



CITY OF WINDSOR COMMITTEE OF ADJUSTMENT

MINUTES

FOR THE HEARING OF

August 29, 2024

A virtual hearing by the Committee of Adjustment for the City of Windsor was held on August 29, 2024, 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
Riley Dufour, Committee Clerk

Regrets:

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

Planning & Building Services Department

Simona Simion, Planner
Zaid Zwayyed, Planner
Diana Radulescu, Planner
Stefan Pavlica, Zoning Co-Ordinator
Piere Bordeaux, Zoning Co-Ordinator
Connor O'Rourke, Zoning Co-Ordinator
Jillian Bunston, Student
Kareem Kurdi, Site Plan Approval Officer
Jason Campigotto, Deputy City Planner

Engineering & Geomatics Department

Mark Schaffhauser, Technologist I

Transportation Planning Department

Ellie Mehrilou, Transportation Engineer

Legal Services

Aaron Farough, Senior Counsel

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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.

Note: Member Gatti removes himself from the hearing at 4:30PM

APPLICANT and SUBJECT LANDS:

Owner(s): 15847796 CANADA INC.

Subject Lands: PLAN 369 LOT 120 PT LOT 121 RP 12R22159 PART 1 and known as Municipal Number 844 BRIDGE AVE

Zoning: Residential RD2.2

RELIEF: Accommodating a single unit dwelling with reduced minimum lot width, minimum lot area and exceeding maximum main building gross floor area.

INTERESTED PARTIES PRESENT:

MD Shamee. Momtaz, Agent
Suzanne O'Toole, Neighbour

PRELIMINARY PROCEEDINGS

The Secretary-Treasurer outlines there have been objections from residents provided prior to the hearing, and have been shared with the Committee, Administration and Agent for their review and response if required.

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. Momtaz confirms they are in agreement with the recommendations and comments provided in the report from Administration. Mr. Cerasa asks what is being proposed? Mr. Momtaz outlines it is constructing a duplex with ADU in the basement. Mr. Sleiman asks if driveway can have 2 vehicles? Ms. Simona outlines there are no deficiency.

The Chair asks for public presentation. Suzanne O'Toole (828 Bridge), she outlines that the property size is 45 ft wide, and 33 ft. Wide at the back, and next to it are the train tracks. She outlines that this location has changed many times and has submitted an objection with respect to it. Her concerns are flooding, overgrown grass and there could be future problems Ms. O'Toole asks for confirmation of the permitted use as per the By-law 8600. Ms. Simona outlines Section 11.2.1 RD2.2 outlines 1 duplex dwelling being permitted and shares the screen for the public to view with respect to permitted uses. Her concerns are that there is not enough space for parking. Mr. Cerasa asks if there is a noise study. Ms. Simona outlines this is an existing lot is there and doesn't require a noise study. Ms. Simona outlines it would have to be compliant of all building code requirements and there are no deficiencies with the parking. There will be a record of site specifics that will be addressed at Site Plan.

Moved by: M Bakki

Seconded by: F. 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): BAKER INVESTMENTS LIMITED

Subject Lands: PLAN 1627; PT BLOCK A & PT BLOCK B and known as Municipal Number 8380 WYANDOTTE ST E.

Zoning: Commercial CD2.1

REQUEST: Create a new lot.

INTERESTED PARTIES PRESENT:

Raphael Romeral, Agent

PRELIMINARY PROCEEDINGS

The Secretary-Treasurer outlines there have been objections from residents provided prior to the hearing, and have been shared with the Committee, Administration and Agent for their review and response if required.

The Chair confirms with the applicant if they agree 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. Romeral confirms they agree with the recommendations and comments provided in the report from Administration, and there are not proposal developments at this time. He outlines the severance is to facilitate the future use for a quick-service restaurant and this is a commercial lot and not going forward for re-zoning. The Chair asks if there have been any studies conducted on this lot for traffic etc. The agent outlines no. Mr. Atkinson outlines there was a re-zoning for a site-specific permission previously. Mr. Cerasa asks what the Mixed-use means. The Chair confirms, commercial and residential.

The Chair notes he knows the Applicant for the record.

The Chair asks for public presentation. None noted

Moved by: F. Cerasa

Seconded by: J. 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): ANDREW JOSEPH HAZZARD, JESSICA LYNN ROBINSON

Subject Lands: PLAN 1607 LOT 6 and known as Municipal Number 3170 ROBINET RD

Zoning: Residential RD1.1

REQUEST: Create a new lot.

INTERESTED PARTIES PRESENT:

Andrew Hazzard, 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. Hazzard confirms they agree with the recommendations and comments provided in the report from Administration, he outlines the condition, and his concerns outline the driveway doesn't go to the road. Mr. Zwayyed outlines there is a curb encroaching and asks for Engineering. Mr. Schaffhauser, outlines he is asking for the gravel driveway to be paved, and the raised curb can be left with an encroachment agreement entered, or removed.

