



CITY OF WINDSOR
COMMITTEE OF ADJUSTMENT

MINUTES

FOR THE HEARING OF

June 16, 2022

A hearing by the Committee of Adjustment for the City of Windsor was held on June 16, 2022, located Room 204, 2nd Floor, Windsor City Hall, 350 City Hall Square West, Windsor, Ontario. 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
Natasha McMullin, Committee Clerk

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

Simona Simion, (Planner II – Research & Policy Support) Planning Department
Pablo Golob (Planner II - Development Review) Planning Department
George Robinson (Planner III – Site Plan Approval Officer) Planning Department
Jason Campigotto (Planner II – Site Plan Approval Officer) Planning Department
Connor Cowan (Zoning Co-ordinator) Planning Department
Amy Kurek, (Technologist I) Engineering & Geomatics Department
Shannon Deehan (Transportation Engineer) Transportation Planning
Amy Olsen (Technologist II) Development, Projects & Right-of-Way
Stefan Fediuk, Landscape Architect, Parks 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): JINGJUE GU

Subject Lands: PART LOT 23 & 25, LOT 24 ON REGISTERED PLAN 74 and known as Municipal Number 444 CRAWFORD AVE

Zoning: Residential RD2.2

RELIEF: To Accomodate an existing single unit dwelling with reduced side yard width and minimum separation from a Lot line, and a proposed new duplex dwelling with reduced Lot width and parking spaces

INTERESTED PARTIES PRESENT:

Zhen Ju, Agent

PRELIMINARY PROCEEDINGS

Moved by: Joe Balsamo

Seconded by: Tom McMahon

That since applications **A-041/22-and B-029/22 by JINGJUE GU**, PART LOT 23 & 25, LOT 24 ON REGISTERED PLAN 74 and known as Municipal Number 444 CRAWFORD AVE, 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.

DISCUSSION

Mr. Ju confirms that they are in agreement with the recommendations and comments provided in the report from Administration

Mr. McMahon address Administration and asks about the steps for the property. Mr. Golob outlines the steps are currently an encroachment, and the steps will be rotated 90 degrees so that there is not an encroachment. Mr. Golob outlines the owner is aware and has agreed, and it is not to be a required condition.

Mr. Sleiman confirms the lot to be severed is 32 feet, and this is where the duplex will be constructed.

The Chair asks for Public presentation. None noted.

Moved by: Tom McMahon

Seconded by: 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.

APPLICANT and SUBJECT LANDS:

Owner(s): JINGJUE GU
Subject Lands: PART LOTS 23 & 25, LOT 24 ON REGISTERED PLAN 74 and known as Municipal Number 444 CRAWFORD AVE
Zoning: Residential RD2.2
REQUEST: The severance of the above noted Lots, for the purpose of creating a new Lot.

INTERESTED PARTIES PRESENT:

Zhen Ju

PRELIMINARY PROCEEDINGS

Moved by: Joe Balsamo

Seconded by: Tom McMahon

That since applications **A-041/22-and B-029/22 by JINGJUE GU**, PART LOT 23 & 25, LOT 24 ON REGISTERED PLAN 74 and known as Municipal Number 444 CRAWFORD AVE, 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.

DISCUSSION

Mr. Ju confirms that they are in agreement with the recommendations and comments provided in the report from Administration

Mr. McMahon address Administration and asks about the steps for the property. Mr. Golob outlines the steps are currently an encroachment, and the steps will be rotated 90 degrees so that there is not an encroachment. Mr. Golob outlines the owner is aware and has agreed, and it is not to be a required condition.

Mr. Sleiman confirms the lot to be severed is 32 feet, and this is where the duplex will be constructed.

The Chair asks for Public presentation. None noted.

Moved by: Tom McMahon

Seconded by: 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.

APPLICANT and SUBJECT LANDS:

Owner(s): AHMAD ZRABAH

Subject Lands: PART CLOSED ALLEY AND LOTS 542-545 ON REGISTERED PLAN 973, PARTS 20 & 21 ON REFERENCE PLAN 12R-23215 and known as Municipal Number 1550 RANDOLPH AVE

Zoning: Residential RD1.2

REQUEST: The severance of the above noted lands, for the purpose of creating a new Lot

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 that they are in agreement with the recommendations and comments 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 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): HIATUS HOUSE OF WINDSOR

Subject Lands: PART LOT 88 ON SANDWICH CONCESSION 1, PART BLOCK A & PART LOTS 7-9, LOTS 10-12 ON REGISTERED PLAN 136 and known as Municipal Number 0 LOUIS AVE

Zoning: Residential RD2.2 S 20(2) 250

RELIEF: Creation of a new combined use building with reduced minimum parking separation from a habitable room window, parking and front yard depth.

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 confirms that they are in agreement with the recommendations and comments provided in the report from Administration.

Mr. McMahon, asks for confirmation of the subject properties, and it is exact location. Mr. Kersey confirms it is on the South/East corner. Mr. McMahon has expressed concern with respect to parking. Mr. Golob, outlines that this justification letter was provided by the applicant and the particular use for the intended unit, the parking was sufficient. The use is for a Hiatus house, that may not be vehicle owners, and the reliable parking is not always suitable for this type of use.

The Chair asks for 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): AHMED JUEAD

Subject Lands: PART LOT 459 AND LOTS 457-458 ON REGISTERED PLAN 920 and known as Municipal Number 1780-1782 PIERRE AVE

Zoning: Residential RD2.1

REQUEST: The severance of the above noted Lots, for the purpose of creating a new Lot.

