

The Inaugural Meeting for the Committee of Adjustment for The City of Windsor was held on the 20<sup>th</sup> day of January, 2022, as an on-line conference meeting format, Windsor, Ontario. The meeting was called to order at 4:00 PM

Mike Sleiman opened the floor for nominations in the order as they appear below.

Moved by Tom McMahan, seconded by Joe Balsamo  
That Mike Sleiman **BE APPOINTED** as the Chairman of the Committee of Adjustment for the year 2022.

**CARRIED.**

Moved by Mike Sleiman, seconded by Dante Gatti  
That Tom McMahan **BE APPOINTED** as the Vice-Chairperson of the Committee of Adjustment for the year 2022.

**CARRIED.**

Moved by Mike Sleiman, seconded by Tom McMahan  
that Jessica Watson **BE APPOINTED** as the Secretary-Treasurer of the Committee of Adjustment for the year 2022.

**CARRIED.**

Moved by Tom McMahan, seconded by Joe Balsamo  
that Neil Robertson (Manager of Urban Design) **BE APPOINTED** as the Acting Secretary-Treasurer to the Committee of Adjustment for the year 2022.

**CARRIED.**

Moved by Dante Gatti, seconded by Mike Sleiman  
That Joe Balsamo **BE APPOINTED** as Member of the Committee of Adjustment for the year 2022.

**CARRIED.**

Moved by Mike Sleiman, seconded by Tom McMahan  
That Dante Gatti **BE APPOINTED** as Member of the Committee of Adjustment for the year 2022.

**CARRIED.**



# **CITY OF WINDSOR**

## **COMMITTEE OF ADJUSTMENT**

### **MINUTES**

**FOR THE HEARING OF**

**January 20, 2022**

A hearing by the Committee of Adjustment for the City of Windsor was held on January 20, 2022, located , Electronic Participation.

The Hearing was called to order at 3:30 PM.

**ATTENDANCE:**

**Present:**

Mike Sleiman, Chair  
Tom McMahon, Vice-Chair  
Dante Gatti, Member  
Joe Balsamo, Member

Jessica Watson, Secretary-Treasurer

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

Neil Robertson, Manger of Urban Design/Deputy City Planner, Planning Department  
Simona Simion, (Planner II – Research & Policy Support) Planning Department  
George Robinson (Planner III – Site Plan Approval Officer) Planning Department  
Connor Cowan (Zoning Co-ordinator) Planning Department  
Kareem Kurdi, (Zoning Co-ordinator) Planning Department  
Mark Schaffhauser, (Technologist I) Engineering & Geomatics Department  
Rania Toufeili (Transportation Engineer) Transportation Planning  
Stefan Fediuk, (Landscape Architect), Planning Department  
Sophia Symons, Co-op Student, Planning Department  
Colin Funk, Co-op Student, Planning Department

\* \* \* \* \*

**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):** SPANISH PENTECOSTAL CHURCH  
**Subject Lands:** Lot 110 on Registered Plan 276 and known as Municipal Number 1052 LANGLOIS AVE  
**Zoning:** Residential RD1.3  
**RELIEF:** To expand a legal non conforming use (place of worship).

**INTERESTED PARTIES PRESENT:**

Noel Cabrera, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirms with the applicant if they are in agreement 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 to note

**DISCUSSION**

Mr. Cabrera confirms he is in agreement with the recommendations provided by Administration in the Report..

The Chair asks if there is public presentation. None noted.

Moved by: Dante Gatti

Seconded by: Joe 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):** 2772560 ONTARIO INC

**Subject Lands:** Part Block B; Part Lot 5 on Registered Plan 1575; Parts 3, 5-7 on Reference Plan 12-28236 and known as Municipal Number 2139 HURON CHURCH RD

**Zoning:** Manufacturing MD1.4

**RELIEF:** To erect a 3-dimensional electronic Billboard sign with maximum height and minimum reduced distance to residential districts, side yards and existing Billboard signs

**INTERESTED PARTIES PRESENT:**

Tracey Pillon-Abbs, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirms with the applicant if they are in agreement 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 to note

**DISCUSSION**

Ms. Pillon-Abbs confirms on behalf of the Agent, she is in agreement with the recommendations provided by Administration in the Report.

