



**CITY OF WINDSOR**  
**COMMITTEE OF ADJUSTMENT**

**MINUTES**

**FOR THE HEARING OF**

**March 25, 2021**

A hearing by the Committee of Adjustment for the City of Windsor was held on March 25, 2021, by 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  
Delilah Liburdi, Committee Clerk

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

Neil Robertson (Deputy City Planner/Manage of Urban Design) Planning Department  
Simona Simion, (Planner II – Research & Policy Support) Planning Department  
Melissa Gasic (Planner II - Development Review) Planning Department  
George Robingson (Site Plan Approval Officer) Planning Department  
Jason Campigotto (Site Plan Approval Officer) Planning Department  
Connor Cowan (Zoning Co-ordinator) Planning Department  
Allaa Mokdad, (Zoning Co-ordinator) Planning Department  
Amy Olsen, (Technologist I) Engineering & Geomatics Department  
Raina Toufeli (Transportation Engineer) Transportation Planning

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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):** LORITEM INCORPORATED

**Subject Lands:** Part Lot 28 according to Registered Plan 312 and known as Municipal Number 396 MCEWAN AVE

**Zoning:** Residential RD1.3

**RELIEF:** Create an additional unit dwelling with reduced minimum parking exceeding the maximum accessory building lot coverage and total lot coverage

**INTERESTED PARTIES PRESENT:**

Mayoa Balogun, Owner

**PRELIMINARY PROCEEDINGS**

The Chair confirmed that the applicant had pre-consulted with municipal departments on this application.

**DISCUSSION**

The applicant discusses why is seeking the COA granting, and is looking to construct an additional dwelling unit on his existing lot, with reduced number of parking spaces, as there is not enough room to develop such. This is a corner lot property consisting of an existing house built in approximately 1908. The garage for the house was demolished as it was encroaching the alley. He has taken out an encroachment agreement and requires space for parking.

Ms. Simion outlined there are further comments from the from Windsor Police Services, that requires a porch light must be installed, and comments from the Landscape Architect, for the requirement of trees to be planted, and at time of building permit. Mr. Balogun advises he is able to adhere to these comments. Ms. Simion outlines that when he applies for the Building permit, the applicant will be required to pay the fee for 3 city trees to be planted.

The Chair, asks Administration about the 0 parking spaces, and Ms. Simion outlines that it is in the City Centre core, and therefore not required. The additional dwelling is free standing, and the applicant is required to provide parking for the main unit only and that is why he is before the Committee today to be relieved of the additional parking space. The Chair asks if the municipal services are going to be attached to the unit, or separate. Zoning outlines that is not covered under Bylaw 8600, so therefor it is not something that requires addressing at the Committee level.

Moved by: Dante Gatti

Seconded by: Joe Balsamo

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

**AND IT IS HEREBY ORDERED** that the lands and premises above described be, and the same are hereby exempt from **Section 5.99.80.1.5.c.3, Section 5.10.9.10, and Section 10.3.5.3** of Zoning By-law 8600, as amended, so as to permit, in a **Residential RD 1.3** District, the proposed creation of a new detached additional dwelling unit, thereby providing and maintaining:

- (a) 0 Tandem-style parking spaces.
- (b) The maximum accessory building lot coverage of 14.7%
- (c) The maximum total lot coverage of 46.7%

**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):** WONSCH CONSTRUCTION COMPANY LIMITED

**Subject Lands:** Part Lot 8, Lots 9 and 10, Part closed Alley and Part of Block A, according to Registered Plan 1259 and known as Municipal Number 3550 HOWARD AVE & 0 Howard Ave

**Zoning:** Residential RD1.1 & H-RD1.1

**REQUEST:** The conveyance of part of the above described lands, said lands being more particularly designated as Part 1 on the draft Reference Plan attached for the purpose of a lot addition.

**INTERESTED PARTIES PRESENT:**

Christian Jattan, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirmed that the applicant had pre-consulted with municipal departments on this application.

