



CITY OF WINDSOR COMMITTEE OF ADJUSTMENT

MINUTES

FOR THE HEARING OF

December 21, 2023

A virtual hearing by the Committee of Adjustment for the City of Windsor was held on December 21, 2023, by Video Conference. The Hearing was called to order at 3:30 PM.

ATTENDANCE:

Present:

Committee Members

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:

Planning & Building Services Department

Greg Atkinson, Manager/Deputy City Planner
Simona Simion, Planner II
Brian Velocci, Planner III
Zaid Zwayyed, Zoning Co-ordinator
Amy Lukas, Zoning Co-ordinator
Stefan Fediuk, Landscape Architect

Engineering & Geomatics Department

Thomas Huyhen Technologist I

Transportation Planning Department

Siddharth Dhiman, Transportation Engineer)

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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): 1422544 B.C. LTD.
Subject Lands: PLAN 57 LOT 26 and known as Municipal Number 389 CAMPBELL AVE
Zoning: Residential RD2.2
RELIEF: Proposed double duplex dwelling with minimum lot width and side yard width.

INTERESTED PARTIES PRESENT:

Geofu Zhu, Agent

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. Zhu 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: Frank Cerasa

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): LYNNE MARI VENABLES
Subject Lands: PLAN 1215; LOTS 140 & 141 & PT CLOSED ALLEY; RP 12R27296;
PARTS 15 & 26 and known as Municipal Number 3377 BYNG RD
Zoning: Residential RD1.2
REQUEST: To sever the alley.

INTERESTED PARTIES PRESENT:

Lynne Venables, 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. Venables 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: Frank Cerasa

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): AMMAD HUSSAIN ALVI, ASMA MURTUZA, AWAIS HUSSAIN ALVI

Subject Lands: PLAN 1088 LOT 104 LOT 105;PT BLK E; and known as Municipal Number 2356 GEORGE AVE

Zoning: Residential RD1.2

RELIEF: Accommodating a single unit dwelling with reduced minimum lot width and minimum lot area for both the severed and retained lots.

INTERESTED PARTIES PRESENT:

Ammad Alvi, Owner

PRELIMINARY PROCEEDINGS

Moved By: Joe Balsamo
Seconded By: Dante Gatti

That Items #5- 9 on the Agenda, A-081/23 an B-054/23, PLAN 1088 LOT 104 LOT 105;PT BLK E; and known as Municipal Number 2356 GEORGE AVE **BE HEARD** concurrently.

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. Alvi, confirms they are in agreement with the recommendations and comments provided in the report from Administration

The chair addresses administration with respect to the shared driveway, and if still permitted. Mr. Huynh responds that shared driveways are permitted if there are garages located between the 2 lots, thru best practices. A question received presented to the Committee was respect to what the proposed use and if it would be a rental. The chair addressed Mr. Alvi. He outlines it is a single unit dwelling, and the intended use is not decided at this time.

The Chair asks for public presentation.

2367 George and 2363 George Ave residents outlined their concerns with respect to the proposed, concerns are with street parking deficiency and that a petition was going to be warranted, however the community is filled with elderly neighbours and others that wanted to come forward with the property if it is going to be a rental. The build she feels is going to be against her neighbours and the abutting neighbour has recently had a fire, and there are privacy and safety concerns as the windows will be directly across from him with the new build. Ms. Arsneault outlines traffic, parking are the main concerns, and some of the overflow parking come from Gatsby's a restaurant on the corner of George and Tecumseh Rd. E.

The Chair outlines that the motion was already brought forward and approved. He has asked to withdraw the motion or would the Board still like to have the motion move forward. Mr. Cerasa outlines the window in question is approximately 8-10feet to the abutting existing home, and is satisfactory and he is still in support of the application. Mr. Alvi outlines that the existing new build will comply with the Ontario Building Code, and is in character with the Neighborhood. The Chair outlines if parking or any other concerns with the rental are an issue, the neighbour should contact 311 or the police for those concerns. The Chair outlines this is a developable Lot.

Moved by: Joe Balsamo

Seconded by: Dante Gatti

IT IS HEREBY DECIDED that the application **BE GRANTED WITH CONDITIONS** - 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): AMMAD HUSSAIN ALVI, ASMA MURTUZA, AWAIS HUSSAIN ALVI
Subject Lands: PLAN 1088 LOT 104 LOT 105;PT BLK E; and known as Municipal Number 2356 GEORGE AVE
Zoning: Residential RD1.2
REQUEST: To sever the said lands, as shown on the attached drawing, for the purpose of creating a new Lot.

INTERESTED PARTIES PRESENT:

Ammad Alvi, Owner

PRELIMINARY PROCEEDINGS

Moved By: Joe Balsamo
Seconded By: Dante Gatti

That Items #5- 9 on the Agenda, A-081/23 an B-054/23, PLAN 1088 LOT 104 LOT 105;PT BLK E; and known as Municipal Number 2356 GEORGE AVE **BE HEARD** concurrently.

