



CITY OF WINDSOR COMMITTEE OF ADJUSTMENT

MINUTES

FOR THE HEARING OF

March 30, 2023

A hearing by the Committee of Adjustment for the City of Windsor was held on March 30, 2023, located, Via Electronic Participation.

Mike Sleiman opened the floor and nominated Dante Gatti as Vice-Chairperson

Moved by Joe Balsamo and
Seconded by Mohammed Baki

That Dante Gatti **BE APPOINTED** as the Vice-Chairperson of the Committee of Adjustment for the year 2023.

CARRIED

The Hearing was called to order at 3:30 PM.

ATTENDANCE:

Present:

Mike Sleiman, Chair
Dante Gatti, Vice-Chair
Joe Balsamo, Member
Frank Cerasa, Member
Mohammed Baki, Member

Jessica Watson, Secretary-Treasurer

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
Brian Velocci (Planner III –Site Plan Approval Officer) Planning Department
Connor Cowan (Zoning Co-ordinator) Planning Department
Sandy Mio, (Technologist I) Engineering & Geomatics Department
Clare Amicarelli (Transportation Engineer) Transportation Planning
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): CHRISTIAN CHUKWUMA ODUM, SANDRA OLUCHI AKUCHIE

Subject Lands: LOT 48 ON REGISTERED PLAN 639 and known as Municipal Number 884 JOS JANISSE AVE

Zoning: Residential RD1.2

RELIEF: The creation of an addition for a single unit dwelling with reduced minimum side yard and lot area.

INTERESTED PARTIES PRESENT:

Christian Odum, 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 noted.

DISCUSSION

Mr. Odum confirms 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: 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): MICHAEL CHAUVIN, DIANE CHAUVIN

Subject Lands: PART LOT 20 & PART CLOSED ALLEY, LOT 19 ON REGISTERED PLAN 1058; PART 4 ON REFERENCE PLAN 12R-22714 and known as Municipal Number 7140 ST ROSE AVE

Zoning: Residential RD1.2

RELIEF: Creation of a new garage with covered porch exceeding the maximum accessory building lot coverage.

INTERESTED PARTIES PRESENT:

Michael Chauvin, 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.

DISCUSSION

Mr. Chauvin confirms they are in agreement with the recommendations and comments provided in the report from Administration. The Chair addresses administration with respect to the application fees. Ms. Simiona outlines a permit was issued in error, and the building department has absorbed the costs due to the error.

The Chair asks for public presentation. None noted

Moved by: Joe Balsamo

Seconded by: Mohammed Baki

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): KELLY FRENCH, KRISTOFER MITREVSKI

Subject Lands: LOT 46 ON REGISTERED PLAN 866. And known as Municipal Number 1385 BENJAMIN AVE

Zoning: Institutional ID1.3

RELIEF: Creation of a new garage exceeding maximum accessory building Lot coverage.

INTERESTED PARTIES PRESENT:

Kelly French- Mitrevski, 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 noted.

DISCUSSION

Ms. French-Mitrevski confirms they are in agreement with the recommendations and comments provided in the report from Administration. The Chair outlines the WPS recommendation should install an address on the garage, and he finds this new, and asks if this will be mandatory. Ms. Simion outlines this is a recommendation for access onto the alley and will make it easier for police calls locating the actual property and would be very beneficial.

The Chair asks for public presentation. None noted

Moved by: Mohammed Baki

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): HAUSOLOGY INC.

Subject Lands: LOT 53 ON REGISTERED PLAN 937. And known as Municipal Number 926 GILES BLVD E

Zoning: Residential RD2.2

RELIEF: To construct an addition to create a multiple dwelling with maximum of 4 units with reduced minimum lot width and area.

INTERESTED PARTIES PRESENT:

Dan Grenier, Applicant

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 noted.

DISCUSSION

The applicant asks about the alley contributions outlined in the report, and when do the contributions begin and why? Ms. Mio outlines that when an alley is used as access from the rear, our legal department thru consultation outlined it can't be related as a minor variance conditions, and has an access on the alley with rear parking, and the access is not new. Ms. Simon outlines it was asked as condition, however it is a recommendation. Mr. Grenier outlines if it is not a condition then he is in agreement with the recommendations and comments Provided in the report from Administration. The Chair asks about landscape separation between parking and the house. Mr. Cowan, this parking area only has 4 area and is not deemed parking, so this landscape provision is not applicable. The chair addressing maneuvering, Mr. Cowan outlines that there is room.

