



# **CITY OF WINDSOR COMMITTEE OF ADJUSTMENT**

## **MINUTES**

**FOR THE HEARING OF**

**September 28, 2023**

A hearing by the Committee of Adjustment for the City of Windsor was held on September 28, 2023, Via Electronic Participation.

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

Jessica Watson, Secretary-Treasurer  
Natasha McMullin, Committee Clerk

Also in attendance, Administrative staff, representing the interests of the City of Windsor were:

Simona Simion, (Planner II – Research & Policy Support) Planning & Building Department  
Brian Velocci, (Planner III - Site Plan Approval Officer) Planning & Building Department  
Pablo Golob (Planner II - Development Review) Planning & Building Department  
Zaid Zwayyed (Zoning Co-ordinator) Planning & Building Department  
Ana Lukas (Zoning Co-ordinator) Planning & Building Department  
Siddharth Dhiman (Transportation Engineer) Transportation Planning  
Amy Olsen (Technologist II) Development, Projects & Right-of-Way  
Lea Marshall (Technologist II) Development, Projects & Right-of-Way  
Stefan Fediuk, (Landscape Architect), Planning & Building 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): WEISHI XIE**

**Subject Lands: PART LOTS 52-54 ON REGISTERED PLAN 1346, PART 2 ON REFERENCE PLAN 12R-16989. And known as Municipal Number 2637 NORFOLK ST**

**Zoning: Residential RD2.4**

**RELIEF: To construct an addition with reduced minimum side yard with.**

**INTERESTED PARTIES PRESENT:**

Applicant is absent

**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**

Ms. Simion gives a brief overview of the proposal, and outlines they are recommending approval with no conditions.

Mr. Cerasa asks about the firewalls and if build according to fire code. Mr. Sleiman outlines this is an existing semi-detached and the applicant is putting an addition to the existing. Mr. Cerasa is concerned this is not a firewall. Ms. Simon outlines that that a building department would issue a permit and this would be resolved at such and would have to adhere to the Ontario Building Code. Mr. Cerasa has asked that with fire and safety he is requesting that firewalls be placed on drawings.

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):** DEREK DAVID ELLIOTT

**Subject Lands:** PART BLOCK B ON REGISTERED PLAN 1152 and known as  
Municipal Number 444 BELLEPERCHE PL

**Zoning:** Residential RD1.1

**RELIEF:** Construct a detached accessory building exceeding the maximum  
building height.

**INTERESTED PARTIES PRESENT:**

Derek Elliot, 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. Elliott asks what is the recommendation. The chair reads the proposed variance and Mr. Elliott confirms he is in agreement.

Ms. Simon reads the conditional recommendation that is able to be proposed with the maximum height, and outlines that the additional unit not be used as a dwelling. Mr. Elliott confirms it is only for storage. Mr. Cerasa asks if the additional space be a flat roof? Mr. Elliott outlines this is not in his favour, and he requires the maximum height.

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):** HABIB ZAIDI

**Subject Lands:** LOT 102 ON REGISTERED PLAN 359 and known as Municipal Number 773 LINCOLN RD

**Zoning:** Residential RD2.2

**RELIEF:** Construction of a detached Additional Dwelling Unit (ADU) in the rear yard with maximum accessory lot coverage and parking requirement for the main dwelling

**INTERESTED PARTIES PRESENT:**

Vijay Vasantgadkor, Agent  
Habib Zaidi, 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. Vasantgadkor 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: 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): ADIAMMU REAL ESTATE INC.**

**Subject Lands: PART LOTS 62-68 ON REGISTERED PLAN 145, PART 2 ON REFERENCE PLAN 12R-18708 and known as Municipal Number 870 WYANDOTTE ST E**

**REQUEST: The conveyance of lands, as shown on the attached drawing, for the purpose of creating a new Lot.**

**INTERESTED PARTIES PRESENT:**

Tracey Pillon-Abbs

**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. Pillon-Abbs confirms they are in agreement with the recommendations and comments provided in the report from Administration.

The Chair asks for public presentation.

Brian Harrison, Neighbour, asks what is being proposed.

The existing building is being severed off, and there will be a zoning amendment application that will be forthcoming, and all neighbours will be circulated at such time to provide notification of the proposal at such time.

Moved by: Joe Balsamo

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.