**DISCUSSION**

The property at 0 Howard Ave consists of a vacant lot. The applicant discusses his intent to convey part of this lot for the purpose of lot addition to the lands known municipally as 3550 Howard Ave. There are no variances required for the retained lot. The property at 3550 Howard Ave consists of a single unit dwelling. The existing storage shed/garage for 3550 Howard Ave along with a treed area is located on the proposed lot addition. Both properties 0 Howard and 3550 Howard Ave used to belong to the same owner. This is going to be a 2 step process, with future plan of subdivision to have 4 lots, to come forward in the future.

Mr. McMahon addressed access for this development. Mr. Jattan outlines there are currently 2 ROW's on Part 2 of the site, and the plan would be to extend those right of ways, to create 4 separate lots, will have frontage on those right of ways as outlined on the plan, and the reserves will be removed during this process.

Mr. McMahon addressed Administration with respect to any concerns with Mr. Jattan's plans for access.

Ms. Simion outlines that there are no current concerns with this application and Mr. Jattan has pre-consulted with her and everything is in alignment with the proposed development. Ms. Simion address that residents' concerns would be removed with the H (holding symbol), and all address as servicing, infrastructure and future residential impact and the roads and advises there may be a request of additional studies, and will be part of the subdivision process that would go before City Council in the near future.

The Chair asks if the application is granted today at the Committee of Adjustment would this segment take any effect on the abutting properties. Ms. Simion outlines what is trying to be achieved is in alignment to the property to the south, in addition the current proposal is an accessory building on the vacation lot, that is not permitted. The Chair, identifies there are numerous owners, and asks if this application is approved today would it affect/impact other properties in the area? Ms. Simion advises in her opinion and with consultation with Jim Abbs, it would not.

Mr. Balsamo, asks if the applicant is aware there is a ROW permit that would be taken out? Mr. Jattan is aware of the ROW permit condition.

The Chair moves to the audience for concerns.

Ali (resident) is ok with the severance, but he would like to know that the subject lots before us, on Fairway and Oakridge Avenues be continuous thru the severed property next to his address, an outlines his concern to this access and would like this made as a condition for future use.

The Chair confirms that once the subdivision application moves forward with a future development this will be addressed, and the application today before the committee is to allow for a lot addition for 0 Howard to 3550 Howard.

Mr. Robertson, outlines that this is only a lot addition, the next steps would be subdivision agreement and that would address those concerns of the extension of the road.

3532 Howard (owner) has concerns with the road extension and the development of the property and the subject lands would be not affected at this time. The Chair advises again, this is going to be going to Subdivision agreement.

Dominic, 3520 Howard Avenue (abutting owner),—asked if the road is allowed to be continuous, but realizes this has already been answered by the Committee.

Moved by: Tom McMahon

Seconded by: Dante Gatti

**IT IS HEREBY DECIDED** that the application **BE GRANTED ON CONDITION** that the applicant(s) provide at their entire expense:

- 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.

**AND IT IS HEREBY ORDERED** that the lands and premises above described be and the same are hereby exempt from the provisions of Section 53 of the Planning Act, 1990, as amended, so as to permit in a **Residential RD1.1, H-RD1.1 District** , **the conveyance of part of the above described lands, said lands being more particularly described as Part\_\_ on Reference Plan 12R-\_\_\_, for the purpose of a lot addition to 3550 Howard Avenue only.**

**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:** Lot 91, according to Registered Plan 369 and known as Municipal Number 696 BRIDGE AVE

**Zoning:** Residential RD1.3

**RELIEF:** Construct a 2 storey dwelling with reduced minimum lot area and width.

**INTERESTED PARTIES PRESENT:**

Shane Xue, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirmed that the applicant had pre-consulted with municipal departments on this application.

The Chair noted that he knows the agent, and is not declaring a conflict of interest and has no financial interest in these properties together.

Moved by: Joe Balsamo

Seconded by: Dante Gatti

That since applications A-018/21, and A-019/21 by 2531823 **ONTARIO LIMITED**, owners, of Lots 90 & 91, according to Registered Plan 369, and known as Municipal Number **696 BRIDGE AVE and 688 BRIDGE AVE** are related, they **BE CONSIDERED CONCURRENTLY** by the Committee for discussion only.

