



# COMMITTEE OF ADJUSTMENT

APPLICANT : FAISAL BAOTHMAN

ADDRESS : 1655 MARK AVENUE

 SUBJECT LANDS

 LOT ADDITION

N.T.S.





# CITY OF WINDSOR

File: B-050/24

## 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 December 4, 2024

### APPLICATION FOR CONSENT

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**Owner:** FAISAL BAOTHMAN **Location:** 1655 MARK AVE  
**Legal Description:** PLAN 1342 LOT 38 **Zoning:** Residential RD1.2  
**Official Plan:** Residential  
**Explanation:** Severance of lands, as shown on the attached drawing, for the purpose of a Lot addition.

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

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**When:** December 19, 2024 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: December 5, 2024

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>



<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 checked="" type="checkbox"/> <input 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>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>7 The current designation of the subject property in the Official Plan</b> Residential	<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 checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Unknown  If yes, please provide the application file number and the decision made on the application. _____ _____  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 type="checkbox"/> Yes <input checked="" 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>			<b>11 Current Applications</b>  <b>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.</b> N/A _____ _____  <b>If yes, the file number of the application and the status of the application.</b> _____ _____	<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 checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable
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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> (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) 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 (for example, residential, agricultural or commercial)	<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"/>
<b>The required sketch map has been included with this application form.</b>			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			

**DECLARATION:**

I/WE, Faisal Baothman of the City \_\_\_\_\_ (City/Town)  
of Windsor (name City/Town) in the Province \_\_\_\_\_ (County) of Ontario (name county) on  
this 26th day of September, 2024 **SOLEMNLY 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) X   
(Sign) X \_\_\_\_\_

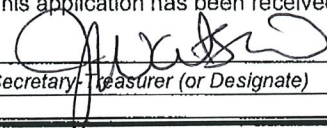
DECLARED BEFORE ME at the Municipality \_\_\_\_\_ of Chatham-Kent in the  
Province \_\_\_\_\_ of Ontario this 26th day of September, 2024.

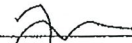
 A Commissioner etc. ELECTRONICALLY

**THIS SECTION MUST BE COMPLETE**

Tracey Lynn Cecilia Pillon-Abbs, a Commissioner, etc.,  
Province of Ontario, for Pillon Abbs Inc.  
Expires August 4, 2026

**RECEIPT OF APPLICATION/AUTHORIZATION TO PROCESS**

This application has been received and is accepted for processing, as the application is complete.  
 Date: Nov 28/24  
Secretary-Treasurer (or Designate)

**Minor variance for new construction:** An approved variance is valid and must be acted upon within one (1) year. If a  
granted variance is not used 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.  (Please Initial)

**FOR AGENTS – The owner must complete and sign this authorization if you have been assigned to act on  
their behalf**

**AUTHORIZATION:**

TO: The Secretary-Treasurer of The Committee of Adjustment for the City of Windsor.

DATE: September 26, 2024.

I (We) (Owners of the subject lands) Faisal Baothman  
of the (municipality where you reside) City of Windsor, hereby authorize  
and instruct (agent(s)) Pillon Abbs Inc. to submit an application to the  
Committee of Adjustment in respect to (municipal address or legal description) 1655 Mark Avenue

Which I (we) am (are) the registered owner(s), and this shall be my (our) good and sufficient authority to act on my (our) behalf.

 X(Sign) Note: if the owner is a Corporation, affix seal (if any)