INTERESTED PARTIES PRESENT:

Ahmed Juead, 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

Mr. Juead confirms that they are in agreement with the recommendations and comments 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 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): WILLIAM JOHN MILETIC, URSULA IRENE MILETIC

Subject Lands: LOT 5, WATER LOT DP 4113 PARCEL 33 ON REGISTERED PLAN 1129 and known as Municipal Number 11420 RIVERSIDE DR E

Zoning: Residential RD1.6

RELIEF: Creation of a new single unit dwelling with reduced side-yard width, maximum garage width and minimum separation from a Lot line

INTERESTED PARTIES PRESENT:

Phil Fernandes, 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 Fernandes, confirms that they are in agreement with the recommendations and comments provided in the report from Administration.

The Chair asks for 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): GUY PINARD, CHERYL PINARD

Subject Lands: PART CLOSED ALLEY & LOTS 5-6 ON REGISTERED PLAN 1281 and known as Municipal Number 772 CHARLOTTE ST

Zoning: Residential RD1.3

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

INTERESTED PARTIES PRESENT:

Chris Todorvoski, 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. Todorvoski confirms that they are in agreement with the recommendations and comments provided in the report from Administration.

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 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): 9825924 CANADA INC

Subject Lands: PART CLOSED ALLEY, LOTS 150-151 & 227-228 ON REGISTERED PLAN 1566 and known as Municipal Number 9050 WYANDOTTE ST E

Zoning: Residential RD3.4

RELIEF: Creation of two new dwelling units in existing multiple dwelling exceeding the maximum number of units and minimum parking.

INTERESTED PARTIES PRESENT:

Vijay Vasantgadkar ,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. Vasantgadkar confirms that they are in agreement with the recommendations and comments provided in the report from Administration.

Mr. McMahon outlines that there was a neighbor objection with respect to parking and addresses Administration. Ms. Deehan, outlines there will be a deficiency in 2 parking spaces, in connection with the 2 unit addition, and the parking generation is expected to be low. With the 2 new units there are 28 units and parking ratio they are in compliance with the UTI, and the request for 2 parking bicycle spots have been agreed. Transportation doesn't have any objections.

The chair outlines the conditions, and Ms. Deehan confirms it is just a recommendation and not a condition to the applicant.

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): ENZO DELICATA, LUCIA DELICATA

Subject Lands: PART LOT 15 ON CONCESSION 5 and known as Municipal Number 1275 PROVINCIAL RD

Zoning: Commercial CD4.1

REQUEST: The severance of the above noted lands, for the purpose of creating a new Lot

INTERESTED PARTIES PRESENT:

Christian Janisse, 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. Janisse confirms that they are in agreement with the recommendations and comments provided in the report from Administration.

The Chair asks if this is a technical severance. Ms. Simion outlines that this is a technical severance and that the retained is to be sold to the Human Society.

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 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): CALEB WILLICK, FRANCESCA DI LORENZO

Subject Lands: PART NICHOLS STREET CLOSED & LOT 19 ON REGISTERED PLAN 12M-254, PART 1 ON REFERENCE PLAN 12R-19004 and known as Municipal Number 3093 EMILIA RD

Zoning: Residential RD1.1

REQUEST: The severance of the above noted lands for the purpose of a Lot addition.

INTERESTED PARTIES PRESENT:

Ahmed Khamil, 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. Khamil confirms that they are in agreement with the recommendations and comments 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.

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): DUANE MATTHEWS, EVAN MATTHEWS

Subject Lands: PART LOT 8, LOT 6, BLOCK S ON REGISTERED PLAN 211, PART 2 ON REFERENCE PLAN 12R-9133 and known as Municipal Number 749 & 753 WALKER RD

Zoning: Commercial CD1.3 and special Section 20(1) 273

RELIEF: The development of a rear detached garage with second floor Additional Dwelling Unit (ADU), with minimum separation from a rear lot line or side lot line

INTERESTED PARTIES PRESENT:

Evan Matthews, 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

Mr. Evans confirms that they are in agreement with the recommendations and comments provided in the report from Administration.

The Chair outlines we did receive 2 emails, one was an objection for the garage and accessory building, and we received one in support. Ms. Watson outlines the opposed individual was provided the necessary information to attend the hearing today for further information. The opposed is not in attendance.

The Chair asks for Public presentation. None noted.

Moved by: Tom McMahan

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 ISLAMIC ASSOCIATION

Subject Lands: PART ALLEY, PART BLOCK B, LOTS 271-284 ON REGISTERED PLAN 558; PART LOT 88 & PART ALLEY, LOTS 85-87 ON REGISTERED PLAN 1286; PART 1 ON REFERENCE PLAN 12R19808; PART 1 ON 12R-28418 and known as Municipal Number 2348 DOMINION BLVD

Zoning: Residential RD3.1 S20(1)418

RELIEF: The creation of 5 newly 6-unit multiple dwellings with minimum parking area separation from a habitable room window.

INTERESTED PARTIES PRESENT:

Jackie Lassaline, 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. Lassaline, confirms that they are in agreement with the recommendations and comments provided in the report from Administration.

Mr. Balsamo addresses administration with the additional buildings and the high traffic area, with this be a problem. Mr. Campigotto outlines it was thru official bylaw amendments and official use and new use, and all provisions was dictated to be far north as possible, and it is a fit for the neighborhood, and no further review was required.

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** 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.

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 June 16, 2022 **BE ADOPTED.**

CARRIED.

ADJOURNMENT:

There being no further business before the Committee, the meeting accordingly adjourned at 4:25 p.m.

Mike Sleiman, Chairperson

Jessica Watson, Secretary-Treasurer