



# COMMITTEE OF ADJUSTMENT

APPLICANT : BAKER INVESTMENTS LIMITED

ADDRESS : 8380-8474 WYANDOTTE STREET EAST

N.T.S.



 SUBJECT LANDS

 EASEMENT LANDS

# CITY OF WINDSOR

File: B-002/25

## COMMITTEE OF ADJUSTMENT PUBLIC HEARING

**PURSUANT** to Section 54 (2) of the Planning Act, the City of Windsor Council has delegated consent authority to the Committee of Adjustment, and further, **PURSUANT** to Section 53 of the Planning Act, a Committee of Adjustment public hearing will be held to consider an application for consent.

**You are receiving this letter 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 January 15, 2025

### APPLICATION FOR CONSENT

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**Owner:** BAKER INVESTMENTS LIMITED                      **Location:** 8380-8484 WYANDOTTE ST E

**Legal Description:** PLAN 1627; PT BLOCK A & PT BLOCK B                      **Zoning:** Commercial CD2.1

**Official Plan:** Mixed Use

**Explanation:** The creation of an access easement

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

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**When:** January 30, 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.

If a person or public body that files an appeal of the decision of the Committee of Adjustment, in respect of the proposed consent, does not make oral submissions at a public meeting or does not make written submissions to the Committee of Adjustment before a provisional consent is given or refused, the Ontario Land Tribunal may dismiss the appeal.

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: January 16, 2025

Suite 210, 350 City Hall Square West  
Windsor ON N9A 6S1

Tel: 519-255-6543  
Fax: 519-255-6544  
Email: [jwatson@citywindsor.ca](mailto:jwatson@citywindsor.ca)  
Web: <http://www.citywindsor.ca>

1	<b>Application Information</b>			
	Name of <b>All</b> Owners (as listed on deed) BAKER INVESTMENTS LIMITED	Contact No.	Business Telephone No.	
	Address 615 Pelissier Street, Windsor E-Mail Address: Jason@bakerinvestmentsltd.com	Postal Code N9A 4L4		
	Name of <b>Contact Person/Agent</b> (if different than owner) Dillon Consulting Llimited c/o Connor Wilks	Contact No. 519-719-0830	Business Telephone No.	
	Address 130 Dufferin Avenue, Suite 1400, London E-Mail Address: cwilks@dillon.ca	Postal Code N6A 5R2	Fax No.	
<b>PAYMENT CONTACT INFORMATION ONLY:</b>				
<b>Name:</b>				
<b>Email &amp; Contact No:</b>				
2	<b>Type and purpose of proposed transaction:</b>			
	<b>Conveyance</b> <input type="checkbox"/> new lot <input type="checkbox"/> lot addition  <b>Other</b> (please specify) <input type="checkbox"/> mortgage <input type="checkbox"/> rights-of-way                                See separate application for validation of title/power of sale <input type="checkbox"/> lease in excess of 21 years <input checked="" type="checkbox"/> easement			
3	<b>The name of the person(s) to whom the land or an interest in land is to be transferred, charged or leased:</b>			
4	<b>Legal Description of the Subject Land (ENTIRE PARCEL – retained and severed)</b>			
	Municipality City of Windsor	Street Name Wyandotte Street East	Street Address 8390	
	Concession Number(s)	Registered/Reference Plan No. 12R-28646	Lot/Part No.(s)	
	Parcel No.			
5	<b>Are there any easements or restrictive covenants affecting the subject land? (If Yes, please describe)</b> <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> unknown  _____			
6	<b>Description of the Subject Land and Servicing Information (to be severed/leased) (in metric units)</b>			
	<b>Description</b>	<b>(A) SEVERED</b>		<b>(B) RETAINED</b>
		Frontage	<i>meters</i>	<i>meters</i>
		Depth	<i>meters</i>	<i>meters</i>
		Area	<i>square meters</i>	<i>square meters</i>
		Lot/Part No.(s)		
		Registered/Reference Plan No.		
	Water Lot?    Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
	<b>Use of Property</b>	Existing Use(s)		
		Proposed Use(s)		
<b>Buildings or Structures</b>	Existing (Date of construction)			
	Proposed			