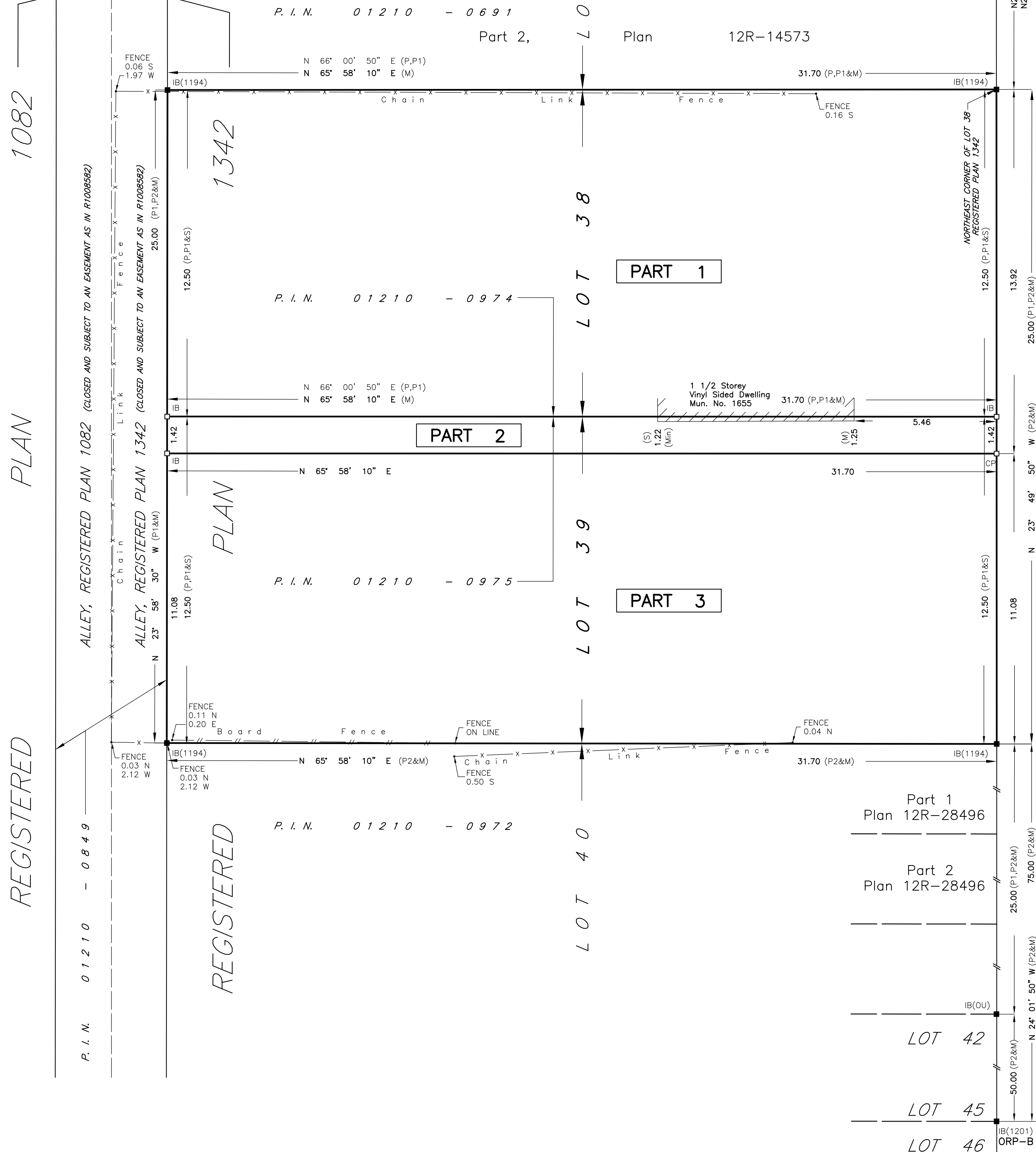
\_\_\_\_\_ X (Sign)

PARTS SCHEDULE				
PART	LOT	CON/PLAN	P.I.N.	AREA
1	ALL OF LOT 38	REGISTERED PLAN 1342	ALL OF 01210-0974	396.2
2	ALL OF LOT 39		ALL OF 01210-0975	45.0
3				351.2

REGISTERED PLAN 1082

PLAN

REGISTERED PLAN 01210 - 0849



**PLAN OF SURVEY**  
OF  
**LOTS 38 AND 39**  
**REGISTERED PLAN 1342**  
IN THE  
**CITY OF WINDSOR**  
**COUNTY OF ESSEX**  
VERHAEGEN LAND SURVEYORS, A DIVISION OF J.D. BARNES LTD.