Mr. McMahon asks if there would be an impact to traffic or a study on the size of the sign. Mr. Fediuk, outlines there was a negotiation in place to move the sign back and the sign bylaw allows for this type of sign type. He has deferred the comment on traffic impact to Transportation Planner.

Ms. Toufeili outlines there is a sufficient setback for the sign, and it is not conflicting with any traffic signals and no problems with signs, she outlines there are illumination standards that are put in place specifically for this, and everything meets the requirements.

The Chair asks if there is public presentation. None noted.

Moved by: Joe Balsamo

Seconded by: Dante 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):** BANWELL COMMUNITY CHURCH

**Subject Lands:** Part Block 1 on Plan 12M-428; Part 1 on Reference Plan 12R-17595 and known as Municipal Number 2400 BANWELL RD

**Zoning:** Manufacturing MD1.4 S20 113

**REQUEST:** To convey above noted lands, as shown on the attached drawn for the purpose of creating a new Lot.

**INTERESTED PARTIES PRESENT:**

John Millson, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirms with the applicant if they are in agreement 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 to note

**DISCUSSION**

Mr. Millson confirms on behalf of the Agent, she is in agreement with the recommendations provided by Administration in the Report.

Moved by: Dante Gatti

Seconded by: Tom McMahon

**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):** 2833822 ONTARIO INC

**Subject Lands:** Lots 52- 54 and Part Closed Tecumseh Rd on Registered Plan 652 and known as Municipal Number 360 TECUMSEH RD W

**Zoning:** Commercial CD2.1

**RELIEF:** The creation of 2-unit dwelling units in an existing legal non-comforming use building

**INTERESTED PARTIES PRESENT:**

Brian Chillman, Agent  
David Barry, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirms with the applicant if they are in agreement 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. Chillman** confirms on behalf of the Agent, he is in agreement with the recommendations provided by Administration in the Report.

Mr. Balsamo asks of sufficient parking onsite. Mr. Barry has outlined that there is a retail current unit converted, and an existing unit, and there is not problems with parking currently. Mr. Chillman outlines parking is sufficient. The Chair reverts to Administration. Ms. Simon outlines in her report, commercial spaces require more spots, however the zoning by-law outlines there is not a deficiency with any additions, and this satisfies both zoning requirements.

The Chair asks for public presentation. None noted.

Moved by: Dante Gatti

Seconded by: Mr. 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):** MOHAMMAD NASERIAN, SARA ETEMAD-RAD

**Subject Lands:** Easterly Part Lot 23 on Registered Plan 1478 and known as Municipal Number 3911 ROSELAND DR W

**Zoning:** Residential RD1.4

**RELIEF:** To accomodate an existing porch exceeding the maximum encroachment into a side yard.

**INTERESTED PARTIES PRESENT:**

Tracey Pillon-Abbs, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirms with the applicant if they are in agreement 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 to note

**DISCUSSION**

Ms. Pillon-Abbs confirms on behalf of the Agent, she is in agreement with the recommendations provided by Administration in the Report.

Mr. Balsamo address administration if there is a “lack of backyard” in the by-law. Ms. Simion confirms that as this is a side yard, Mr. Cowan confirms there is a rear yard of 7.5m. The Zoning By-law does not take into account where the address is, like the lot line and not the address. Mr. Balsamo asks if the requirement is met. Mr. Connor confirms the severance will not affect this condition. He outlines the subject property has met the requirements, as it is an existing condition.

Mr. Balsamo asks for a motion to defer, as he outlined he feels this is a major and not a minor variance. The Agent produces a drawing, and provides an overview for the committee, of the setback and the requirement, that was a pre-existing severance. The requirement of 1.2m and she outlines they have 6 feet. Observation of removal of the porch was not feasible, so this is the purpose of coming back to the committee for the setback. Mr. Balsamo asks of the safety of it being close to the property line. Ms. Simion outlines that the owner owns both lots, and there is not a convenience with the proximity of the porch being this close. The Committee has asked the agent to return with this variance. The Chair asks of a fire plan or safety. Ms. Pillon-Abbs outlines there is 11 feet on the opposite of the property of sufficient emergency plan.