<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> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<b>Yes</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<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 _____	<b>Yes</b> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<b>Yes</b> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<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 _____	<b>Yes</b> <input checked="" type="checkbox"/> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/> <input type="checkbox"/>	<b>Yes</b> <input checked="" type="checkbox"/> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/> <input type="checkbox"/>
<b>7 The current designation of the subject property in the Official Plan</b>	Mixed-use Corridor				
<b>History of the Subject Land</b>					
<b>8 Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Unknown  If yes, please provide the application file number and the decision made on the application. <u>B-027-24, Granted</u> _____ _____  If this application is a re-submission of a previous consent application, describe how it has been changed from the original application. _____ _____					
<b>9 Has any land been severed from the parcel originally acquired by the owner of the subject land:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown					
<b>10 If the answer to item 9 is <u>yes</u>, the date of the transfer, the name of the transferee and the land use on the severed land:</b>					
<del><b>Current Applications</b></del>					
<del><b>11</b></del> <del>If known, whether the subject land is the subject of any other application under the Act, such as an application for an amendment to an Official Plan, a Zoning By-law or Minister's Zoning Order, an application for minor variance or an application for an approval of a plan of subdivision or a consent.</del> <del>None</del> <del>_____</del> <del>_____</del>  <del>If yes, the file number of the application and the status of the application.</del> <del>_____</del>					
<b>12 Whether the application is consistent with policy statements issued under subsection 3(1) of the Planning Act</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown					
<b>13 Whether the subject land is within an area of land designated under any provincial plan or plans.</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable					
<b>14 If the answer to section 13 is yes, whether the application conforms to or does not conflict with the applicable provincial plan or plans.</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable					

15	The required sketch map is to indicate the following, in metric units and must be included with application:	Included	Not Applicable
a)	the boundaries and dimensions of any land <u>abutting</u> the subject land that is owned by the owner of the subject land;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	the <u>approximate distance between</u> the subject land and the nearest <u>Lot line or landmark</u> such as a bridge or railway crossing;	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	the <u>boundaries</u> and <u>dimensions</u> of the subject land, the part that is intended to be <u>severed</u> and the part that is intended to be <u>retained</u> ;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	the location of all land <u>previously severed</u> from the parcel originally acquired by the <u>current owner</u> of the subject land;	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	the approximate location of all <u>natural and artificial features</u> ( <i>for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks</i> ) that: (i) are located on the <u>subject land</u> and on land that is <u>adjacent</u> to it, and (ii) in the applicant's opinion, may affect the application;	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	the <u>current uses</u> of land that are <u>adjacent</u> to the subject land ( <i>for example, residential, agricultural or commercial</i> )	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	the <u>location</u> , <u>width</u> and <u>name</u> of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way (i.e. alley);	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h)	if access to the subject land will be <u>by water only</u> , the location of the parking and boat docking facilities to be used; and	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i)	the location and nature of any easement affecting the subject land.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The required sketch map has been included with this application form.			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			

**DECLARATION:**

I/WE, Connor Wilks of Dillon Consulting Limited of the City (City/Town)

of London (name City/Town) in the County (County) of Middlesex (name county) On this          day of         , 2024, **SOLEMNL** **DECLARE** that all statements contained in this application are true and I/WE make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

(Sign) 

(Sign) \_\_\_\_\_

DECLARED BEFORE ME at the Dillon Consulting Limited of the City of Windsor in the County of Essex this 17 day of December, 2024.



A Commissioner etc. **MELANIE ANNE MUIR,**  
 a Commissioner, etc., Province of Ontario,  
 for Dillon Consulting Limited.  
 Expires May 3, 2025.

