



CITY OF WINDSOR

COMMITTEE OF ADJUSTMENT

MINUTES

FOR THE HEARING OF

March 17, 2022

A hearing by the Committee of Adjustment for the City of Windsor was held on March 17, 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

Jessica Watson, Secretary-Treasurer
Natasha McMullen, Committee of Adjustment Clerk

Regrets: Joe Balsamo, Member

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
Jason Campigotto (Planner III – Site Plan Approval Officer) Planning Department
Shannon Mills, (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

The Chair – Mr. Sleiman discloses he has a conflict of interest with Item11 - B-009/22 being 1320 WALKER RD. on the current Agenda and will remove himself from the proceedings.

APPLICANT and SUBJECT LANDS:

Owner(s): EMAD ZARWI, MIRVA ZAIDAN
Subject Lands: PART LOT 5 ACCORDING TO REGISTERED PLAN 231 and known as
Municipal Number 1131 TUSCARORA ST
Zoning: Residential RD2.2

RELIEF: Construct a 4-unit multiple dwelling with reduced minimum Lot width

INTERESTED PARTIES PRESENT:

Mirva Zaidan & Emad Zarwi, Owners

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. Zarwi confirms that he is in support of the recommendations provided by administration.

Mr. McMahon asks if the applicant is aware of removing the fences along the alley, removal of the driveways and restore the curbs. They confirm.

Ms. Simion outlines that the variance is for one year, and the permit must be obtained within one year.

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): SYCAMORE TREE HOLDINGS INC.

Subject Lands: PART LOT 104 CONCESSION 3; KNOWN AS PARTS 1, 4, 6, 7 ON REFERENCE PLAN 12R-27571 and known as Municipal Number 3900 RHODES DR

Zoning: Manufacturing MD1.4

RELIEF: Relief of maximum number of allowable Ground signs to 2, with relief in distance from EC Row Express for one permanent Ground Sign to 10m.

INTERESTED PARTIES PRESENT:

John Vizler, 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 Agent shows concerns with connections and the Board moves forward with discussions until the Agent can join the meetings.

The Chair would like to comment that he is concerned about 2 (two) signs on the property. Mr. Fediuk outlines this property fronts on Rhodes drive, and fronts EC Row Expressway. He outlines this is similar situation to those properties existing with signs facing EC Row Expressway. The Chair asks for confirmation of where the 10m starts. Mr. Fediuk outlines that this billboard is heading north. The Chair, outlines he has concerns about safety with distraction of the signs and asks Administration for input.

Ms. Toufeili outlines, Transportation has no concerns with the signs and nor with distraction. This concern was reviewed with Senior Administration and with their years of occurrence, there is not a concern with accidents due to the sign.

Mr. McMahon asks the sign size. Mr. Fediuk outlines the sign measurements are 20 feet approximately for the height. Mr. McMahon asks of the rational of the sign and purpose for facing on EC ROW. Mr. Fediuk outlines it is consistent with existing signs along EC ROW and this could be for visibility. Mr. Fediuk outlines these are fixed non-changing sign.

The Chair asks for public presentation

Moved by: Tom McMahon

Seconded by: Dante Gatti

CARRIED.

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

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): SLOVAK HERITAGE FOUNDATION OF WINDSOR-ESSEX COUNTY

Subject Lands: PART LOT 277 LOTS 278-284, AND PART CLOSED ALLEY ON REGISTERED PLAN 1083 and known as Municipal Number 1520 CHANDLER RD

Zoning: Commercial CD1.5

RELIEF: Building expansion and Parking area reconfiguration with minimum required parking spaces

INTERESTED PARTIES PRESENT:

John Bortolotti, 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. Bortolotti outlines he is in agreement with the recommendations provided by Administration. Mr Bortolotti, outlines that the neighbours currently share the parking lots, and a parking justification letter was provided that outlined the use for reciprocal parking.

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): SCOTT'S ACQUISITION INC.

Subject Lands: Lots 60-66, Part Lots 13-18, Part Lot 67 and Part Closed Alley on RP 1074; Parts 7 and 8 and part parts 1 and 5 on Reference Plan 12R-23032; Parts 1-7 on Reference Plan 12R-28667 and known as Municipal Number 1700 HURON CHURCH RD

Zoning: Commercial CD2.1

RELIEF: Accommodating a restaurant with reduced minimum number of parking spaces

INTERESTED PARTIES PRESENT:

Tony Chau, 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

The Chair asks for public presentationDISCUSSION

Mr. Chau, is in agreement with the recommendations provided by 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): ANGELA VETTESE, MICHAEL VETTESE

Subject Lands: PART BLOCK 21, REGISTERED PLAN 12M653; PARTS 4 & 8 ON REFERENCE PLAN 12R-28557 and known as Municipal Number 1168 COPELAND AVE

Zoning: Residential RD2.3

RELIEF: Driveway exceeding maximum front yard paving

INTERESTED PARTIES PRESENT:

Angela Vettese and Michael Vettese, Owners

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. Vettese confirms they are in agreement with the recommendations provide in the report, and pleased as she has a walker and that this will help with future accessibility to her home.

