



CITY OF WINDSOR

COMMITTEE OF ADJUSTMENT

MINUTES

FOR THE HEARING OF

February 17, 2022

A hearing by the Committee of Adjustment for the City of Windsor was held on February 17, 2022, located by Electronic Participation.

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

ATTENDANCE:

Present:

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

Regrets: Dante Gatti, 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
Amy Olsen, (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

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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): NABIL KHALEK, ALI KHALEK

Subject Lands: Part Lot 6 Concession 4 Sandwich West, also known as Part 1 on Reference Plan 12R-28710 and known as Municipal Number 0 RONALD AVE

Zoning: Residential RD1.4

REQUEST: To create a servicing easement over Part 2 as shown on the attached drawing.

INTERESTED PARTIES PRESENT:

Nabil Khalek, Owner

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

Ali Abdul Khalek confirmed he had consultation and in Agreement with the recommendations provided in the report from Administration.

Mr. McMahon asks why this address has returned before the Committee. Mr. Khalek, outlines they were not aware of the variance, however at the time of servicing, so therefore it has been brought to their attention.

The Chair asks if there is Public Presentation. None noted.

Moved by: Joe Balsamo

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): 2602130 ONTARIO LIMITED

Subject Lands: Part Lots 62-68 on Registered Plan 145 and Part 2 on Reference Plan 12R-18708 and known as Municipal Number 870 WYANDOTTE ST E

Zoning: Commercial CD2.2

RELIEF: To accomodate an existing combined dwelling with dwelling units at the same level (rear) and below commercial space.

INTERESTED PARTIES PRESENT:

Savio Almedia, 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

The Chair asks if there is Public Presentation. None noted.

Moved by: Joe Balsamo

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): DRAGAN SAVIC, ANDELIJA SAVIC

Subject Lands: Lots 501 and 502 Part closed alley on Registered Plan 835 and known as Municipal Number 1115 FAIRVIEW BLVD

Zoning: Residential RD1.1

RELIEF: To accomodate an existing single dwelling unit with reduced minimum lot width, lot area, front yard depth for Lot 501 and a proposed dwelling unit with reduced minimum lot width, lot area, side yard and exceeding maximum front yard paving and maximum garage width for Lot 502.

INTERESTED PARTIES PRESENT:

Dragan Savic, Owner

PRELIMINARY PROCEEDINGS

Moved by: Joe Balsamo
Seconded by: Tom McMahon

That since applications A-015/22, and B-005/20 by **DRAGAN SAVIC, ANDELIJA SAVIC**, Lots 501 and 502 Part closed alley on Registered Plan 835 and known as Municipal Number **1115 FAIRVIEW BLVD** are related, they **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. Savic confirms he is in agreement with the recommendations provided by Administration in the report.

Mr. McMahon would like confirmation if the applicant were going to demolish the garage. Mr. Savic outlines currently the house is over the two lots, he will demolish the pool and the garage, and the way between the two Lots, and will have a new residential home built and will have a new driveway installed. Mr. Sleiman asks where will the driveway for the existing home, and the applicant outlines it will be on the north side of the property, as based on public ROW department.

Mr. Sleiman asks about the side yard measurements for the existing house. Ms. Simion outlines it has sufficient width for parking space on the new driveway, and that the limits of 5 feet from the corner home to the other is permitted. The current zoning is RD1.1, which permits a single unit dwelling. The size for frontage would be 15 m and proposed for Lot 501 is 12.2 m – Both Lots are existing lots on a RP plan, and are already created, the application to sever is for the alley in the rear, so half of the abutting alley will be conveyed to each Lot.

The Chair asks if there is Public Presentation. None noted.

Moved by: Tom McMahon
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): DRAGAN SAVIC, ANDELIJA SAVIC

Subject Lands: Lots 501 and 502, Part Closed alley on Registered Plan 835 and known as Municipal Number 1115 FAIRVIEW BLVD

Zoning: Residential RD1.1

REQUEST: Consent to sever the alley, as shown on the attached drawing

INTERESTED PARTIES PRESENT:

Savio Almedia, Agent

Moved by: Joe Balsamo

Seconded by: Tom McMahon

That since applications A-015/22, and B-005/20 by **DRAGAN SAVIC, ANDELIJA SAVIC**, Lots 501 and 502 Part closed alley on Registered Plan 835 and known as Municipal Number **1115 FAIRVIEW BLVD** are related, they **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. Savic confirms he is in agreement with the recommendations provided by Administration in the report.

Mr. McMahon would like confirmation if the applicant were going to demolish the garage. Mr. Savic outlines currently the house is over the two lots, he will demolish the pool and the garage, and the way between the two Lots and will have a new residential home built and will have a new driveway installed. Mr. Sleiman asks where will the driveway for the existing home, and the applicant outlines it will be on the north side of the property, as based on public ROW department.

Mr. Sleiman asks about the side yard measurements for the existing house. Ms. Simion outlines it has sufficient width for parking space on the new driveway, and that the limits of 5 feet from the corner home to the other is permitted. The current zoning is RD1.1, which permits a single unit dwelling. The size for frontage would be 15 m and proposed for Lot 501 is 12.2 m – Both Lots are existing lots on a RP plan, and are already created, the application to sever is for the alley in the rear, so half of the abutting alley will be conveyed to each Lot.

The Chair asks if there is Public Presentation. None noted.

Moved by: Tom McMahon

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): 2498655 ONTARIO INC

Subject Lands: Part Lots 135 and 136 Concession 3 as being Part 3 and Part 4 on Reference Plan 12R-26008 and known as Municipal Number 3660-3690 MUNICH CRT

Zoning: Manufacturing MD2.4

RELIEF: The development of a transport terminal with reduced minimum front setback for storage area, reduced minimum setback from a green district, and without a berm abutting a green district

INTERESTED PARTIES PRESENT:

John Paul Ameio, 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. Ameio outlines there are no questions or comments and he is in support of the recommendations. Mr. Robinson outlines and confirms being proposed is no berm to be permitted, and the applicants will be replacing side of the property with landscaping. Mr. Robinson outlines that this has been a negotiated process between the applicant and agent and this currently part of Site Plan Process, and this has been established thru Site Plan for approval to move forward. Mr. Robinson outlines if this was abutting a residential district the Planning department would not be in support, however as it abuts a green district, and consultation the Planning Department is in support. Mr. Robinson will follow up with ERCA, prior to issuing final Site Plan approval.

The Chair asks if there is Public Presentation. None noted.

Moved by: Joe Balsamo

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): A D E DEVELOPMENT & LEASING CORP

Subject Lands: Lots 44 to 48 on Registered Plan 1259, Part Block A, Parts 1-3, 5 and Part 7 on Reference Plan 27680 and known as Municipal Number 3756 HOWARD AVE

Zoning: Residential RD3.1

RELIEF: The construction of a multiple dwelling building exceeding maximum height and reduced minimum side yard setback

INTERESTED PARTIES PRESENT:

Melanie Muir, 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. Muir is in agreement with the recommendation and comments provided in the report from Administration.

The Chair asks if there is Public Presentation. None noted.

Moved by: Tom McMahon

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.

ADOPTION OF MINUTES

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

Moved by: Tom McMahon
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 4:30 p.m.

Mike Sleiman, Chairperson

Jessica Watson, Secretary-Treasurer