**DISCUSSION**

The applicant proposes to construct a two-storey dwelling on an already narrow existing lot. The proposal developments suits the character of the existing neighbourhood, comprised largely of bungalows, one and a half storey dwellings, and several two storey dwellings.

Moved by: Tom McMahon

Seconded by: Dante Gatti

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

**AND IT IS HEREBY ORDERED** that the lands and premises above described be, and the same are hereby exempt from **Section 10.3.5.1, and Section 10.3.5.2** of Zoning By-law 8600, as amended, so as to permit, in a **Residential RD1.3 District**, the proposed construction of a 2 storey dwelling thereby providing and maintaining:

- (a) A minimum lot width of 7.6 metres
- (b) A minimum lot area of 230.7 square metres

**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:** Lot 90, according to Registered Plan 369 and known as Municipal Number 688 BRIDGE AVE

**Zoning:** Residential RD1.3

**RELIEF:** Construct a 2 storey dwelling with reduced minimum lot area and width

**INTERESTED PARTIES PRESENT:**

Shane Xue, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirmed that the applicant had pre-consulted with municipal departments on this application.

The Chair noted that he knows the agent, and is not declaring a conflict of interest and has no financial interest in these properties together.

Moved by: Joe Balsamo

Seconded by: Dante Gatti

That since applications A-018/21, and A-019/21 by 2531823 **ONTARIO LIMITED**, owners, of Lots 90 & 91, according to Registered Plan 369, and known as Municipal Number **696 BRIDGE AVE and 688 BRIDGE AVE** are related, they **BE CONSIDERED CONCURRENTLY** by the Committee for discussion only.

**DISCUSSION**

The applicant proposes to construct a two-storey dwelling on an already narrow existing lot. The proposal developments suits the character of the existing neighborhood, comprised largely of bungalows, one and a half storey dwellings, and several two storey dwellings.

Moved by: Tom McMahon

Seconded by: Dante Gatti

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

**AND IT IS HEREBY ORDERED** that the lands and premises above described be, and the same are hereby exempt from **Section 10.3.5.1, and Section 10.3.5.2** of Zoning By-law 8600, as amended, so as to permit, in a **Residential RD1.3 District**, the proposed construction of a 2 storey dwelling thereby providing and maintaining:

- (a) A minimum lot width of 7.6 metres
- (b) A minimum lot area of 230.7 square metres

**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):** 2756522 ONTARIO INC

**Subject Lands:** Part Lots 21,22 and Part Closed Alley, Lots 18,19,20 and 76-82, Reference Plan 12R9558 according to Registered Plan 997 Parts 1, 3, 6, 8, Reference Plan 12R20520, Part 1 and known as Municipal Number 2080 HURON CHURCH RD

**Zoning:** CD 4.3 & S.20(1)278

**RELIEF:** Develop a 6 storey 93 room hotel with reduced minimum parking and exceeding maximum building height

**INTERESTED PARTIES PRESENT:**

Javed Ali, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirmed that the applicant had pre-consulted with municipal departments on this application.

**DISCUSSION**

Ms Ali discussed the development proposal at the subject property involves the construction of a new 6-storey 93-room hotel. Hotel brand minimum room quantity requirements and lot size constraints inhibit a solution that achieves the minimum required parking. The reduction of 6 parking spaces, approximately 6.5% of the required parking, is negligible and will not result in adverse impact to surrounding properties or conditions within the adjacent right-of-way.

An Increase to the maximum building height is only to accommodate a parapet feature that is unique to the hotel brand. The proposed increase in building height is consistent with screening fence and/or mechanical penthouse suite heights that are currently permitted above the maximum building height limit and is therefore considered minor in nature.

Mr. McMahon asks if the additional height is for hotel rooms. Ms. Ali outlines it is for parapet only and only will be required on one quarter of the building on an angle.

Moved by: Joe Balsamo

Seconded by: Dante Gatti

**IT IS HEREBY DECIDED** that the application **BE GRANTED** with no conditions outside those established thru Site Plan Control.