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): EDDY MARSON, LOUISE MARSON

Subject Lands: PART LOT 72, PART LOT 74 AND LOT 73, REGISTERED PLAN 1234;
PARTS 1 & 2 ON REFERENCE PLAN 12R-13812 and known as
Municipal Number 2928 &2934 BYNG RD

Zoning: Residential RD1.1

REQUEST: Lot severance, for the purpose of creating a new Lot.

INTERESTED PARTIES PRESENT:

Shereen Worrell, 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. Worrell confirms she is in agreement with the recommendations provided by 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): ELIE NAKHLE, GENEVIEVE NAKHLE

Subject Lands: PART LOT 95 CONCESSION 2; PARTS 2, 3, & 4 ON REFERENCE PLAN 12R-9039 and known as Municipal Number 1990 GRAND MARAIS RD E

Zoning: Residential RD1.1

REQUEST: Severance Lot, for the purpose of creating a new Lot

INTERESTED PARTIES PRESENT:

Marc Hooper, 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.

The Chair asks for public presentationDISCUSSION

Mr. Hooper is in agreement with administrations recommendations.

The Chair confirms if the agent is aware of the condition of the Land conveyance. Mr. Hooper confirms he is aware.

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): JENNIFER TREMBLAY

Subject Lands: LOT 289; REGISTERED PLAN 1071 and known as Municipal Number 1241 LABADIE RD

Zoning: Residential RD1.3

RELIEF: Accommodate an addition with reduced minimum front yard depth and exceeding front yard encroachment

INTERESTED PARTIES PRESENT:

Lou Vozza, 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. McMahon, asks about the construction currently in place. Mr. Vozza outlines it was started by the previous homeowners, and that his clients have stopped construction as there are no permits, and he is here for final completion. Mr. McMahon asks if penalties are imposed for parties after the fact of construction commencement. Mr. Robertson outlines it is not within our jurisdiction.

The Chair asks for public presentation. None noted.

Moved by: Dante Gatti

Seconded by: Tom McMahon

CARRIED.

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

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): BETTERMADE PROPERTIES INC

Subject Lands: PART LOT 4, PART LOT 5 BLOCK P ACCORDING TO REGISTERED PLAN 85 and known as Municipal Number 333 OUELLETTE AVE

Zoning: Commercial CD3.1

RELIEF: Converting office space to dwelling units with reduced minimum amenity area

INTERESTED PARTIES PRESENT:

Joseph Passa, 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. Passa asks for the recommendation. The Chair outlines the recommendation is without conditions.

Mr. Passa is in support. Mr. McMahon asks about the heritage clause and if the Agent is aware. Mr. Passa outlines they will be using the existing facade along Ouellette. The Chair outlines the 12 units are to be without parking, and he would like confirmation of 0 parking requirements. Ms. Simion confirms this is correct.

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): 2531823 ONTARIO LIMITED

Subject Lands: PART LOTS 2 AND 3 ACCORDING TO REGISTERED PLAN 968 and known as Municipal Number 445-447 CAMPBELL AVE

Zoning: Residential RD2.2

REQUEST: Severance of Lots, for the purpose of creating a new Lot.

INTERESTED PARTIES PRESENT:

Antoine D'Ailly, 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. Dailly is in agreement of the recommendations 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** 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): 2244258 ONTARIO INC

Subject Lands: PART LOT 96 CONCESSION 1 SANDWICH EAST; PARTS 2 TO 4 ON REFERENCE PLAN 12R-28187 and known as Municipal Number 1320 WALKER RD

Zoning: Commercial CD2.1

REQUEST: Proposed new commercial plaza and expanded parking area requesting Easement for reciprocal access and parking

INTERESTED PARTIES PRESENT:

Milan Stipic, Agent

PRELIMINARY PROCEEDINGS

The Chair (Mr. Sleiman) removes himself from the proceedings, and the Acting-Chair resumes.

The Acting-Chair confirms with the applicant if they are in agreement with the recommendations and comments provided in the report from Administration.

The Acting-Chair asks if there are any questions/comments from Committee Members and Administration. None to note

DISCUSSION

Mr. Stipic confirms he is in support of the recommendations and this is under Site Plan Approval review.

The Acting- 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.

ADOPTION OF MINUTES

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

Moved by Dante Gatti
Seconded by Tom McMahon,

That the minutes of the Committee of Adjustment Hearing held February 17, 2022 **BE ADOPTED.**

CARRIED.

ADJOURNMENT:

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

Mike Sleiman, Chairperson

Jessica Watson, Secretary-Treasurer