Mr. Gatti asks Administration of the need for side yards. Ms. Simion is saying we are looking for buildings not to be 2.4 m close. This is a building department requirement. Mr. Gatti, points out this is an encroachment matter and that if others constructed porches like this – should it continue to be allowed. Mr. Cowan outlines that it is influenced by the building code. Mr. Gatti asks if all people erected fences on each side of their homes, or reduced to 3.6 m to the Lot line would it cause problem, he asks why do we have side yards, and require the consent of the committee for this variance. Mr. Simion outlines an example at a separate location, builds a porch being to close, and it is too close, that the smoke is interfering; there is not a problem for safety. It becomes a civil matter. Ms. Simion outlines there is enough room for fire safety. The Chair addresses the applicant, and asks why the demolition of the porch. Ms. Pillon-Abbs provides a photo on google maps, and outlines the reconfiguration for the porch, as an exit with a landing, however this was not feasible. IN order to preserve the concrete and the existing wide landing, the fire services could come thru the rear of the property.



Conversation of 6 feet from the new Lot line is the new house location to be built under the current building envelope. The Chair confirms this is enough room in his opinion. From the porch to the wall of the new house would be 7.18 feet. Confirmed by the Agent.

Mr. Balsamo withdraws his motion of Deferral.

The Chair asks for public presentation. None noted.

Moved by: Tom McMahon

Seconded by: Dante 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):** WINDSOR ESSEX COMMUNITY HOUSING CORPORATION  
**Subject Lands:** Lot 26 on Registered Plan 74 and known as Municipal Number 462 CRAWFORD AVE  
**Zoning:** Residential RD2.2  
**RELIEF:** Create multiple unit dwellings, 4 units

**INTERESTED PARTIES PRESENT:**

Hal Kersey, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirms with the applicant if they are in agreement 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. Kersey is in agreement of the recommendation provided by administration.

Mr. McMahon asks about a current Traffic study, that affordable housing is a huge topic, and he want has to know if the city is currently working on one. Ms. Toufaeli, has outlined there is not a study for this application.

Currently she is not aware of a parking study, however there are two curb cuts at this property, and at the request this will add 2 additional spaces.

The Chair asks for public presentation. None noted.

Moved by: Dante Gatti

Seconded by: Joe 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):** CHLUMECKY HOLDINGS INC

**Subject Lands:** Part Lot 46 Concession 1 and Part 1 and Part 2 on Reference Plan 12R-28806 and known as Municipal Number 620 SPRUCEWOOD AVE

**Zoning:** Manufacturing MD2.5

**RELIEF:** To identify and address location of existing structure erected without a permit.

**INTERESTED PARTIES PRESENT:**

Max Deanglis, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirms with the applicant if they are in agreement 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 to note

**DISCUSSION**

Mr. Denglais is in agreement with the recommendations provided in the report from Administration.

The Chair asks for public presentation. None noted.

Moved by: Joe Balsamo

Seconded by: Dante Gatti

**IT IS HEREBY DECIDED** that the application **BE GRANTED** as applied for with no conditions outside those established thru site-plan control.

**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):** MUHAMMAD SOHAIL ASLAM, LUBNA SOHAIL

**Subject Lands:** Part Lot 219 and Lots 220 to 227 on Registered Plan 557 and Part 2 on Reference Plan 12R-21891 and known as Municipal Number 1909 DOMINION BLVD

**Zoning:** Residential RD1.1

**RELIEF:** To create a new Lot with reduced minimum Lot width retained and severed and reduced minimum Lot area severed.

**INTERESTED PARTIES PRESENT:**

Stuart Miller, Agent

**PRELIMINARY PROCEEDINGS**

Moved by: Tom McMahon

Seconded by: Joe Balsamo

That since applications **A-007/22-and B-002/22 by MUHAMMAD SOHAIL ASLAM, LUBNA SOHAIL**, Part Lot 219 and Lots 220 to 227 on Registered Plan 557 and Part 2 on Reference Plan 12R-21891 and known as Municipal Number 1909 DOMINION BLVD **BE CONSIDERED CONCURRENTLY** by the Committee for discussion only.

The Chair confirms with the applicant if they are in agreement 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 to note

**DISCUSSION**

Mr. Miller confirms he is in agreement with the recommendations provided in the report from Administration

The Chair asks if there is public presentation. None noted.