**AND IT IS HEREBY ORDERED** that the lands and premises above described be, and the same are hereby exempt from **Section 17.3.5.4 and Section 24.20.1.1** of Zoning By-law 8600, as amended, so as to permit, in a **CD 4.3 & S.20(1)278 District**, the proposed development of a 6 storey 93 room hotel with parking area, thereby providing and maintaining:

- (a) The maximum building height of 23.03 metres.
- (b) A minimum of 88 parking spaces

**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):** 2434233 ONTARIO LTD

**Subject Lands:** Lots 152, 153 and Part Closed Alley. Reference Plan 12R26351 Parts 2, 3, 13, 14 and 24 according to Registered Plan 997 and known as Municipal Number 2190 DAYTONA AVE

**Zoning:** Residential 'H' RD2.2

**RELIEF:** To construct eight multiple dwelling fourplex buildings with reduced minimum side yards.

**INTERESTED PARTIES PRESENT:**

Tiziano Zaghi, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirmed that the applicant had pre-consulted with municipal departments on this application.

Moved By: Joe Balsamo

Seconded By: Dante Gatti.

That since applications A-021/21 thru A-028/21 by **2434233 ONTARIO LTD**, owners, of Lots 140-155, according to Registered Plan 997, and known as Municipal Number **2142 thru 2190 DAYTONA AVE** are related, they **BE CONSIDERED CONCURRENTLY** by the Committee for discussion only.

**DISCUSSION**

Mr. Zaghi discusses the proposal is ongoing thru Site Plan process and is for the construction of eight multiple (four-plex) residential buildings. These will be located on 8 abutting lots on Daytona, and thru site plan approval it was identified for this variance. This variance is for each four-plex for side yard width reduction.

Moved by: Joe Balsamo

Seconded by: Dante Gatti

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

**AND IT IS HEREBY ORDERED** that the lands and premises above described be, and the same are hereby exempt from **Section 11.2.5.4.7** of Zoning By-law 8600, as amended, so as to permit, in a **Residential 'H' RD2.2 District**, the proposed construction of eight multiple dwelling (fourplex) buildings, thereby providing and maintaining:

- (a) A minimum side yard width of 1.2 metres.

**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):** 2434233 ONTARIO LTD

**Subject Lands:** Lot 154,155 and Part Closed Alley Reference Plan 12R26351, Parts 1,12 and 23, according to Registered Plan 997 and known as Municipal Number 2198 DAYTONA AVE

**Zoning:** Residential 'H' RD2.2

**REQUEST:**

**RELIEF:** To construct eight multiple dwelling fourplex buildings with reduced minimum side yards

**INTERESTED PARTIES PRESENT:**

Tiziano Zaghi, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirmed that the applicant had pre-consulted with municipal departments on this application.

Moved By: Joe Balsamo

Seconded By: Dante Gatti.

That since applications A-021/21 thru A-028/21 by **2434233 ONTARIO LTD**, owners, of Lots 140-155, according to Registered Plan 997, and known as Municipal Number **2142 thru 2190 DAYTONA AVE** are related, they **BE CONSIDERED CONCURRENTLY** by the Committee for discussion only.

**DISCUSSION**

Mr. Zaghi discusses the proposal is ongoing thru Site Plan process and is for the construction of eight multiple (four-plex) residential buildings. These will be located on 8 abutting lots on Daytona, and thru site plan approval it was identified for this variance. This variance is for each four-plex for side yard width reduction.

Moved by: Joe Balsamo

Seconded by: Dante Gatti

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

**AND IT IS HEREBY ORDERED** that the lands and premises above described be, and the same are hereby exempt from **Section 11.2.5.4.7** of Zoning By-law 8600, as amended, so as to permit, in a **Residential 'H' RD2.2 District**, the proposed construction of eight multiple dwelling (fourplex) buildings, thereby providing and maintaining:

- (a) A minimum side yard width of 1.2 metres.

