

CITY OF WINDSOR
COMMITTEE OF ADJUSTMENT
MINUTES

FOR THE HEARING OF

August 07, 2025

A virtual hearing by the Committee of Adjustment for the City of Windsor was held on August 07, 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 of Adjustment Clerk

Regrets:

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

Planning & Building Services Department

Laura Diotte, Manager of Development Applications
Zaid Zwayeed, Planner
Averil Parent, Planner
Conner O'Rourke, Zoning Coordinator
Stefan Pavelic, Zoning Coordinator

Engineering & Geomatics Department

Sandi Mio, Technologist I

Transportation Planning Department

Elara Mehrilou, 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.

DEFERRED ITEM From July 10, 2025

FILE: A-055/25

APPLICANT and SUBJECT LANDS:

Owner(s): 5054545 ONTARIO INC.

Subject Lands: SANDWICH EAST CON 2; MCNIFF; PT LOT 95; RP 12R28716; PARTS 1 & 2 and known as Municipal Number 1850 NORTH SERVICE RD

Zoning: Residential RD3.3

RELIEF: Seeking relief for increased maximum building height from 24m to 27m.

INTERESTED PARTIES PRESENT:

Jackie Lassaline, Agent

PRELIMINARY PROCEEDINGS

This item was deferred from the July 10, 2025, Committee of Adjustment meeting.

The Secretary-Treasurer states that there have been objections received with respect to the proposed and have been shared with administration, the Applicant and the Committee of Adjustment for review prior to these 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.

The Chair discloses he knows the agent and has no financial gains.

Mr. Cerasa discloses he knows the Applicant and has no financial gains.

DISCUSSION

Ms. Lassaline confirms they agree with the recommendations and comments provided in the report from Administration. Ms. Lassaline outlines through what was asked and considerations that have taken place prior to today's meeting are that she has taken great strides at reducing any lightening impact, and the concerns of the demolition. In discussions with the council and with the Development Committee, it was recognized that there was going to be some shadow impact. This has not increased with the requested height of the building because of the shifting of the buildings to the West. Ms. Lassaline feels you've got a situation where we have minimized the impact completely. The shadow will only be impacting a few residences during the different seasons a few times in the evening. Ms. Lassaline provides an overview of the measurements and the final stages of discussion and provides a visual for those in the meeting.

The Chair asks for public presentation.

Anna Sovereign, neighbour addresses her concerns with living a block over and speaking on behalf of the neighborhood which are against this proposal. She addresses some concerns with respect to parking.

Mrs. Lassaline outlines that they will be in parking compliance with the municipal bylaw for parking and there's going to be probably a few extra parking spaces, so she doesn't see anyone needing the use of the fogular. Ms. Lassaline outlines the proposed will be done in phases. The development will occur in phases and what we have done, we've designed in compliance with the bylaw. So, we're meeting the municipal bylaw standards. We're not asking for relief from parking whatsoever. We're providing, as on the site plan, the white area that's around the building is going to be parked. There's going to be a parking garage. There's going to be a few extra parking spaces for each phase to the point that by providing parking, it's not one space per unit, it's 1.25 where we add every 4 units we add a visitor parking spot. So, there is going to be a substantial amount of parking. You won't, you won't see anybody parking on Byng.

Gino Sovereign, neighbour has concerns about the number of stories now vs what was provided to the public for a reply at a community meeting. Ms. Lassaline outlines you've got a situation where the density wasn't matching what the market is requiring for the size of the units, and it made more sense to provide a few more units, and this will not put more pressure on municipal services and roads and make more sense. Ms., Lassaline outlines the provincial policy statements, the province, the municipality, the official plan directs us that when you've got a Greenfield such as this, when possible, take it up a little bit higher. It saves the municipality going out into the agricultural area and it just is a logically good spot for a little more intensification. Ms. Lassaline outlines that a shadow study has been provided and there is less impact. To address the Traffic, and as part of our site plan process, we've had an addendum, but the municipality is saying the addendum speaks to there being no problem with traffic because once again, they're not going to go up, bang, they're going to be going down N Service Rd. etcetera.

Stefanie Baric, the neighbour, asks if the public can have a copy of the shadow study to see exactly what times of afternoons will be impacted. Additionally, her other concerns about having everything in this area are raised ranches and there are a lot of visual impediments to the neighborhood and then going to an 8 story.

Ms. Diotte outlines that even though the applicant was proposing a 20-meter building which is 6 stories, they did have permission under the zoning. They received approval through the zoning bylaw amendment for 24 stories. What they're requesting now is a variance from those 24 stories to an additional 3 metres. So, essentially, they are creating the one additional story that is permitted and within the 24 meters, they're asking for now for an additional meter.

Mr. Balsamo provides a summary as follows: Let me see if I understand this correctly. So, the original application, which was submitted to council for 20 meters, is about 65 feet approximately. The maximum they can do is 24m. They're asking for 27m, which is 88 feet. So, they're asking for an additional 23 feet from the original. The application that they submitted to the council was approved by council before and I understand that correctly. And is an additional 23 feet. He says now they're asking for much more. Mr. Gatti outlines lighting issues for the sun for discussion. The Secretary-Treasurer shares the shadow study via-email for review. Mr. Balsamo outlines that the shadow study was done at the 20 meters, not 27 meters. So, it won't. It's a different shadow study anyway, so it wouldn't affect today's decision today it's only 7m.