**\*\*\* THIS SECTION MUST BE COMPLETE**

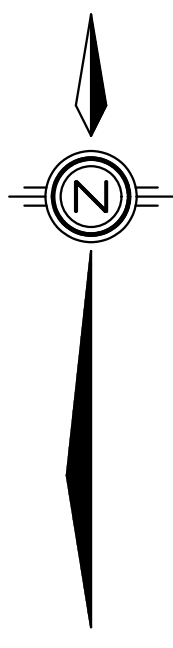
**RECEIPT OF APPLICATION/AUTHORIZATION TO PROCESS**

This application has been received and is accepted for processing as the application is complete.

Date: \_\_\_\_\_

Secretary-Treasurer (or Designate)

**SEVERANCE NOTE:** Severance condition(s) must be fulfilled within one year after consent has been granted. If the condition is not satisfied within required timeline, the application is deemed to be null and void. A new Committee of Adjustment application will be required for any expired application.     CW     (Please Initial)



PARTS SCHEDULE				
PART	LOT	CON/PLAN	P.I.N.	AREA
1	PART OF BLOCK 'A'	REGISTERED PLAN 1627	PART OF 01066-0440	0.592 Ac.
2	PART OF BLOCK 'A'	REGISTERED PLAN 1628	PART OF 01066-0197	3059.0 Sq.F

**PLAN OF SURVEY**  
 OF  
**PART OF BLOCK 'A'**  
**REGISTERED PLAN 1627**  
 AND  
**PART OF BLOCK 'A'**  
**REGISTERED PLAN 1628**  
 IN THE  
**CITY OF WINDSOR**  
**COUNTY OF ESSEX, ONTARIO**  
 VERHAEGEN LAND SURVEYORS, A DIVISION OF J.D. BARNES LTD.

SCALE : 1"=40'  
 0 20.0 40.0 80.0 120.0 200.0 FEET

THE INTENDED PLOT SIZE OF THIS PLAN IS 915mm IN WIDTH BY 609mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1"=40'

"IMPERIAL" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN FEET AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048

**INTEGRATION DATA**

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0). COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) O.REG 216/10

POINT ID	NORTHING	EASTING
ORP-A	15382668.84'	1116007.57'
ORP-B	15382657.39'	1117039.91'

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

**LEGEND AND NOTES**  
 BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS 'A' AND 'B' BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0).  
 DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999891  
 ALL SET AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11(4) OF O.REG. 525/91.  
 ALL MONUMENTS SHOWN THUSLY □ ARE IRON BARS (IB) UNLESS OTHERWISE NOTED.  
 SIB DENOTES STANDARD IRON BAR  
 SSIB DENOTES SHORT STANDARD IRON BAR  
 IB DENOTES IRON BAR  
 IB φ DENOTES ROUND IRON BAR  
 CCX DENOTES CUT-CROSS  
 CP DENOTES CONCRETE PIN  
 PB DENOTES PLASTIC BAR  
 ■ DENOTES SURVEY MONUMENT FOUND  
 □ DENOTES SURVEY MONUMENT SET AND MARKED JDB  
 WIT. DENOTES WITNESS  
 (S) DENOTES SET (M) DENOTES MEASURED (O) DENOTES INST. No.  
 ORP DENOTES OBSERVED REFERENCE POINT  
 (NI) DENOTES NOT IDENTIFIABLE (CI) DENOTES ORIGIN UNKNOWN  
 (P) DENOTES PROPORTIONAL (CALC) DENOTES CALCULATED  
 (P) DENOTES PLAN 12R-28646  
 (1744) DENOTES VERHAEGEN SURVEYORS INC., O.L.S.  
 (JDB) DENOTES J.D. BARNES LIMITED, O.L.S.