**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):** 2434233 ONTARIO LTD

**Subject Lands:** Lots 150-151 and Part Closed Alley, Reference Plan 12R-26351, Parts 4, 15 and 25, according to Registered Plan 997 and known as Municipal Number 2182 DAYTONA AVE

**Zoning:** Residential 'H' RD2.2

**RELIEF:** To construct eight multiple dwelling fourplex buildings with reduced minimum side yards

**INTERESTED PARTIES PRESENT:**

Tiziano Zaghi, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirmed that the applicant had pre-consulted with municipal departments on this application.

Moved By: Joe Balsamo

Seconded By: Dante Gatti.

That since applications A-021/21 thru A-028/21 by **2434233 ONTARIO LTD**, owners, of Lots 140-155, according to Registered Plan 997, and known as Municipal Number **2142 thru 2190 DAYTONA AVE** are related, they **BE CONSIDERED CONCURRENTLY** by the Committee for discussion only.

**DISCUSSION**

Mr. Zaghi discusses the proposal is ongoing thru Site Plan process and is for the construction of eight multiple (four-plex) residential buildings. These will be located on 8 abutting lots on Daytona, and thru site plan approval it was identified for this variance. This variance is for each four-plex for side yard width reduction.

Moved by: Joe Balsamo

Seconded by: Dante Gatti

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

**AND IT IS HEREBY ORDERED** that the lands and premises above described be, and the same are hereby exempt from **Section 11.2.5.4.7** of Zoning By-law 8600, as amended, so as to permit, in a **Residential 'H' RD2.2 District**, the proposed construction of eight multiple dwelling (fourplex) buildings, thereby providing and maintaining:

- (a) A minimum side yard width of 1.2 metres.

**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):** 2434233 ONTARIO LTD

**Subject Lands:** Lots 148-149 and Part Closed Alley, Reference Plan 12R-26351 Parts 5-6, 17 and 26 according to Registered Plan 997 and known as Municipal Number 2174 DAYTONA AVE

**Zoning:** Residential RD2.2

**REQUEST:**

**RELIEF:** To construct eight multiple dwelling fourplex buildings with reduced minimum side yards

**INTERESTED PARTIES PRESENT:**

Tiziano Zaghi, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirmed that the applicant had pre-consulted with municipal departments on this application.

Moved By: Joe Balsamo

Seconded By: Dante Gatti.

That since applications A-021/21 thru A-028/21 by **2434233 ONTARIO LTD**, owners, of Lots 140-155, according to Registered Plan 997, and known as Municipal Number **2142 thru 2190 DAYTONA AVE** are related, they **BE CONSIDERED CONCURRENTLY** by the Committee for discussion only.

**DISCUSSION**

Mr. Zaghi discusses the proposal is ongoing thru Site Plan process and is for the construction of eight multiple (four-plex) residential buildings. These will be located on 8 abutting lots on Daytona, and thru site plan approval it was identified for this variance. This variance is for each four-plex for side yard width reduction.

Moved by: Joe Balsamo

Seconded by: Dante Gatti

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

**AND IT IS HEREBY ORDERED** that the lands and premises above described be, and the same are hereby exempt from **Section 11.2.5.4.7** of Zoning By-law 8600, as amended, so as to permit, in a **Residential 'H' RD2.2 District**, the proposed construction of eight multiple dwelling (fourplex) buildings, thereby providing and maintaining:

- (a) A minimum side yard width of 1.2 metres.

**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):** 2434233 ONTARIO LTD

**Subject Lands:** Lots 146-147 and Part Closed Alley, Reference Plan 12R-26351 Parts 7, 18 and 27, according to Registered Plan 997 and known as Municipal Number 2166 DAYTONA AVE

**Zoning:** Residential 'H' RD2.2

**RELIEF:** To construct eight multiple dwelling fourplex buildings with reduced minimum side yards

**INTERESTED PARTIES PRESENT:**

Tiziano Zaghi, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirmed that the applicant had pre-consulted with municipal departments on this application.

Moved By: Joe Balsamo

Seconded By: Dante Gatti.

That since applications A-021/21 thru A-028/21 by **2434233 ONTARIO LTD**, owners, of Lots 140-155, according to Registered Plan 997, and known as Municipal Number **2142 thru 2190 DAYTONA AVE** are related, they **BE CONSIDERED CONCURRENTLY** by the Committee for discussion only.

