nature and since the applicant showed that he's going to distribute that percentage among the units was acceptable. Mr. Atkinson shares a visual for the Committee of the Evaluation Criteria for the Minor Variance.

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): ROMAN CATHOLIC EPISCOPAL CORPORATION LONDON DIOCESE

Subject Lands: PLAN 1063; LOTS 355 TO 363; 387 TO 395; PT LOTS 354 & 396 & PT CLOSED ALLEY and known as Municipal Number 1981-1991 NORMAN RD

Zoning: Institutional ID1.1 and RD1.1

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

INTERESTED PARTIES PRESENT:

Constance Giglio, 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

Ms. Giglio confirms they agree with the recommendations and comments provided in the report from Administration. The Chair asks for confirmation whether the proposed severance will leave sufficient parking stalls for the existing church in accordance with the with the zoning requirements based on the size of the capacity and if not, how do you plan to address this issue? Mrs. Radulescu explains the proposed severance line is at a location that does not impact any of the existing parking spaces for the church operations and there are no concerns from the City of Windsor's perspective.

The Chair asks for public presentation. None noted

Moved by: M. Baki

Seconded by: J. Balsamo

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): OAKWOOD BIBLE CHAPEL

Subject Lands: PLAN 1023; LOTS 474 TO 480; LOTS 488 TO 494; PT LOTS 481 TO 487 & PT BLOCK D and known as Municipal Number 2510 CABANA RD W

Zoning: Institutional ID1.1

RELIEF: Proposed electronic sign with minimum distance from a residential area.

INTERESTED PARTIES PRESENT:

Tony Francisco, 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. Francisco confirms they agree with the recommendations and comments provided in the report from Administration. Mr. Francisco expresses his concern with the times in the condition with respect to the posted times of the illumination of the sign as in the recommendation from 7AM to 8PM daily. He outlines that at 8PM in the summertime it is still relatively lighter and has recommended an amended time of 10PM.

Mr. Francisco compares the sign to the full stretch and the number of churches and the St. Clair College with respect to their sign, noting there have not been any objections. He feels that the sign's position does not adversely affect the homes on the South side as they can't see the sign. He outlines the sign will be facing North, South not East nor West. The Chair asks how the brightness of a sign is measured. Mr. Alexander explains the illumination levels. He outlines how it's highlighted and identified again in section 3.3. Illumination regulations of the sign bylaw. And it identifies the, you know, minimum and maximum candle foot, candle lighting and nits. At the time of permits thru the building department it will be identified by the issuing department. He outlined if the lighting becomes bright, By-Law enforcement would go out and investigate. The Chair expresses concerns with respect to the residents directly across the street, and Mr. Alexander outlines they are within their 33-34 meters away, and won't see it directly. The Chair asks if the lights would be on a timer. Mr. Francisco outlines that they will be on a timer, and the timer is connected to his cell phone. He outlines everything electronically can be controlled for.

The board from his phone. The committee asks if the time was discussed during consultation. Mr. Francisco outlines he just recently learned of the time in the administrations recommended report, and he wanted to be sure to bring it to the committee as he had a concern and felt he didn't want to belabor the point, there are others along the full corridor.

Mr. Francisco has seen signs on all day and all night, and he feels it would not be fair to have his sign turned off. Mr. Baki addresses administration with respect to agreeing with the news times as 7AM-10: PM. Mr. Alexander outlines administration would support.

The Chair asks for public presentation. None noted

Moved by:	M. Baki
Seconded by:	D. Gatti

IT IS HEREBY DECIDED that the application **BE GRANTED** as amended to change the condition time from 8PM to 10PM.

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): GRACHANICA SERBIAN EASTERN ORTHODOX CHURCH

Subject Lands: CON. 1; PT LOTS 121 & 122; RP 12R26172; PART 15 and known as Municipal Number 0 CATHERINE ST

Zoning: HMD1.4

REQUEST: Severance of lands, as shown on the attached drawing, for the purpose of a lot addition with easements.

INTERESTED PARTIES PRESENT:

Tracey Pillon-Abbs, Agent

PRELIMINARY PROCEEDINGS

Moved By: J. Balsamo

Seconded By: M. Baki

That File – B-005/25-B-007/25 on the being CON. 1; PT LOTS 121 & 122; RP 12R26172; PART 15 and known as Municipal Number 0 CATHERINE ST and CON 1 PT LOT 119;COM 1614 N OF TEC RD IN;W LMT OF FM LOT 119 TH W and known as Municipal Number 6412 TECUMSEH RD E and CON. 1; PT LOTS 121 & 122; RP 12R26172; PART 15 and known as Municipal Number 0 CATHERINE ST 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.