The Chair asks for public presentation. None noted

Moved by: F. Cerasa

Seconded by: M. 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): 2214084 Ontario Inc.
Subject Lands: PLAN 282 LOT 26 and known as Municipal Number 515 CARON AVE
Zoning: Residential RD2.2
RELIEF: Construct a semi-detached exceeding the maximum gross floor area - the main building.

INTERESTED PARTIES PRESENT:

Levi Goulet, Owner
Hoi Wong, Neighbour

PRELIMINARY PROCEEDINGS

The Secretary-Treasurer outlines there have been objections from residents provided prior to the hearing, and have been shared with the Committee, Administration and Agent for their review and response if required.

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. Goulet confirms they are in agreement with the recommendations and comments provided in the report from Administration. The Chair asks if this is for a semi-detached, and why are there 6 units shown on the floor plan. The applicant said that this is a semi with 2 ADU's on each side. Ms. Simona advised that this time the application is only to construct the semi-detached. To add the ADU's the applicant will have to return to the Committee to sever.

The Chair asks for public presentation. Mr. Wong outlines the loss of greenspace, noise factors and traffic congestion. He outlines that he is not in support of this proposal and feels it is out of characteristics of the current neighbourhood. Mr. Gatti, outlines this is approximately a 20% increase and in his opinion isn't minor in nature and illustrates if all neighbours wanted to do the same thing, would administration permit such. Ms. Simona outlines the new policy, and the exceeding of 20% would be deemed major and would go thru re-zoning process. She outlined this policy was approved in July by Council and formalized with the Official Plan and is consistent with other plans and this is specific to the city, however used in other jurisdictions of considerations. Mr. Balsamo outlines it is over the 20% but just minimal. Ms. Simona outlines the lot coverage is there. Mr. Cerasa asks about the 2 step-process with severance/variance. Ms. Simona outlines that we require the foundation to be in place, and as a rule, we like to see it built, and once the common wall is determined, it can be separated, and then driveways (2) would be implemented to comply with the semi-detached, and ADUS don't require parking as it is in the exemption area, for parking areas. The Chair asks if a developer assembles 7 houses, the developer is not required to put up parking? Mr. Atkinson outlines parking is only required as per the dwelling types are permitted. The chair addresses Mr. Wong, with respect to the process of applying for a building permit and comply with the building code. Mr. Cerasa asks if this application is going to return to the committee? Ms. Simion outlines that if the applicant is looking to have 2 driveways as required, then he would have to apply for a severance in the future.

Moved by: M. Baki
Seconded by: D. 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): NAVEED ASHRAF, KIRAN FATIMA

Subject Lands: PLAN 1196; LOTS 12 & 13 and known as Municipal Number 1803
CLEARY ST

Zoning: Residential RD1.1

RELIEF: Construct a single unit dwelling exceeding maximum main building height, maximum main building gross floor area, maximum floor area of sunroom within the required rear yard, and relief from front line definition.

INTERESTED PARTIES PRESENT:

Naveed Ashraf, 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. Ashraf confirms they agree with the recommendations and comments provided in the report from Administration. Mr. Balsamo asks if it is a single-family home, the applicant confirms.

The Chair asks for public presentation. None noted

Moved by: M. Baki
Seconded by: J. 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): ANDI SHALLVARI

Subject Lands: PLAN 50; BLOCK D; LOT 50 and known as Municipal Number 1078 CALIFORNIA AVE

Zoning: Residential RD1.3

RELIEF: Construct a single unit dwelling with two ADUs with reduced minimum lot width, minimum lot area, maximum lot coverage, minimum rear yard depth, and minimum side yard width.

INTERESTED PARTIES PRESENT:

Marko Agbaba, Agent

PRELIMINARY PROCEEDINGS

That file numbers A-048/24 and A-049/24 PLAN 50; BLOCK D; LOTS 50 & 51 and known as Municipal Number 1078 CALIFORNIA AVE are concurrent and will be heard together.

The Chair confirms with the applicant if they agree 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. Agbaba confirms they agree with the recommendations and comments provided in the report from Administration. The Chair asks for the necessary variances. Mr. Agbaba outlines to the size of these smaller lots, and this similar variance has been allowed within the current address block, it is necessary. The Chair asks if this will affect the neighboring properties, and if there was consultation. Mr. Agbaba outlines that he is a neighbour with similar variances that were approved, and they will all be the same. Mr. Cerasa asks if this is part of the old wartime plan? Ms. Simion, outlines these are stand-alone lots on the registered plan. The Chair asks if the design could be adjusted, such as the building footprint. Mr. Agbaba outlines that he could go with the regular side yards, and alter the designs, unfortunately he can't increase the lot size, however the side yard and lot coverage could be tweaked. Ms. Simion outlines that the increased side yard is welcomed. The Chair asks if there is a reduction would there be sufficient space for parking. Mr. Agbaba outlines that parking on California is accessed thru the alley, so it saves on congestion. The Chair asks if other studies were required for shadows. Ms. Simion outlines it is not required. The Chair asks about EMS access. Mr. Agbaba is increasing the side yard, and this will allow for EMS access. The Applicant confirms he can comply with the variances and the lot coverages.