**DISCUSSION**

Mr. Zaghi discusses the proposal is ongoing thru Site Plan process and is for the construction of eight multiple (four-plex) residential buildings. These will be located on 8 abutting lots on Daytona, and thru site plan approval it was identified for this variance. This variance is for each four-plex for side yard width reduction.

Moved by: Joe Balsamo

Seconded by: Dante Gatti

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

**AND IT IS HEREBY ORDERED** that the lands and premises above described be, and the same are hereby exempt from **Section 11.2.5.4.7** of Zoning By-law 8600, as amended, so as to permit, in a **Residential 'H' RD2.2 District**, the proposed construction of eight multiple dwelling (fourplex) buildings, thereby providing and maintaining:

- (a) A minimum side yard width of 1.2 metres.

**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):** 2434233 ONTARIO LTD

**Subject Lands:** Lots 144-145 and Part Closed Alley, Reference Plan 12R-26351 Parts 8, 19 and 28, according to Registered Plan 997 and known as Municipal Number 2158 DAYTONA AVE

**Zoning:** Residential 'H' RD2.2

**RELIEF:** To construct eight multiple dwelling fourplex buildings with reduced minimum side yards

**INTERESTED PARTIES PRESENT:**

Tiziano Zaghi, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirmed that the applicant had pre-consulted with municipal departments on this application.

Moved By: Joe Balsamo

Seconded By: Dante Gatti.

That since applications A-021/21 thru A-028/21 by **2434233 ONTARIO LTD**, owners, of Lots 140-155, according to Registered Plan 997, and known as Municipal Number **2142 thru 2190 DAYTONA AVE** are related, they **BE CONSIDERED CONCURRENTLY** by the Committee for discussion only.

**DISCUSSION**

Mr. Zaghi discusses the proposal is ongoing thru Site Plan process and is for the construction of eight multiple (four-plex) residential buildings. These will be located on 8 abutting lots on Daytona, and thru site plan approval it was identified for this variance. This variance is for each four-plex for side yard width reduction.

Moved by: Joe Balsamo

Seconded by: Dante Gatti

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

**AND IT IS HEREBY ORDERED** that the lands and premises above described be, and the same are hereby exempt from **Section 11.2.5.4.7** of Zoning By-law 8600, as amended, so as to permit, in a **Residential 'H' RD2.2 District**, the proposed construction of eight multiple dwelling (fourplex) buildings, thereby providing and maintaining:

- (a) A minimum side yard width of 1.2 metres.

**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):** 2434233 ONTARIO LTD

**Subject Lands:** Lots 142, 143 and part Closed Alley, Referene Plan 12R26351 Parts 9, 20 and 29 according to Registered Plan 997 and known as Municipal Number 2150 DAYTONA AVE

**Zoning:** Residential 'H' RD2.2

**RELIEF:** To construct eight multiple dwelling fourplex buildings with reduced minimum side yards

**INTERESTED PARTIES PRESENT:**

Tiziano Zaghi, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirmed that the applicant had pre-consulted with municipal departments on this application.

Moved By: Joe Balsamo

Seconded By: Dante Gatti.

That since applications A-021/21 thru A-028/21 by **2434233 ONTARIO LTD**, owners, of Lots 140-155, according to Registered Plan 997, and known as Municipal Number **2142 thru 2190 DAYTONA AVE** are related, they **BE CONSIDERED CONCURRENTLY** by the Committee for discussion only.

**DISCUSSION**

Mr. Zaghi discusses the proposal is ongoing thru Site Plan process and is for the construction of eight multiple (four-plex) residential buildings. These will be located on 8 abutting lots on Daytona, and thru site plan approval it was identified for this variance. This variance is for each four-plex for side yard width reduction.

Moved by: Joe Balsamo

Seconded by: Dante Gatti

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

**AND IT IS HEREBY ORDERED** that the lands and premises above described be, and the same are hereby exempt from **Section 11.2.5.4.7** of Zoning By-law 8600, as amended, so as to permit, in a **Residential 'H' RD2.2 District**, the proposed construction of eight multiple dwelling (fourplex) buildings, thereby providing and maintaining:

- (a) A minimum side yard width of 1.2 metres.