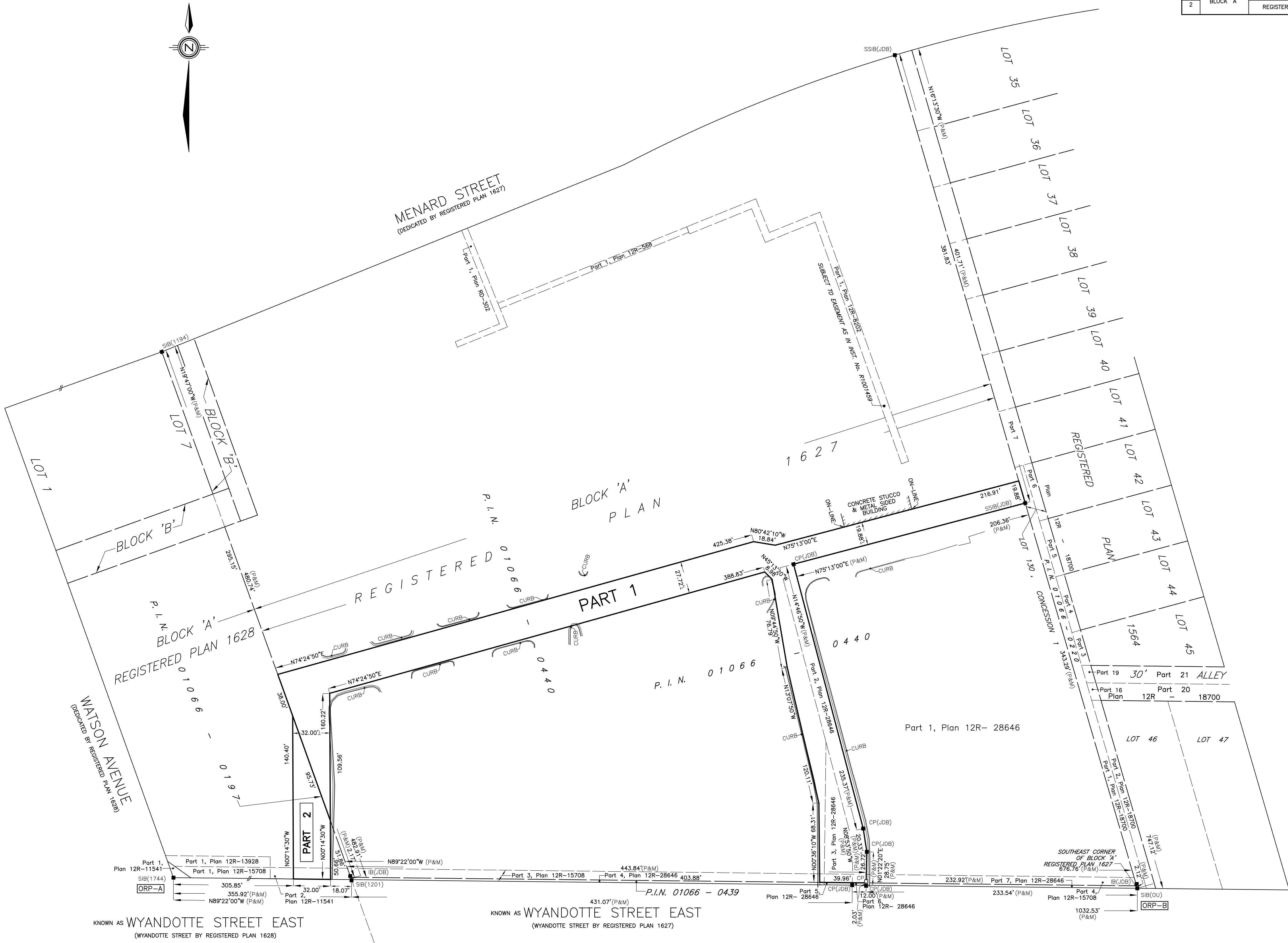
**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THIS SURVEY WAS COMPLETED ON THE 16th DAY OF DECEMBER, 2024

DATE DECEMBER 18, 2024 ALEC S. MANTHA  
 ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2220868

**VERHAEGEN** SURVEYING MAPPING GIS  
 LAND SURVEYORS  
 A DIVISION OF J.D. BARNES LTD.  
 844 OTTAWA STREET, WINDSOR, ON, N8X 2E1  
 T: (519) 258-1772 F: (519) 258-1791 www.jdbarnes.com