Moved by: Joe Balsamo

Seconded by: Dante Gatti

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

**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):** MUHAMMAD SOHAIL ASLAM, LUBNA SOHAIL

**Subject Lands:** Part Lot 219 and Lots 220 to 227 on Registered Plan 557 and Part 2 on Reference Plan 12R-21891 and known as Municipal Number 1909 DOMINION BLVD

**Zoning:** Residential RD1.1

**REQUEST:** The conveyance of above said lands, for the purpose of creating a new Lot.

**INTERESTED PARTIES PRESENT:**

Stuart Miller, Agent

**PRELIMINARY PROCEEDINGS**

Moved by: Tom McMahon

Seconded by: Joe Balsamo

That since applications **A-007/22-and B-002/22 by MUHAMMAD SOHAIL ASLAM, LUBNA SOHAIL**, Part Lot 219 and Lots 220 to 227 on Registered Plan 557 and Part 2 on Reference Plan 12R-21891 and known as Municipal Number 1909 DOMINION BLVD **BE CONSIDERED CONCURRENTLY** by the Committee for discussion only

The Chair confirms with the applicant if they are in agreement 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. Miller confirms he is in agreement with the recommendations provided in the report from Administration

The Chair asks if there is public presentation. None noted.

Moved by: Joe Balsamo

Seconded by: Dante Gatti

**IT IS HEREBY DECIDED** that the application **BE GRANTED** as applied 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):** UNIVERISTY OF WINDSOR

**Subject Lands:** Part Lot 63 Concession 1 on Registered Plan 693; Lots 55 to 89, Lots 116 to 150; Part Lots 53, 54, 90 and Lot 115 and known as Municipal Number 2555 COLLEGE AVE

**Zoning:** Institutional ID1.3

**RELIEF:** Install sign with increased maximim sign face area, reduced minimum distance to residences, and increased maximum number of banner flags.

**INTERESTED PARTIES PRESENT:**

Craig Goodman, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirms with the applicant if they are in agreement 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. Goodman confirms he is in agreement with the recommendations provided in the report from Administration

Mr. McMahon asks the size and location of the signs. Mr. Goodman outlines they are on posts and they are 2 feet by feet, and they will be on 11 lampposts leading into the building. These are not near the site, and away from traffic. Mr. McMahon asks the lifespan of the banners. Mr. Goodman outlines its subjective depending on materials. The current banners on campus have been in positon for about 10 years.

The Chair asks for public presentation. None Noted.

Moved by: Dante Gatti

Seconded by: Tom McMahon

**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):** STERLING FUELS LIMITED

**Subject Lands:** Part Lots 17-20 on Registered Plan 40; Parts 1 and 3 on Reference Plan 12R-12444 and known as Municipal Number 3565 RUSSELL ST

**Zoning:** Manufacturing MD1.4 and RD 1.3 S20(1) 236

**REQUEST:** To convey the above noted lands, for the purpose of creating a new Lot.

**INTERESTED PARTIES PRESENT:**

Zoe Sotirakos, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirms with the applicant if they are in agreement 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. Sotirakos confirms she is in agreement with the recommendations provided in the report from Administration

The Chair asks would this be considered a technical severance. Ms. Simion outlines there is no language in the 8600 zoning bylaw that speaks to technical severance.

The Chair asks for public presentation. None noted.

Moved by: Joe Balsamo

Seconded by: Dante Gatti.

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

**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):** GAVIN DELMORE

**Subject Lands:** Lot 373-374 on Registered Plan 709 and known as Municipal Number 983 FORD BLVD

**Zoning:** Residential RD1.2

**RELIEF:** To accomodate a single unit dwelling with reduced minimum Lot width, side yard width and parking for Lot 374 and reduced minimum Lot width for Lot 373

**INTERESTED PARTIES PRESENT:**

Sam Atkin, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirms with the applicant if they are in agreement 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 to note

**DISCUSSION**

Mr. Atkin confirms he is in agreement with the recommendations provided in the report from Administration

Ms. Simion outlines that a driveway will be required for the existing house, there is only one municipal address, and the applicant addresses is brought forward as an application to deal with the new driveway. The Chair asks if there are current properties the size on the street. Ms. Simion outlines that this is not creating a new lot; we are just allowing the existing house to remain and a new house on the vacant lot.