SCALE = 1:100  
0 1.00 2.00 4.00 6.00 10.00 METRES

THE INTENDED PLOT SIZE OF THIS PLAN IS 609mm IN WIDTH BY 609mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:100

**"METRIC"** DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING 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	4684174.11	331349.72
ORP-B	4684037.17	331380.30

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

THE RESULTANT TIE BETWEEN ORP-A AND ORP-B IS N24°03'30"W, 150.00

FOR BEARING COMPARISONS THE FOLLOWING ROTATIONS WERE APPLIED TO CONVERT TO GRID BEARINGS

PLAN	CLOCKWISE ROTATION
P1, P3	1°28'10"

**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 0.999926

ALL SET SSIB 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 25mm X 25mm X 1.22m STANDARD IRON BAR
- SSIB DENOTES 25mm X 25mm X 0.61m SHORT STANDARD IRON BAR
- IB DENOTES 16mm X 16mm X 0.61m IRON BAR
- IB Ø DENOTES 19mm diameter X 0.61m ROUND IRON BAR
- CC DENOTES CUT-CROSS
- CP DENOTES 5mm X 50mm STEEL PIN
- PB DENOTES PLASTIC BAR
- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET AND MARKED JDB
- WIT. DENOTES WITNESS
- ⊥ DENOTES PERPENDICULAR
- (S) DENOTES SET (M) DENOTES MEASURED (D) DENOTES INST. No.
- ORP DENOTES OBSERVED REFERENCE POINT
- (NI) DENOTES NOT IDENTIFIABLE (OU) DENOTES ORIGIN UNKNOWN
- (S/P) DENOTES SET PROPORTIONALLY
- (P) DENOTES PLAN OF SURVEY BY (1194) Dated: Aug. 20, 1979. Plan File: 4V-6775.
- (P1) DENOTES REGISTERED PLAN 1342
- (P2) DENOTES PLAN 12R-28496
- (P3) DENOTES PLAN 12R-14573
- (1744) DENOTES VERHAEGEN SURVEYORS INC., O.L.S.
- (1194) DENOTES J.D. BARNES LIMITED, O.L.S.
- (1194) DENOTES JOHN B. SMEETON INC., O.L.S.
- (1201) DENOTES CLARKE SURVEYORS INC., 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 14th. DAY OF MAY, 2024.

DATED SEPTEMBER 23, 2024.  
  