DRAWN BY: SP CHECKED BY: AM REFERENCE NO.: 20-47-484-04  
 CAD File: 20-47-484-04.dwg File: E-1627-BLK-'A'  
 CAD Date: December 19th, 2024

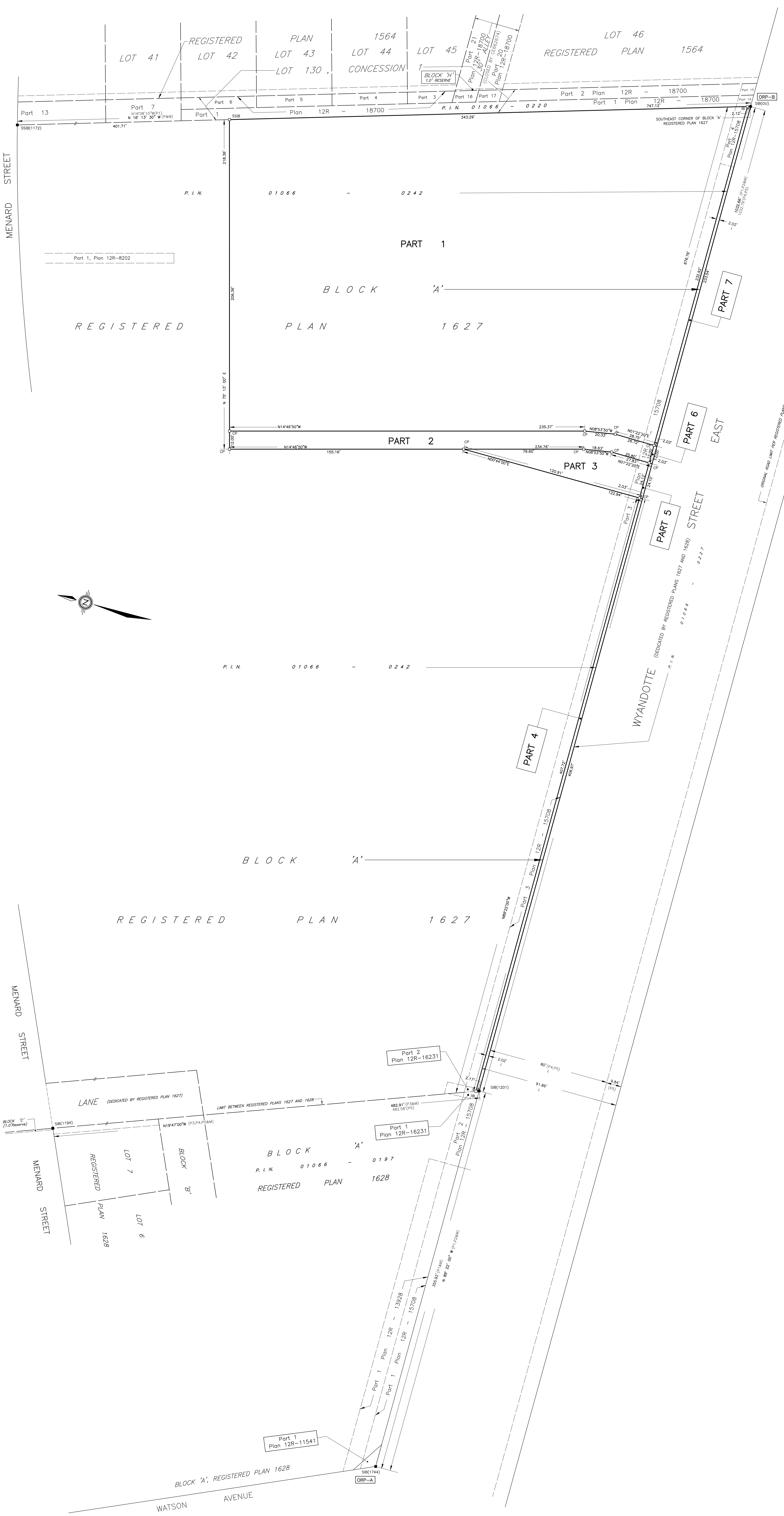


KNOWN AS WYANDOTTE STREET EAST  
 (WYANDOTTE STREET BY REGISTERED PLAN 1628)