A motion is placed by J. Balsamo to deny the application based on the heights and shadow studies. No Secorder – the motion is not passed.

Discussion on the motion is brought forward and entered by D. Gatti.

Moved by: F. Cerasa
Seconded by: D. Gatti

Opposed: Joe 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.

FILE: A-056/25

APPLICANT and SUBJECT LANDS:

Owner(s): GREEK ORTHODOX COMMUNITY CENTRE

Subject Lands: PLAN 1456; LOT 11; PT LOTS 10 & 12 and known as Municipal Number 3052 WALKER RD

Zoning: Institutional District 1.7 (ID1.7)

RELIEF: Proposed construction of a detached accessory building (pavilion) on the property requesting relief for increased maximum accessory building height.

INTERESTED PARTIES PRESENT:

Thomas Papantonis, 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.

DISCUSSION

Mr. Papantonis confirms they agree with the recommendations and comments provided in the report from Administration. Mr. Balsamo asks for confirmation of the capacity. The agent outlines this is for 1000 standing people; however, they are proposing that this area has dropped significantly when there are tables, stages, etc. when there are festivals, is this the intended use. Mr. Cerasa asks if the proposed area is enclosed. The Agent outlines it will be an open area.

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.

FILE: B-048/25

APPLICANT and SUBJECT LANDS:

Owner(s): LAURENZA BEDARD & DOUGLAS BEDARD

Subject Lands: PLAN 1305 LOTS 71 & 72 and known as Municipal Number 3408
CHURCH ST

Zoning: Residential RD1.4

REQUEST: Consent for lot addition.

INTERESTED PARTIES PRESENT:

Jesse Fischer, 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. Fischer 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: D. Gatti

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

FILE: A-057/25

APPLICANT and SUBJECT LANDS:

Owner(s): N C CAPITOL HOLDINGS

Subject Lands: PLAN 919 LOT 195;PT LOTS 9 & 10;RP 12R17715 PART 1 and known as Municipal Number 0 FERNDAL AVE

Zoning: Residential RD2.1

RELIEF: Proposed semi-detached dwelling with four internal additional dwelling units seeking relief for increased maximum gross floor area – main building.

INTERESTED PARTIES PRESENT:

Clarke Gallie, 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. Gallie confirms they agree with the recommendations and comments provided in the report from Administration.

Questions/comment from the committee with respect to the 756 m², however the 480 m² is what is being sought for today, as this is what is in compliance with the City of Windsor By-laws. The applicant outlines the proposed will be 66 units. They'll be the main floor, 2nd floor in the basement, and like stellar definition for ADU bylaws in the basement as well as ADU's on the upper for a lower main and upper semidetached 3 on each side. Mr. Gallie shares his screen and provides a sketch of the front facing windows for the basement suites and are along the rear of the proposed. He adds, from the front elevations drawings there are no basement windows, but there will be along the sides as well as the back cause it's like a back porch to enter to the basement suites. The Chair asks for an explanation of the 20% threshold outlined in section 11.66.2 of the Official Plan. Mr. Gallie provides an explanation with respect to the development and the need has been addressed for the 3 bedrooms VS 2 bedrooms kind of layout. The Chair addresses administration regarding the Official Plan. Ms. Parent explains that even if there's an ADU in the cellar, it does count as Max GFA into the gross floor area. So, this proposal with a semi-detached with four and two internal units for a total of 6 units. Administration has asked for the cap to be at 480 m² or above required a re-zoning application. Ms. Parent explains but through the minor variance process the planning department did not think it was minor at the proposed level with the with the whole basement being a separate unit and therefore including the GFA. The chair addresses the possibility of any parking issue concerning servicing or sewer issues. Ms. Parent outlines that this was circulated through engineering at the time, and there were no concerns with the up to 480m². The parking concern after review has provided in the recommendation that there is non-compliance especially if they sever the lot, would require independent driveways, and independent sewer conditions. She outlines that that many parking spaces would become more complex.

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 to allow up to 480 m²**.

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.

FILE: A-058/25

APPLICANT and SUBJECT LANDS:

Owner(s): ELOISE WILLIAMS & ZODERHOCK WILLIAMS

Subject Lands: PLAN 435 LOT 231 and known as Municipal Number 1010 BRUCE AVE

Zoning: Residential RD1.3

RELIEF: Proposed detached additional dwelling unit at the rear of the property requesting relief for increased maximum lot coverage for all accessory buildings and increased maximum gross floor area for an accessory building to include an additional dwelling unit.

INTERESTED PARTIES PRESENT:

Daniel Crofts, 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. Crofts confirms they agree with the recommendations and comments provided in the report from Administration. Mr. Gatti asks about the only 1 m² existing and couldn't get rid of it. Mr. Croft states his client really wants to modify the space.

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 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 July 10, 2025, **BE ADOPTED .**

CARRIED.

ADJOURNMENT:

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

Supported and adopted:

Mike Sleiman, Chairperson
Jessica Watson, Secretary-Treasurer