The Chair asks for public presentation. None noted

Moved by: Mohammed Baki

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): EDWARD ALLAN MCDOWELL, HEATHER BOTTOSET

Subject Lands: WEST PART LOT 135 ON REGISTERED PLAN 1478. And known as Municipal Number 3888 and 3910 KENNEDY DR E

Zoning: Residential RD1.4

REQUEST: To sever the above said lands, as shown on the attached drawing, for the purpose of a Lot addition to abutting property of 3910 Kennedy Dr.

INTERESTED PARTIES PRESENT:

Ed McDowell, 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 noted.

DISCUSSION

Mr. McDowell outlines he didn't receive the report as he did not have technology. The Secretary-Treasurer reads the proposed conditions from the reports. She outlines the 2-year fulfillment term. Mr. McDowell outlines he is severing the ditch only, and his neighbour asked about the property he just wanted to sever it. Mr. Golob outlines the easements are for 6ms on each side, 12m over the drain, and is standard. The Encroachment outlines that the 3888 Kennedy and 3910 to remove all encroaching elements. Mr. McDowell confirms he is able to satisfy the garden landscaping. Mr. Golob outlines the 2 years is the timelines. Mr. Houle, owner of 3910 Kennedy, confirms if the curbing needs to be removed. Mr. Houle, outlines that the fence that is built, and existing and the encroachments would not be an issue after speaking with the PW department. The Chair outlines this before us is a land severance and if the application is approved today, and the severed lot addition t 3910 Kennedy, decides to sever, would it be allowed. Mr. Golob outlines this is a lot addition today, and if it was to be proposed to be an additional lot, it would be required to return to the Committee of adjustment at such time. Mr. Houle outlines that the conditions are to the right of way, and has nothing to do with the encroachment. Mr. Golob outlines that all conditions must be satisfied as per the report and the order. Ms. Mio outlines the easement is for the drain, and no obstruction is permitted for maintenance. The raised curbs and landscaping are not allowed and must be removed, and will require a right of way permit to remove the encroachments. A fence can be placed 6 m from the drain only.

The Chair asks for public presentation. None noted

Moved by: Dante Gatti

Seconded by: Mohammed Baki

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): RAMZI SAYEH

Subject Lands: LOT 1 ON REGISTERED PLAN 493. And known as Municipal Number 1056 CATARAQUI ST

Zoning: Residential RD2.2

RELIEF: Construct a detached ADU exceeding maximum Lot coverage (Lot and accessory building).

INTERESTED PARTIES PRESENT:

Ramzi Sayeh, 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.

DISCUSSION

Mr. Sayeh, confirms they are in agreement with the recommendations and comments provided in the report from Administration. The Chair outlines the 10% requirement and the proposed is 17%, is this major? Ms. Simon outlines the subject land are surrounded by two alleys, and past practice had allowed for this variance, and the two measures have been met, and it has been deemed minor. The Chair outlines the drawings were hard to read, because of that reason a clarification was needed to void deferral, and he thanks the planner and asks for a motion.

The Chair asks for public presentation. None noted

Moved by: Dante Gatti

Seconded by: Mohammed Baki

IT IS HEREBY DECIDED that the application **BE GRANTED WITH CONDITION** 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): 1000085768 ONTARIO INC.

Subject Lands: PT BLOCKS E F & W ON REGISTERED PLAN 1644, PART 1 ON
REFERENCE PLAN 12R-28853 and known as Municipal Number 0
CANTELON DR

Zoning: Manufacturing MD1.2 S.20(1) 97

RELIEF: Creation of an Industrial building with reduced side yards

INTERESTED PARTIES PRESENT:

Milena Stevanov, Agent

PRELIMINARY PROCEEDINGS

The Chair confirms for the record, he does not know the applicant, but knows the owner on both sides of the proposed lots.

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 noted.

DISCUSSION

Ms. Stevanov confirms 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: Mohammed Baki

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): GRAND CENTRAL BUSINESS PARK INC

Subject Lands: BLOCK 1-3 ON SUBDIVISION PLAN 12M-685. And known as
Municipal Number 2820 DODGE DR

Zoning: MD1.7 S. 20(1)229

RELIEF: Creation of an industrial building with reduced side yard,
landscaping and parking separation

INTERESTED PARTIES PRESENT:

David Mady, Agent
Vince Rosati, 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 noted.

DISCUSSION

The applicant and owner confirms 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.

ADOPTION OF MINUTES

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

Moved by	Joe Balsamo,
Seconded by	Mohammed Baki

That the minutes of the Committee of Adjustment Hearing held February 23, 2023 BE
ADOPTED AS AMENDED.

CARRIED.

ADJOURNMENT:

There being no further business before the Committee, the meeting accordingly adjourned at 4:20 p.m.

Mike Sleiman, Chairperson

Jessica Watson, Secretary-Treasurer