DISCUSSION

Ms. Pillon-Abbs confirms they agree with the recommendations and comments provided in the report from Administration

Mr. Cerasa asks if this application is for a service agreement for the lands or the road. Mrs. Pillon- Abbs outlines the application is to assemble lands. She notes as you can see that there are multiple property owners it will bel be assembled into three parts.

The first part will be for a future Commercial building, a second part will be behind it for a second commercial building and then the third part will be the storm water management pond, which will eventually be conveyed to the City of Windsor. For us to have these three properties, we need the easements to give us access or permission to cross one property over to the other property to the back. So that is one of the items that are required for the easements. Another easement is the connection to the drains where the stormwater management will outlet, and then the third piece is the Serbian parcel.

They're doing a lot line adjustment to add just a small piece from their property onto this consolidated piece to have a turning access from Catherine St.

Now simultaneously Catherine St. As you're aware, is not open yet, so that has been done by expropriation by the City of Windsor. So eventually Catherine St. will be open.

Ms. Pillon-Abbs continues to address the easements will have like an internal driveway. It'll look like a traditional Rd. in a commercial Plaza.

Mr. Sleiman addresses the applicant with confirmation about the access and connectivity's if he can confirm that no adjoining properties will be landlocked because of this severance and development in the area, we all know it's a major shopping centre is going to go there he requires a confirmation that there will not be a landlock.

Mrs. Radulescu outlines, the easements included in the three consent applications and reports are covering our official plan policies to ensure municipal access.

To access to municipal services and to municipal right of way for all three parcels, and in addition, the applicant will be moving through the site plan control process which will look at accesses for the parcels and surrounding parcels as well. The Chair is addresses the landlocking again with respect to administration.

Mr. Paramo, outlines there has been a municipal class environmental assessment completed for the area to come up with a servicing approach for the whole area and through that access servicing was considered and it accounted for the proposed access for this site.

Saying that all the adjacent properties immediately to the subject site will not be affected by the proposed accesses. Mrs. Radulescu outlines we have standards in our zoning bylaw that prescribe the certain widths for different driving aisles and parking and access aisles. And so those will be assessed through the site plan control process, whereby each of the proposed movements through the site. Mr. Cerasa is asking if this right away would be wide enough to accommodate a future Rd. Mr. Paramo outlines this property will have to comply to city standards. One of our city standards calls for this driveway to look like a commercial driveway. And notes it will not look like a road like a regular local Rd. It will look like a commercial driveway access. And true, the municipal class EA cross section review of the proposed Catherine Right of Way was conducted and all the proposed work

Mr. Sleiman asks is Catherine Rd. is going to be extended all the way to Tecumseh Rd. As noted right now we don't have any anything concrete. Mr. Paramo addresses the idea is to start construction sometime this year.

Mr. Cerasa asks for the dimensions of the easements and if it is outlined, we are approving something without the dimensions?

Mr. Paramo outlines the same easement will be used to provide us a storm sewer connection to the regional pond being proposed at the back of the subject property.

Mr. Paramo explains there is still a few technical details that need to still be sorted out before we can put a dimension to the cement, and It's determined in the future.

The Chair asks for public presentation. None noted

Moved by: Joe Balsamo
Seconded by: Frank 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): THE HEARN GROUP INC, GEM PROPERTIES INC

Subject Lands: CON 1 PT LOT 119;COM 1614 N OF TEC RD IN;W LMT OF FM LOT 119 TH W and known as Municipal Number 6412 TECUMSEH RD E

Zoning: HMDI.4

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

INTERESTED PARTIES PRESENT:

Tracey Pillon-Abbs, Agent

PRELIMINARY PROCEEDINGS

Moved By: J. Balsamo

Seconded By: M. Baki

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DISCUSSION

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The Chair asks for public presentation. None noted

Moved by: Joe Balsamo
Seconded by: Frank 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): THE HEARN GROUP INC, GEM PROPERTIES INC

Subject Lands: CON 1 PT LOT 120;RP 12R2505 PART 1 and known as Municipal Number 6560 TECUMSEH RD E

Zoning: HMD1.4

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

INTERESTED PARTIES PRESENT:

Tracey Pillon-Abbs, Agent

PRELIMINARY PROCEEDINGS

Moved By: J. Balsamo

Seconded By: M. Baki

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The Chair asks for public presentation. None noted

Moved by: Joe Balsamo
Seconded by: Frank 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 **February 13, 2025**, BE
ADOPTED

CARRIED.

ADJOURNMENT:

There being no further business before the Committee, the meeting accordingly adjourned at 4:18 p.m.

Mike Sleiman, Chairperson

Jessica Watson, Secretary-Treasurer