



# COMMITTEE OF ADJUSTMENT

APPLICANT : DYLAN JAMES KWIATKOWSKI, MIKAELA ANNISA KWIATKOWSKI

ADDRESS : 3353 BYNG ROAD

 SUBJECT LANDS

 SEVERED LANDS

N.T.S.





# CITY OF WINDSOR

File: A-032/25

## COMMITTEE OF ADJUSTMENT PUBLIC HEARING

PURSUANT to Section 45 of the Planning Act, a Committee of Adjustment public hearing will be held to consider a minor variance to Zoning By-law 8600. This is not an application for a zoning change.

You are receiving this notice of hearing as a courtesy because the Committee of Adjustment identified your property as located within a 40 meters circulation area of the subject lands. Notice as required by the Planning Act was given by publication of the Committee of Adjustment's Agenda Record in the Windsor Star on April 9, 2025.

### APPLICATION FOR MINOR VARIANCE – Relief from the operation of Zoning By-law 8600

**Owner:** DYLAN KWIATKOWSKI, MIKAELA KWIATKOWSKI **Location:** 3353 BYNG RD

**Legal Description:** PLAN 1215; LOTS 144 TO 146 & PT CLOSED ALLEY; RP 12R27296; PARTS 11; 12 & 29 **Zoning:** Residential RD1.1

**Official Plan:** Residential

**Explanation:** The creation of a new lot with reduced minimum lot width and area (severed lot), thereby requesting the following relief:

Please refer to File B-025/25

#### Section 10.1.5.1 – Minimum Lot width (severed Lot)

By Law Requirements	Proposed
15 m	9.14 m

#### Section 10.1.5.2 – Minimum Lot area (severed Lot)

By Law Requirements	Proposed
450.0 m <sup>2</sup>	320.81 m <sup>2</sup>

### COMMITTEE OF ADJUSTMENT HEARING - 519-255-6543 ext 6436 or 6450

**When:** April 24, 2025 at 3:30 pm

**Where:** VIA VIDEO CONFERENCE

*(information on how to join the public meeting will be on the City of Windsor website prior to the meeting date)*

You are invited to attend this hearing and express any interest you may have in this application. Written comments are also acceptable and may be submitted in person, by mail, by fax or by email. All comments must be received **NO LATER than 4:30PM on the Wednesday, prior to the meeting date.** Comments received after such, will not be included at time of hearing.

**The applicant or agent must attend the meeting.** If you do not attend or send a representative, the Committee may proceed in your absence without any further notice to you. To be notified of the decision of the Committee of Adjustment regarding this application, you must submit a written request to the Secretary-Treasurer.

It is the practice of Committee of Adjustment members to visit the site prior to considering this application. Administrative comments are available by email after 12:00 noon on the Friday prior to the hearing.

