



CITY OF WINDSOR COMMITTEE OF ADJUSTMENT

MINUTES

FOR THE HEARING OF

May 25, 2023

A hearing by the Committee of Adjustment for the City of Windsor was held on May 25, 2023, located, Via Electronic Participation.
The Hearing was called to order at 3:30 PM.

ATTENDANCE:

Present:

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

Jessica Watson, Secretary-Treasurer

Regrets; Mike Sleiman, Chair

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
Zaid Zwayyed (Zoning Co-coordinator) Planning Department
Amy Olsen, (Technologist I) Engineering & Geomatics Department
Claire Amicarelli (Transportation Engineer) Transportation Planning
Andrew Boroski (Transportation Engineer) Transportation Planning
Amy Olsen (Technologist II) Development, Projects & Right-of-Way
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): PAZNER SCRAP METALS CORP

Subject Lands: PART LOT 99 ON CONCESSION 1, LOTS 1, 51, 25, PART LOT 2 AND PART CLOSED ALLEY ON REGISTERED PLAN 685. and known as Municipal Number 1276 DROUILLARD RD

REQUEST: Validation of title for the above noted lands.

INTERESTED PARTIES PRESENT:

William Good, Agent

PRELIMINARY PROCEEDINGS

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 noted.

DISCUSSION

Mr. Good confirms they are in agreement with the recommendations and comments provided in the report from Administration

The Acting 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 Acting 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): ZORICA RIVOLTA, CARMEN RIVOLTA

Subject Lands: LOTS 198-200 & PART ALLEY ON REGISTERED PLAN 1020, PART 2 & 4 ON REFERENCE PLAN 12R-19818. and known as Municipal Number 1906 SPRING GARDEN RD

Zoning: Residential RD1.4

REQUEST: Consent to sever alley, as shown on the attached drawing, for the purpose of Lot addition.

INTERESTED PARTIES PRESENT:

Florino Culmone, Agent

PRELIMINARY PROCEEDINGS

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 noted.

DISCUSSION

Mr. Culmone confirms they are in agreement with the recommendations and comments provided in the report from Administration

The Acting 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 Acting 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): 2031759 ONTARIO INC

Subject Lands: PART LOT 140 ON CONCESSION 1. and known as Municipal Number 10650 RIVERSIDE DR E

Zoning: Residential RD1.6

RELIEF: Creation of a new Single Unit Dwelling exceeding minimum lot width, maximum garage width and maximum front yard paving.

INTERESTED PARTIES PRESENT:

Terry Kipping, Agent

PRELIMINARY PROCEEDINGS

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 noted.

DISCUSSION

Mr. Kipping confirms they are in agreement with the recommendations and comments provided in the report from Administration

The Acting Chair asks for public presentation. None noted

Moved by: Mohammed Baki

Seconded by: Frank Cerasa

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

CARRIED.

The Acting 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): JAMES BRESCHUK, SHARON BRESCHUK

Subject Lands: PART LOT 114 ON CONCESSION 1 and known as Municipal Number 5485 RIVERSIDE DR E

Zoning: Residential RD1.6

REQUEST: To create an easement, as shown on the attached drawings for telecommunications utilities.

INTERESTED PARTIES PRESENT:

Anthony Malandruccolo, Agent

PRELIMINARY PROCEEDINGS

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.

DISCUSSION

Mr. Malandruccolo confirms they are in agreement with the recommendations and comments provided in the report from Administration. Mr. Cerasa asks for the easement reason. Mr. Malandruccolo confirms the easement is for Bell, Cogeco and Utilities.

The Acting 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 Acting 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): BEHNAM KEYAN, NU MAI LOAN TON

Subject Lands: LOTS 361-363 ON REGISTERED PLAN 557 and known as Municipal Number 1725 DOMINION BLVD

Zoning: Residential RD1.2

RELIEF: Creation of 2 undersized lots with reduced minimum Lot width.

INTERESTED PARTIES PRESENT:

Mike Stocks, Agent

PRELIMINARY PROCEEDINGS

Moved by: Joe Balsamo
Seconded by: Mohamed Baki

Items #5 and #6 are concurrent and have been approved to be heard together at the beginning of the hearing. LOTS 361-363 ON REGISTERED PLAN 557 and known as Municipal Number 1725 DOMINION BLVD.

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.

DISCUSSION

Mr. Stocks confirms they are in agreement with the recommendations and comments provided in the report from Administration. Mr. Stocks outlines an email was received from Transportation, and would like further explanation. Ms. Amicarelli, Transportation Planner, explains that they are repressing a conveyance across the frontage of the property for future use. With respect to this re-construction to include bike lanes, a 5.2 m conveyance will be required to run the depth across the frontage of the property. Mr. Stocks outlines he just received the request and asks for further explanation of the description of the lands. The Acting chair outlined the description of the required conveyance and is supported by the Transportation Planner. The Item is asked to be deferred to the end of the hearing for further discussion. The Agent approves. Discussion continues, Mr. Stocks outlines it is the eastern survey, and would like to discuss the process for the road conveyance following the granting today. The Acting Chair outlines this would be a conveyance, and the Secretary-Treasurer outlines, after the 20 day appeal period, the City of Windsor, Legal Department will aide in the conveyance. This has a one-year expiration.

Mr. Cerasa outlines that the owner would absorb all costs with the Legal conveyance.

The Acting Chair asks for public presentation. None noted

Moved by: Frank Cerasa

Seconded by: Joe Balsamo

IT IS HEREBY DECIDED that the application **BE GRANTED WITH CONDITIONS.**

CARRIED.