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

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The chair addresses administration with respect to the shared driveway, and if still permitted. Mr. Huynh responds that shared driveways are permitted if there are garages located between the two lots, thru best practices. A question received presented to the Committee was respect to what the proposed use and if it would be a rental. The chair addressed Mr. Alvi. He outlines it is a single unit dwelling, and the intended use is not decided at this time.

The Chair asks for public presentation.

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Moved by: Joe Balsamo

Seconded by: Dante Gatti

IT IS HEREBY DECIDED that the application **BE GRANTED WITH CONDITIONS** - 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): 1954945 ONTARIO INC

Subject Lands: CON 2 PT LOT 93;RP 12R330, PART 19 and known as Municipal Number 1440 NORTH SERVICE RD

Zoning: Residential RD1.2

REQUEST: Consent to sever lands (5 Lots), for the purpose of creating a new Lots.

INTERESTED PARTIES PRESENT:

Zak Habib, Agent

PRELIMINARY PROCEEDINGS

Moved By: Joe Balsamo
Seconded By: Dante Gatti

That Items #5- 9 on the Agenda, B-055/23 thru B-059/23, CON 2 PT LOT 93;RP 12R330 PART 19; and known as Municipal Number 1440 NORTH SERVICE RD **BE HEARD** concurrently.

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. Habib, confirms they are in agreement with the recommendations and comments provided in the report from Administration. Mr. Gatti asks if the lots are in compliance with the zoning. Mr. Cerasa asks if the Lots are serviced already. Mr. Habib outlines existing services are in the road and the Lots will be fully serviced as per the conditions at the owners expense. Mr. Balsamo asks if Jabbour Court will be extended. Mr. Habib outlines that is not in the plans, however there was something put forward in April to City Council, and they are looking to come back with an additional Plan, however as of now, Jabbour court will close at the Cul-de-sac.

The Chair addresses administrant with condition #4, the conveyance of lands and is it necessary? Mr. Huynh outlines thru review and consultation the abutting lots have conveyed the strip of lands, and it needs to be in alignment with all to be consistent. Mr. Cerasa asks if the remaining land will be developable. Mr. Habib outlines they are in consultation and they are working with a designer on options to suit the community. Mr. Cerasa asks will they do as they Planners propose. Mr. Habib says they always do consult with City and take their advice and comments seriously prior to the committee that would suit the neighbourhood. Mr. Cerasa outlines he is in support.

The Chair asks for public presentation.

Raguvamsi Vuyyurauq, Neighbour on Blue Spring Drive is asking if this street will be re-constructed. Mr. Habib outlines the homes to be build will fit the single-family dwellings along the five lots of the existing housing designs that already exist. Mr. Raguvamsi asks if there will only be 5 Lots and the traffic will not utilize Blue Spring Drive. Mr. Habib outline that there will not be cross traffic, and they will be individual houses with drives, and no street except conservation that will access the homes.

Moved by: Frank Cerasa

Seconded by: Dante Gatti

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APPLICANT and SUBJECT LANDS:

Owner(s): 1954945 ONTARIO INC

Subject Lands: CON 2 PT LOT 93;RP 12R330 PART 19; and known as Municipal Number 1440 NORTH SERVICE RD

Zoning: Residential 'H' RD1.2

REQUEST: Consent to sever lands (5 Lots), for the purpose of creating a new Lots.

INTERESTED PARTIES PRESENT:

Zak Habib, Agent

PRELIMINARY PROCEEDINGS

Moved By: Joe Balsamo
Seconded By: Dante Gatti

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Moved by: Frank Cerasa

Seconded by: Dante Gatti

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INTERESTED PARTIES PRESENT:

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PRELIMINARY PROCEEDINGS

Moved By: Joe Balsamo
Seconded By: Dante Gatti

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The Chair asks if there are any questions/comments from Committee Members and Administration. None noted.

DISCUSSION

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Moved by: Frank Cerasa
Seconded by: Dante Gatti

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.

Items #10, and 11

Administration has asked for Deferral

Mr. Atkinson addresses the committee with the following overview. The applicant that was seeking consent will be required to submit a variance with application to address some deficiencies, and Administration is seeking deferral, in which the applicant will apply...

Moved By: Frank Cerasa
Seconded By; Joe Balsamo

IT IS HEREBY DECIDED that the application **BE DEFERRED.**
CARRIED.

ADOPTION OF MINUTES

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

Moved by **Dante Gatti**

Seconded by **Mohammed Baki**

That the minutes of the Committee of Adjustment Hearing held **November 30, 2023** **BE ADOPTED AS AMENDED.**

CARRIED.

ADJOURNMENT:

There being no further business before the Committee, the meeting accordingly adjourned at 4:15 p.m.

Mike Sleiman, Chairperson

Jessica Watson, Secretary-Treasurer