Jessica Watson  
Secretary-Treasurer, Committee of Adjustment

Dated: April 10, 2025

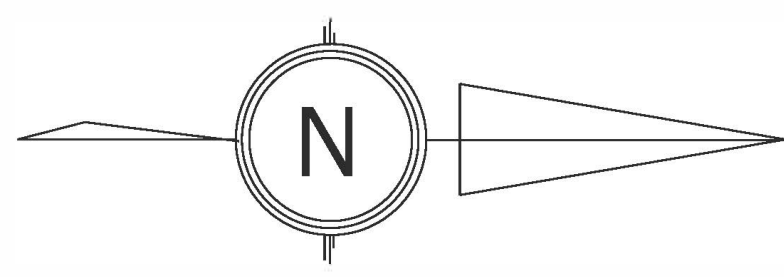
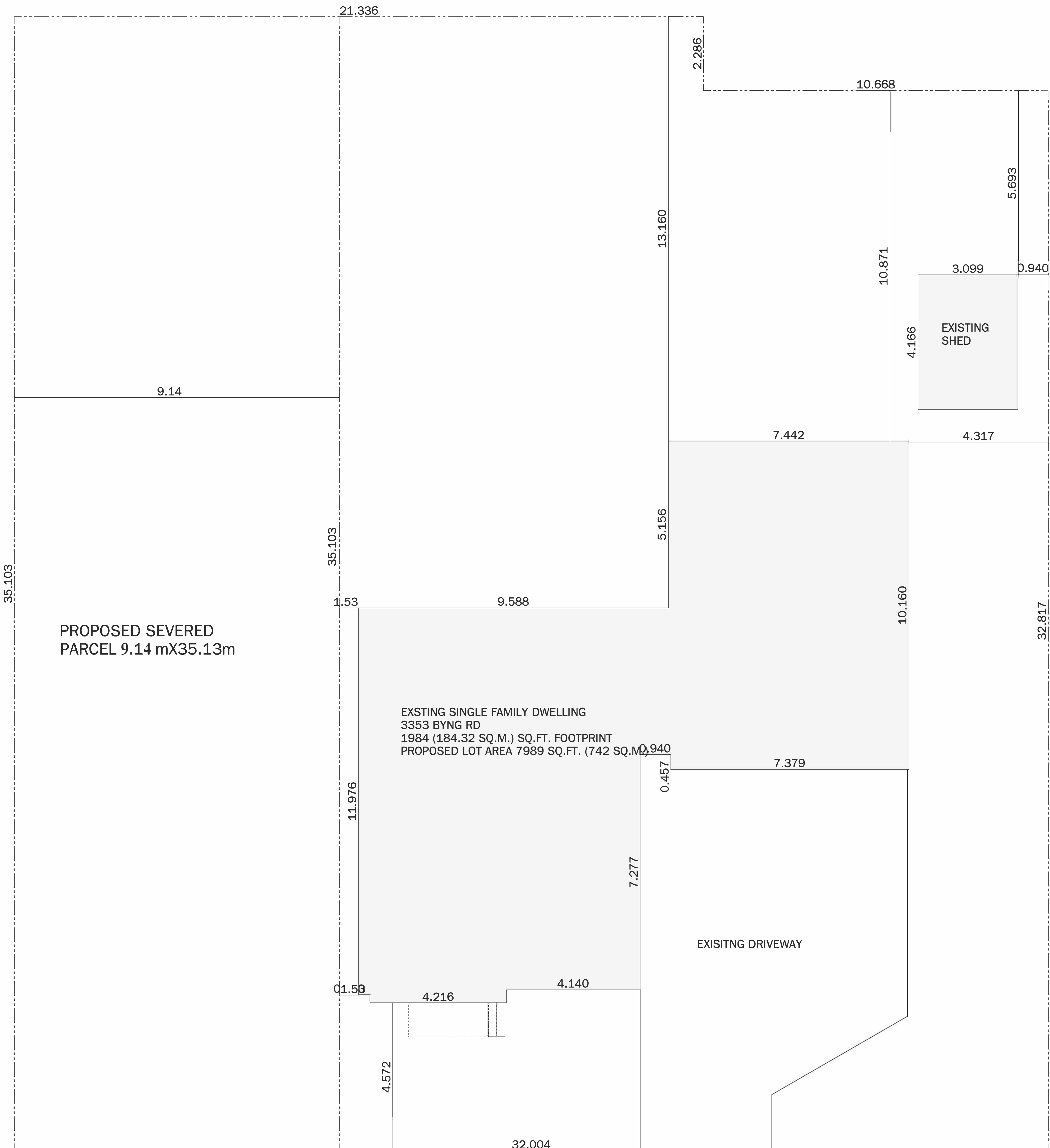
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Email: [jwatson@citywindsor.ca](mailto:jwatson@citywindsor.ca)  
Web: [www.citywindsor.ca](http://www.citywindsor.ca)

1	<b>Application Information</b>		
	Name of ALL Owners Dylan James Kwiatkowski & Mikaela Annisa Kwiatkowski	Contact No. 519-791-1056	Business Telephone No.
	Address 3214 Forest Glade Dr., Windsor, ON		Postal Code N8R 1X3
	E-Mail Address: dkplumbing1@hotmail.com		
	Name of Contact Person/Agent (if different than owner) <b>Anthony Malandrucolo</b>	Contact No. 519-258-3201	Business Telephone No. 519-258-3201
Address 261 Shepherd St. E., Windsor, ON	Postal Code N8X 2K6	Fax No. 519-258-2665	
E-Mail Address: malandrucolo@stipicweisman.com			
<b>PAYMENT CONTACT INFORMATION ONLY:</b>			
<b>Name:</b> Norah Seage			
<b>Contact No:</b> 519-258-3201 ext.246			
2	<b>Date application submitted to the City of Windsor.</b> March 14, 2025		
3	<b>Present Official Plan Provisions applying to the land:</b> Residential		
4	<b>Present Zoning By-law provisions applying to the land:</b> Residential District 1.1 (RD1.1)		
5	<b>Nature and extent of relief applied for:</b> (you MUST list each By-law Section etc. and relief requested) Request for Relief from Minimum Lot width and area requirements: (1) Minimum Lot Width (Severed Lot) - 10.1.5.1 - 15m required but 9.14m provided. (2) Minimum Lot Area (Severed Lot) 10.1.5.2 - 450m2 required but 320.81m2 provided.		
6	<b>State why it is NOT possible to comply with the provisions of the by-law. ( Must be complete)</b> Due to the location of the existing residential dwelling on Lots 145 & 146 (retained lot), the width and area of the severed lot cannot be any wider/larger.		
7	<b>Legal Description of the Subject Land(s)</b>		
	Municipality <b>Windsor</b>	Street Name <b>Byng Road</b>	Street Address <b>3353</b>
	Concession Number(s)	Registered/reference Plan No. PL 1215 (Alley: PL 12R27296)	Lot/Part No.(s) LOTS 144,145 & 146
	Parcel No. 01346-0352 LT & 01346-0762 LT (alley)		(Alley: Parts 11,12 & 29)
8	<b>Dimensions of Land Affected: THIS SECTION MUST BE COMPLETE</b>		
	Lot Frontage/Width <b>9.14</b>	Depth <b>35.1</b>	Lot Area <b>320.81 m2</b>
9	<b>Access</b> (check appropriate space)	Provincial Highway ..... Municipal road, maintained all year ..... Municipal road, seasonally maintained ..... Other public road ..... Right of way ..... Water only. If yes, the docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road _____	<b>Yes</b> <b>No</b> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
10	<b>Water Supply</b>	Publicly owned and operated piped water system... Privately owned and operated..... Individual or communal well..... Lake or other water body..... Other _____	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
11	<b>Sewage Disposal</b>	Publicly owned and operated piped sewage system..... Privately owned and operated individual or communal septic tank system..... Pit, privy, or other _____	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