ALEC S. MANTHA  
ONTARIO LAND SURVEYOR

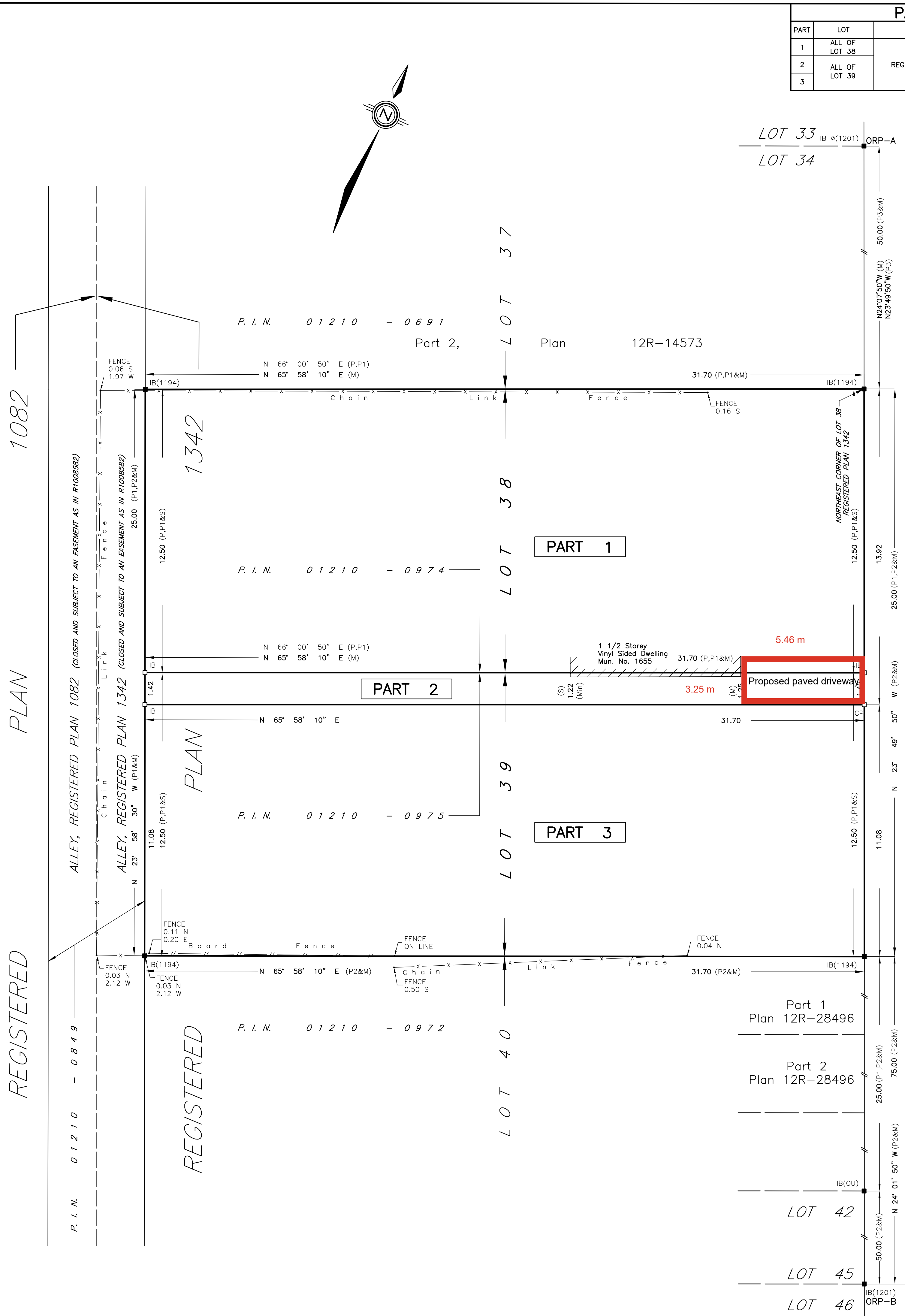
THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER XXXXXX

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

DRAWN BY: CMM	CHECKED BY: AM	REFERENCE NO.: 24-47-077-01
CAD File: 24-47-077-01.dwg CAD Date: September 24th, 2024		File: E-1342-3

MARK AVENUE (DEDICATED BY REGISTERED PLAN 1342)  
P.I.N. 10209-0414





PARTS SCHEDULE				
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 OF  
**LOTS 38 AND 39**  
**REGISTERED PLAN 1342**  
 IN THE  
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DATED SEPTEMBER 23, 2024.  
 ALEC S. MANTHA  
 ONTARIO LAND SURVEYOR

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**VERHAEGEN**  
 LAND SURVEYORS  
 A DIVISION OF J.D. BARNES LTD.  
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 T: (519) 258-1772 F: (519) 258-1791 www.jdbarnes.com

DRAWN BY: CMM CHECKED BY: AM REFERENCE NO.: 24-47-077-01  
 CAD File: 24-47-077-01.dwg File: E-1342-3  
 CAD Date: September 24th, 2024

REGISTERED PLAN 1082

MARK AVENUE (DEDICATED BY REGISTERED PLAN 1342)  
 P.I.N. 10209-0414

REGISTERED PLAN 1342

ALLEY, REGISTERED PLAN 1082 (CLOSED AND SUBJECT TO AN EASEMENT AS IN R1008582)  
 ALLEY, REGISTERED PLAN 1342 (CLOSED AND SUBJECT TO AN EASEMENT AS IN R1008582)  
 P.I.N. 01210-0849