The Chair asks for public presentation. None noted.

Moved by: Dante Gatti

Seconded by: Tom McMahon

**IT IS HEREBY DECIDED** that the application for relief from the provisions of the By-law 8600, for the purpose of accommodating an existing single unit dwelling with reduced minimum lot width/side yard width (lot 374) and a new single dwelling unit on a reduced minimum lot width (lot 373) **BE GRANTED** as applied

**IT IS HEREBY DECIDED** that accommodating an existing single unit dwelling with reduced parking **BE DENIED**.

**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):** BRITTANY LANE LEPERA

**Subject Lands:** Part Lots 439 and 440 on Registered Plan 1295 and Part 1 on Reference Plan 12R-27860 and known as Municipal Number 3330 ST PATRICK'S AVE

**Zoning:** Residential RD1.4

**RELIEF:** To construct a single dwelling unit exceeding the maximum lot coverage and encroachment into rear yard for a covered porch

**INTERESTED PARTIES PRESENT:**

Andre Abousali, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirms with the applicant if they are in agreement 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 to note

**DISCUSSION**

Mr. Abousali confirms he is in agreement with the recommendations provided in the report from Administration

The Chair asks for public presentation. None noted.

Moved by: Tom McMahon

Seconded by: Dante Gatti

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

**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):** 2809515 ONTARIO INC.  
**Subject Lands:** Part Lot 31 on Registered Plan 814 and known as Municipal Number 471 TECUMSEH RD W  
**Zoning:** Residential RD3.4  
**RELIEF:** The addition of one unit to an existing building exceeding maximum dwelling units and reduced parking spaces

**INTERESTED PARTIES PRESENT:**

Aly Somani, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirms with the applicant if they are in agreement 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 to note

**DISCUSSION**

Mr. Somani confirms he is in agreement with the recommendations provided in the report from Administration

The Chair asks for public presentation. None noted.

Moved by: Dante Gatti

Seconded by: Joe Balsamo

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

**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.

## **NEW BUSINESS**

A revised Consent application to request to clarify the application of Wonsch Construction Company Limited for conveyance to change conditions brought forward.

Discussion for the purpose of this application is to clarify the scope of the consent and request to change a previous condition for **3550 HOWARD AVE.**

Based on Planning Staff consultation with Legal Department, it was determined that the consent was not for a lot addition, rather a consent to create a new lot.

Part 2 does not have access to a public highway or municipal services. There are one (1) foot reserves at the north end of Oakridge Ave and Farrow Ave. The purpose of the land reserves is to prevent access to the highway and to municipal services. Part 2 is landlocked at this time and the consent does not conform with the Official Plan policies regarding access to a highway and municipal servicing. This non-conformity can be addressed by imposing a new condition to provide for municipal services. The applicant is required to enter a servicing/development agreement with the City of Windsor or have a draft plan of subdivision for Part 2 approved by City Council. The current Committee order does not contain such a condition and for that reason, this matter cannot be finalized in its current condition.

Moved by: Joe Balsamo

Seconded by: Dante Gatti

**IT IS HEREBY DECIDED** that the application to change conditions **BE GRANTED** with condition:

- I. The owner of 3550 Howard Ave shall obtain a Right-of-way permit to install a residential driveway to the satisfaction of the City Engineer.

**In addition, will be replaced with:**

- I. The prospective owner of the lands being designated as Part 2 on the attached drawing (0 Howard Ave) shall enter a servicing/development agreement with The Corporation of the City of Windsor to the satisfaction of the City Solicitor.

OR

- II. That a draft plan of subdivision for Part 2 is approved by City Council.

**ADOPTION OF MINUTES**

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

Moved by: Dante Gatti

Seconded by: Joe Balsamo

That the minutes of the Committee of Adjustment Hearing held January 20, 2022 **BE ADOPTED.**

**CARRIED.**

**ADJOURNMENT:**

There being no further business before the Committee, the meeting accordingly adjourned at 4:45 p.m.

Mike Sleiman, Chairperson

Jessica Watson, Secretary-Treasurer