**APPLICANT and SUBJECT LANDS:**

**Owner(s):** VICTORIA LYNN FRITZ

**Subject Lands:** PART LOT 365, 366 & PART CLOSED ALLEY ON REGISTERED PLAN 1098 and known as Municipal Number 1864 LARKIN RD

**Zoning:** Residential RD1.2

**REQUEST:** Validation of Title

**INTERESTED PARTIES PRESENT:**

Ryan Solcz, 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. Solcz 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: 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): SATWINDER BASSI**

**Subject Lands: PART LOT 8 ON REGISTERED PLAN 1590 & PART 2 ON REFERENCE PLAN 12R-28355 and known as Municipal Number 3025 MCROBBIE CRES**

**Zoning: Residential RD1.1**

**RELIEF: The construction of a single unit dwelling with reduced minimum lot and side yard width and exceeding maximum permitted garage width requirement**

**INTERESTED PARTIES PRESENT:**

Absent Applicant/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**

In the applicant/agents absence the Ms. Simion, proceeds to provide a brief description of the proposal confirms and notes the Lot width was previously granted, however it has since expired and when it was approved it was only the lot width, but there wasn't a footprint at such time. Now they are asking for the additional variances as noted.

The 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 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):** COMMUNITY LIVING WINDSOR

**Subject Lands:** LOT 14 ON SUBDIVISION PLAN 12M-256 and known as Municipal Number 2840 TEMPLE DR

**Zoning:** Manufacturing MD1.4

**RELIEF:** Proposed construction of additional parking spaces with reduced minimum front yard depth.

**INTERESTED PARTIES PRESENT:**

Gerti Seidl, 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**

Ms. Seidl confirms they are in agreement with the recommendations and comments provided in the report from Administration and happy with the recommendation report.

Mr. Cerasa outlines there is insufficient detail with respect to the fire wall, and asks what the firewall consist of. Mr. Velocci, outlines this is for front yard parking. Mr. Cerasa expresses he doesn't understand why there isn't floorplan with layouts. Mr. Velocci, outlines that this is not a normal requirement we request when we are dealing with parking, and an existing building already in place. Mr. Cerasa outlines this is satisfactory. It appears they may have been some discrepancy to what is being offered, and this conversation will be discussed further.

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 with no conditions outside those established thru Site Plan Process.

**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 JAMES ROSS

**Subject Lands:** LOT 4, PART LOT 5 & CORNER ON REGISTERED PLAN 1092 and known as Municipal Number 904 FELIX AVE

**Zoning:** Residential RD2.2

**RELIEF:** Construct an addition to convert the existing single unit dwelling into multiple dwelling with four (4) dwelling units with reduced minimum front yard depth at the proposed front porch enclosure, minimum separation of an accessory from the dwelling wall, and exceeding maximum Lot coverage.

**INTERESTED PARTIES PRESENT:**

Michael Ross, 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. Ross confirms they are in agreement with the recommendations and comments provided in the report from Administration. Mr. Ross outlined that he had consolation prior to the recommendation and when he read the email about any questions. He was wondering if these questions should be brought forward now. Mr. Ross asked about a few clarifications with respect to the recommendation, with respect to the property coverage and asks if there is an opportunity to ask for reductions of additions after granting of what he put in his application. Ms. Simion outlines that the building proposes the lot coverage based on his application and should be as this. Mr. Ross asks about the recommendation about the distance between the houses and if he allowed options if it could be 0 – 1.2 m and if there are any leniency? The Chair asks for clarification.

Ms. Simion outlines he can have less lot coverage but cannot exceed the maximum of what is being applied for today. With respect to the separation the proposal is 0.0 m and that is what is before us today is what is what the Committee is to be granting, if there are changes, the applicant would have to come back before the committee. Mr. Ross asks for a friendly amendment be allowed to the motion. The Chair outlines this is not permitted.

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.

**APPLICANT and SUBJECT LANDS:**

**Owner(s):** JOSEPH ROBERT CHARBONNEAU

**Subject Lands:** LOT 1 ON REGISTERED PLAN 1472 and known as Municipal Number 527 JARVIS AVE

**Zoning:** Residential 'H' RD1.1

**REQUEST:** Conveyance of lands, as shown on the attached drawing for the purpose of a Lot addition in favour of 11467 Amalfi Crt.

**INTERESTED PARTIES PRESENT:**

Joseph Charbonneau, 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. Charbonneau 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: Frank Cerasa

**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):** ENRIQUE RABOY SALA

**Subject Lands:** LOT 405-407 ON REGISTERED PLAN 709 and known as Municipal Number 853 FORD BLVD

**Zoning:** Residential RD1.2

**RELIEF:** Creation of three lots with minimum ILt width for the retained, and severed lots, and minimum side yard width for the retained Lot

**INTERESTED PARTIES PRESENT:**

Tracey Pillon-Abbs, 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**

Ms. Pillon-Abbs 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.

## **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 **August 23, 2023** **BE ADOPTED.**

**CARRIED.**

## **ADJOURNMENT:**

There being no further business before the Committee, the meeting accordingly adjourned at 5:15 p.m.

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Mike Sleiman, Chairperson

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Jessica Watson, Secretary-Treasurer