12	<b>Storm Drainage</b>	Municipal Sewers Ditches or Swales Other (specify)	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
13	<b>The existing uses of the subject land:</b> Residential (RD1.1) <b>NOTE: legal non-conforming use applications <u>must</u> provide evidence to support its status to the Planning Department (Zoning Coordinator and Planner).</b>			
14	<b>The proposed uses of the subject land:</b> <b>Residential (RD1.1)</b>			
15	<b>Whether any buildings or structures are proposed to be built on the subject land.</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown  <b>If the answer to item 15 is yes, for each building or structure please provide on the drawing submitted the type of building or structure, the setback from the front lot line, rear lot line, and side lot lines, the height in metres of the building or structure and the dimensions or floor area of the building or structure.</b>			
16	<b>Date the subject land was acquired by the current owner.</b>		January 17, 2025	<input type="checkbox"/> Unknown
17	<b>The date the existing buildings or structures on the subject land were constructed.</b>		N/A	<input type="checkbox"/> Unknown
18	<b>The length of time that the existing uses of the subject land have continued.</b>			<input checked="" type="checkbox"/> Unknown
19	<b>If known, whether the subject land has ever been the subject of an application under section 45 of the Act?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown  <b>If yes, describe briefly: Year: _____ Type of Relief: _____</b>			
20	<b>If known, whether the subject land is the subject of an application under the Act for approval of a plan of subdivision or a consent?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <b>Consent Application being submitted contemporaneously with this application.</b> <b>If yes, the status of the application: _____</b>			
21	<b>Applications submitted without the noted requirements will be considered incomplete and will be returned.</b> <u>Minimum Standards for Drawings:</u>  <b>Ontario Regulations 200/96 of the Planning Act provides the requirement of a sketch showing the following: its:</b>		<b>Included</b>	<b>Not Applicable</b>
			<input checked="" type="checkbox"/>	<input type="checkbox"/>
	a) The boundaries and dimensions of the subject land.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and side yard lot lines.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream bands, wetlands, wooded areas, wells and septic tank.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d) The current uses on land that is adjacent to the subject land.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	e) The location, width and name of any roads withing or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	f) If access to the subject land is by water only, the location of the parking and docking facilities to be used.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	g) The location and nature of any easement affecting the subject land.		<input type="checkbox"/>	<input type="checkbox"/>
	<b>The required sketch map has been included with this application form.</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			

**Note: Drawings must be in metric units.  
Examples of acceptable drawings can be obtained upon request.**



9.14

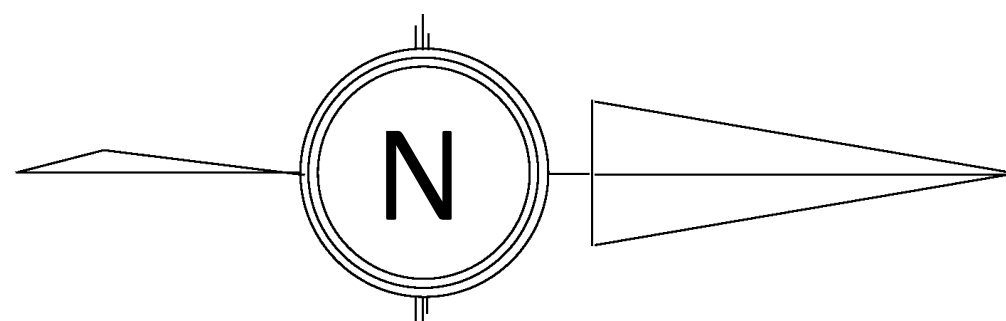
9.14

35.103

35.103

PROPOSED SEVERED PARCEL  
9.14m X 35.103m  
PART OF 3353 BYNG RD

9.14



3353 Byung Rd

105'