**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):** 2434233 ONTARIO LTD

**Subject Lands:** Lots 140-141 and Part Closed Alley, Reference Plan 12R-26351 Parts 10, 21 and 30, according to Registered Plan 997 and known as Municipal Number 2142 DAYTONA AVE

**Zoning:** Residential 'H' RD2.2

**RELIEF:** To construct eight multiple dwelling fourplex buildings with reduced minimum side yards

**INTERESTED PARTIES PRESENT:**

Tiziano Zaghi, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirmed that the applicant had pre-consulted with municipal departments on this application.

Moved By: Joe Balsamo

Seconded By: Dante Gatti.

That since applications A-021/21 thru A-028/21 by **2434233 ONTARIO LTD**, owners, of Lots 140-155, according to Registered Plan 997, and known as Municipal Number **2142 thru 2190 DAYTONA AVE** are related, they **BE CONSIDERED CONCURRENTLY** by the Committee for discussion only.

**DISCUSSION**

Mr. Zaghi discusses the proposal is ongoing thru Site Plan process and is for the construction of eight multiple (four-plex) residential buildings. These will be located on 8 abutting lots on Daytona, and thru site plan approval it was identified for this variance. This variance is for each four-plex for side yard width reduction.

Moved by: Joe Balsamo

Seconded by: Dante Gatti

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

**AND IT IS HEREBY ORDERED** that the lands and premises above described be, and the same are hereby exempt from **Section 11.2.5.4.7** of Zoning By-law 8600, as amended, so as to permit, in a **Residential 'H' RD2.2 District**, the proposed construction of eight multiple dwelling (fourplex) buildings, thereby providing and maintaining:

- (a) A minimum side yard width of 1.2 metres.

**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:** Part Lots 13-18, Lots 60-67, Part Closed Alley according to Plan 1074 and known as Municipal Number 1700-1726 HURON CHURCH RD

**Zoning:** Commercial CD2.1

**RELIEF:** Develop a drive thru restaurant with reduced minimum number of stacking spaces.

**INTERESTED PARTIES PRESENT:**

Jonathon Lot, Agent

**PRELIMINARY PROCEEDINGS**

The Chair confirmed that the applicant had pre-consulted with municipal departments on this application.

**DISCUSSION**

Proposal is to demolish the existing Rexall Pharmacy and construct as A & W drive-thru restaurant. The development proposal at the subject property involves the construction of a new 207m<sup>2</sup> drive-through restaurant with 29 parking spaces and 11 stacking spaces. Property constraints related to size and location of existing access drives prohibit a design solution that mutually satisfies municipal regulations and operator requirements. The reduction of 1 stacking space is negligible, with sufficient room onsite to accommodate overflow without impacting the right-of-way or safe vehicular maneuvers onsite.

Mr. McMahon has asked if there is parking on the lot. Mr. Lot outlines the stacking is deficient and the parking is fine.

The Chair is concerned about the stacking lanes and possible road spillage (Huron Church Road) Mr. Lot outlines that the stacking lanes should be stacked and not interfering with the street access. Mr. Robertson outlined the entrance is a dual entrance and it is parallel to Daytona Ave, and there is not an anticipation of spill over onto the abutting streets.

Moved by: Mr. McMahon

Seconded by: Dante Gatti

**IT IS HEREBY DECIDED** that the application **BE GRANTED** as applied for with no conditions except those established through Site Plan control

**AND IT IS HEREBY ORDERED** that the lands and premises above described be, and the same are hereby exempt from **Section 24.50.1.3** of Zoning By-law 8600, as amended, so as to permit, in a **Commercial CD2.1 District**, the proposed development of a drive thru restaurant, thereby requesting the following relief, thereby providing and maintaining:

- (a) A minimum of 11 stacking spaces

**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                      Joe Balsamo,

Seconded by                 Dante Gatti,

That the minutes of the Committee of Adjustment Hearing held February 22, 2021 **BE ADOPTED AS AMENDED.**

**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