KNOWN AS WYANDOTTE STREET EAST  
 (WYANDOTTE STREET BY REGISTERED PLAN 1627)

PARTS SCHEDULE		
PART	LOT	CON/PLAN
1		
2		
3		
4	PART OF BLOCK 'A'	REGISTERED PLAN 1627
5		
6		
7		

**PLAN 12R-28646**  
 Received and deposited  
 June 2nd, 2021  
 Christopher Holloway  
 Representative for the  
 Land Registrar for the  
 Land Titles Division of  
 Essex (No.12)



**PLAN OF SURVEY**  
 OF  
 PART OF BLOCK 'A',  
 REGISTERED PLAN 1627  
 IN THE  
 CITY OF WINDSOR  
 COUNTY OF ESSEX, ONTARIO  
 VERHAEGEN LAND SURVEYORS  
 SCALE : 1" = 20'  
 THE INTENDED PLOT SIZE OF THIS PLAN IS 36 INCHES IN WIDTH BY 59 INCHES IN HEIGHT WHEN PLOTTED AT A SCALE OF 1" = 20'

**LEGEND AND NOTES**  
 BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS "A" AND "B" BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO UTM ZONE 17 (01° WEST LONGITUDE) AND 83 (030R) (2011.0).  
 DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99989155.  
 ■ DENOTES SURVEY MONUMENT FOUND  
 ○ DENOTES SURVEY MONUMENT SET  
 S DENOTES STANDARD IRON BAR  
 SSB DENOTES SHORT STANDARD IRON BAR  
 SSB DENOTES STANDARD IRON BAR  
 PB DENOTES PLASTIC BAR  
 WT DENOTES WIRE  
 M DENOTES MEASURED  
 S DENOTES SET  
 (P) DENOTES PLAN 12R-18700  
 (P1) DENOTES PLAN 12R-15708  
 (P2) DENOTES PLAN 12R-15448  
 (P3) DENOTES PLAN OF SURVEY PER (1172), DATED FEB. 6, 1986, PLAN FILE A-532  
 (P4) DENOTES REGISTERED PLAN 1627  
 (P5) DENOTES REGISTERED PLAN 1628  
 ALL DISTANCES AND BEARINGS WERE OBTAINED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 114 OF THE REGS. 2016/01  
 (1744) DENOTES VERHAEGEN LAND SURVEYORS  
 (1172) DENOTES WILLIAM A. BREWER, O.L.S.  
 (1194) DENOTES JOHN B. SMOETON, O.L.S.  
 (1207) DENOTES ROSS A. CLARKE, O.L.S.

**INTEGRATION DATA**  
 COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (01° WEST LONGITUDE). COORDINATE VALUES ARE TO AN URSPAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) OF REGS. 216/10

POINT ID	NORTHING	EASTING
ORP-A	N1532663.45	E1116498.33
ORP-B	N1532657.44	E1117039.92

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

FOR BEARING COMPARISON, A ROTATION OF 01°20'30" CLOCKWISE WAS APPLIED TO (P1) TO CONVERT TO GRID BEARINGS.  
 FOR BEARING COMPARISON, A ROTATION OF 01°25'00" CLOCKWISE WAS APPLIED TO (P2) AND (P3) TO CONVERT TO GRID BEARINGS.  
 FOR BEARING COMPARISON, A ROTATION OF 01°11'00" CLOCKWISE WAS APPLIED TO (P3), (P4) AND (P5) TO CONVERT TO GRID BEARINGS.

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS REGS. AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON THE 6th DAY OF APRIL, 2021.

APRIL 8, 2021  
 DATE  
 Christopher Holloway  
 LAND SURVEYOR