The Acting 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): BEHNAM KEYAN, NU MAI LOAN TON

Subject Lands: LOTS 361-363 ON REGISTERED PLAN 557 and known as Municipal Number 1725 DOMINION BLVD

Zoning: Residential RD1.2

REQUEST: Creation of 2 undersized lots, as shown on the attached drawing.

INTERESTED PARTIES PRESENT:

Mike Stocks, Agent

PRELIMINARY PROCEEDINGS

Moved by : Joe Balsamo
Seconded by: Mohammed Baki

Items #5 and # 6 are concurrent and have been approved to be heard together at the beginning of the hearing. LOTS 361-363 ON REGISTERED PLAN 557 and known as Municipal Number 1725 DOMINION BLVD

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.

DISCUSSION

Mr. Stocks confirms they are in agreement with the recommendations and comments provided in the report from Administration. Mr. Stocks outlines an email was received from Transportation, and would like further explanation. Claire, Transportation Planner, explains that they are repressing a conveyance across the frontage of the property for future use. With respect to this re-construction to include bike lanes a 5.2 m conveyance will be required to run the depth across the frontage of the property. Mr. Stocks outlines he just received the request and asks for further explanation of the description of the lands. The Acting chair outlined the description of the required conveyance and is supported by the Transportation Planner. The Item is asked to be deferred to the end of the hearing for further discussion. The Agent approves. Discussion continues, Mr. Stocks outlines it is the eastern survey, and would like to discuss the process for the road conveyance following the granting today. The Acting Chair outlines this would be a conveyance, and the Secretary-Treasurer outlines, after the 20 day appeal period, the City of Windsor, Legal Department will aide in the conveyance. This has a one year expiration.

Mr. Cerasa outlines that all costs with the Legal conveyance and all costs, would be absorbed by the owner.

The Acting Chair asks for public presentation. None noted

Moved by: Frank Cerasa
Seconded by: Joe Balsamo

IT IS HEREBY DECIDED that the application **BE GRANTED WITH CONDITIONS.**

CARRIED.

The Acting 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): SHAN XUE PERSONAL REAL ESTATE CORPORATION

Subject Lands: LOTS 406 & 407 ON REGISTERED PLAN 1295 and known as
Municipal Number 2080 WEST GRAND BLVD

Zoning: Residential RD1.4

RELIEF: Creation a Single Unit Dwelling with reduced minimum front yard
depth.

INTERESTED PARTIES PRESENT:

Shane Xu, Agent

PRELIMINARY PROCEEDINGS

Moved by : Joe Balsamo

Seconded by: Mohammed Baki

Items # 7 and # 8 are concurrent and have been approved to be heard together at the beginning of the hearing. LOTS 406 & 407 ON REGISTERED PLAN 1295 and known as Municipal Number 2080 WEST GRAND BLVD.

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 noted.

DISCUSSION

Mr. Xue confirms they are in agreement with the recommendations and comments provided in the report from Administration

The Acting Chair asks for public presentation. None noted

Moved by: Joe Balasmo

Seconded by: Frank Cerasa

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

CARRIED.

The Acting 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): SHAN XUE PERSONAL REAL ESTATE CORPORATION

Subject Lands: LOTS 406 & 407 ON REGISTERED PLAN 1295 and known as
Municipal Number 2080 WEST GRAND BLVD

Zoning: Residential RD1.4

REQUEST: The severance of the above noted lands, as shown on the attached
drawing, for the purpose of creating a new Lot.

INTERESTED PARTIES PRESENT:

Shane Xue, Agent

PRELIMINARY PROCEEDINGS

Moved by : Joe Balsamo

Seconded by: Mohamed Baki

Items # 7 and # 8 are concurrent and have been approved to be heard together at the beginning of the hearing. LOTS 406 & 407 ON REGISTERED PLAN 1295 and known as Municipal Number 2080 WEST GRAND BLVD.

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 noted.

DISCUSSION

Mr. Xue confirms they are in agreement with the recommendations and comments provided in the report from Administration

The Acting Chair asks for public presentation. None noted

Moved by: Joe Balasmo

Seconded by: Frank Cerasa

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

CARRIED.

The Acting 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): 2814088 ONTARIO INC

Subject Lands: PART LOT 24-27 ON REGISTERED PLAN 454 and known as
Municipal Number 1342 WYANDOTTE ST W

Zoning: Commercial CD2.2

RELIEF: Change of use for a legal non-conforming use (14-unit to 17-unit
multiple dwelling) with reduced minimum parking rate.

INTERESTED PARTIES PRESENT:

Dawn Martens, Agent

PRELIMINARY PROCEEDINGS

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.

DISCUSSION

Ms. Martins confirms they are in agreement with the recommendations and comments provided in the report from Administration, and the proposal is the addition of 3 new units in the bottom of the current facility. Mr. Balsamo confirms that there are 14 units currently, and with an additional 3, he is concerned about the parking. Ms. Martins outlines currently many of the tenants utilize public transportation and parking is not an issue, she also points out there is on-street parking. Mr. Cerasa is in support of the on-street sufficient parking.

The Acting Chair asks for public presentation. None noted

Moved by: Frank Cerasa

Seconded by: Mohammed Baki

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

CARRIED.

The Acting 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 **May 25, 2023 BE**
ADOPTED AS AMENDED.

CARRIED.

ADJOURNMENT:

There being no further business before the Committee, the meeting accordingly adjourned at 4:10 p.m.

Dante Gatti, Acting Chairperson

Jessica Watson, Secretary-Treasurer