16'

Driveway

22'-6"

28'-6"

House

38'-6"

35'

27'-6"

Garage

32'

14'

33'

17'

24'

62'-6"

24'

35'

117'



12R 27296

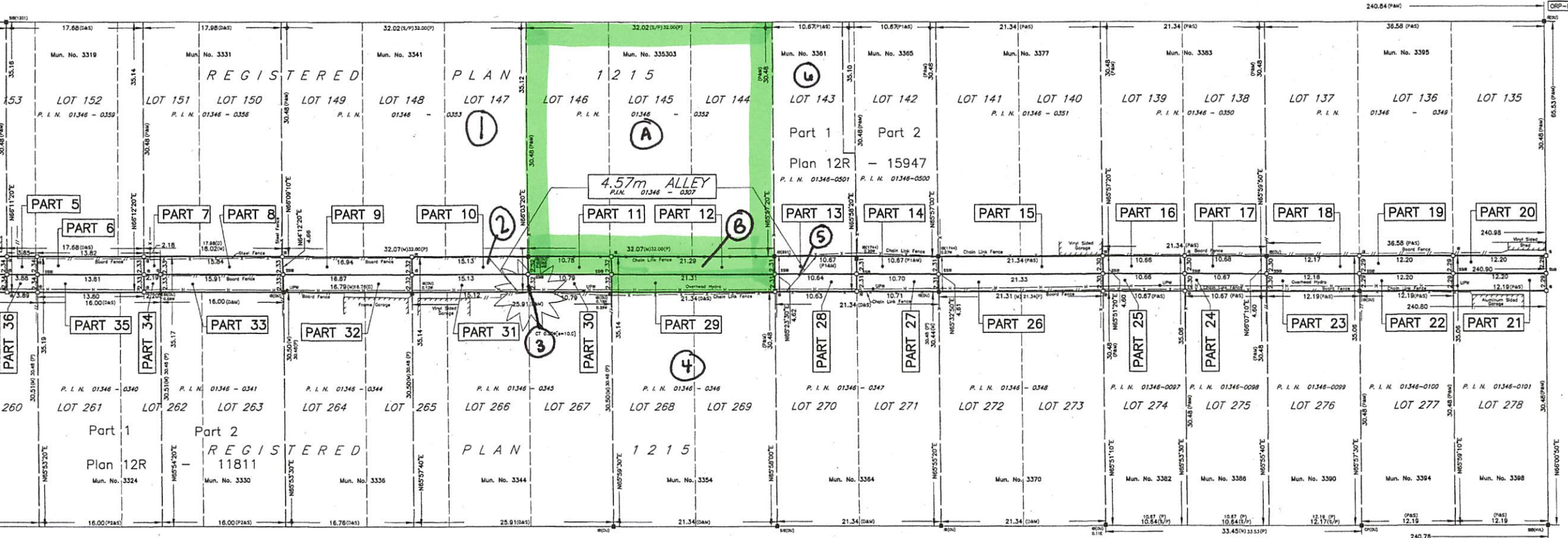
POINT ID	NORTHING	EASTING
ORP-A	N4682491.730	E336640.672
ORP-B	N4682271.105	E336737.572

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

REGISTERED PLAN 1215  
 IN THE  
 CITY OF WINDSOR  
 COUNTY OF ESSEX, ONTARIO  
 VERHAEGEN • STUBBERFIELD • HARTLEY • BREWER • BEZAIRE INC.  
 SCALE = 1:250



BYNG (20.12m WIDE PER REGISTERED PLAN 1215) ROAD  
 P. I. N. 01346 - 0484



BLISS (20.12m WIDE PER REGISTERED PLAN 1215) ROAD  
 P. I. N. 01346 - 0306

FOSTER AVENUE  
 (20.12m WIDE PER REGISTERED PLAN 1215)  
 P. I. N. 01346 - 0485

"METRIC" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY MULTIPLYING BY 3.28084.

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THIS SURVEY WAS COMPLETED ON THE 29th DAY OF NOVEMBER, 2017.

DATE FEBRUARY 23, 2018

*Roy Simons*  
 Roy A. Simons  
 ONTARIO LAND SURVEYOR  
 for VERHAEGEN • STUBBERFIELD • HARTLEY

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 N6X 2E1  
 Ph: (519) 258-1772  
 Fax: (519) 258-1721

VERHAEGEN  
 STUBBERFIELD  
 HARTLEY  
 BREWER  
 BEZAIRE  
 INC.

LEAMINGTON  
 187 Talbot Street East  
 N8H 1L8  
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