The Chair asks for public presentation. None noted

Moved by: J. Balsamo
Seconded by: D. Gatti

IT IS HEREBY DECIDED that the application **BE GRANTED** as amended to include the **minimum side yard at 1.2 m and the lot coverage of 45%** 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): ANDI SHALLVARI

Subject Lands: PLAN 50; BLOCK D; LOTS 50 & 51 and known as Municipal Number 1078 CALIFORNIA AVE

Zoning: Residential RD1.3

RELIEF: Construct a single unit dwelling with two ADUs with reduced minimum lot width, lot area, rear yard depth and side yard width and maximum lot coverage

INTERESTED PARTIES PRESENT:

Marko Agbaba, Agent

PRELIMINARY PROCEEDINGS

That file numbers A-048/24 and A-049/24 PLAN 50; BLOCK D; LOTS 50 & 51 and known as Municipal Number 1078 CALIFORNIA AVE are concurrent and will be heard together.

The Chair confirms with the applicant if they agree 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. Agbaba confirms they agree with the recommendations and comments provided in the report from Administration. The Chair asks for the necessary variances. Mr. Agbaba outlines to the size of these smaller lots, and this similar variance has been allowed within the current address block, it is necessary. The Chair asks if this will affect the neighboring properties, and if there was consultation. Mr. Agbaba outlines that he is a neighbour with similar variances that were approved, and they will all be the same. Mr. Cerasa asks if this is part of the old wartime plan? Ms. Simion, outlines these are stand-alone lots on the registered plan. The Chair asks if the design could be adjusted, such as the building footprint. Mr. Agbaba outlines that he could go with the regular side yards, and alter the designs, unfortunately he can't increase the lot size, however the side yard and lot coverage could be tweaked. Ms. Simion outlines that the increased side yard is welcomed. The Chair asks if there is a reduction would there be sufficient space for parking. Mr. Agbaba outlines that parking on California is accessed thru the alley, so it saves on congestion. The Chair asks if other studies were required for shadows. Ms. Simion outlines it is not required. The Chair asks about EMS access. Mr. Agbaba is increasing the side yard, and this will allow for EMS access. The Applicant confirms he can comply with the variances and the lot coverages.

The Chair asks for public presentation. None noted

Moved by: J. Balsamo

Seconded by: Dante Gatti

IT IS HEREBY DECIDED that the application **BE GRANTED** as amended to include the **minimum side yard at 1.2 m and the lot coverage of 45%** 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): PHEAP RATH, ELIZABETH THONG

Subject Lands: PLAN 1106; LOTS 74 & 75; PT CLOSED ALLEY; RP 12R21293;
PARTS 13 & 14 and known as Municipal Number 655 STANLEY ST

Zoning: Residential RD1.3

REQUEST: Alley severance, for New Lot.

INTERESTED PARTIES PRESENT:

Michael Stocks, 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. Stocks confirms they agree with the recommendations and comments provided in the report from Administration

The Chair asks for public presentation. Bahir Khalil, requests input as to the severance of the alley. Mr. Stocks outlines that the adjacent properties of 2 whole lots and was conveyed as a single parcel. The owner plans to build 2 single-family dwellings, and that the alley needs to be split and attached to both separately.

Moved by: J. Balsamo
Seconded by: M. Baki

IT IS HEREBY DECIDED that the application 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): ANDI SHALLVARI, BORA DEMIRI
Subject Lands: PLAN 1023; LOTS 358 & 359 & PT ALLEY and known as Municipal Number 3072 BETTS AVE
Zoning: Residential RD1.1
RELIEF: Construct a single unit dwelling exceeding maximum gross floor area--main building.

INTERESTED PARTIES PRESENT:

Andi Shallvari, 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. Shallvari confirms they agree with the recommendations and comments provided in the report from Administration. Mr. Cerasa confirms with applicant that it is a single-family dwelling.

The Chair asks for public presentation. None noted

Moved by: M. Baki

Seconded by: F. 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): REIGNS 740 INC.
Subject Lands: PLAN 1072 S PT BLK B and known as Municipal Number 3495 BLOOMFIELD RD
Zoning: Residential RD2.2
REQUEST: Create two new lots.

INTERESTED PARTIES PRESENT:

Tracey Pillon-Abbs, Agent

PRELIMINARY PROCEEDINGS

Moved by: J. Balsamo
Seconded by: M. Baki

That file numbers A-047/24 and B-030/24, PLAN 1072 S PT BLK B and known as Municipal Number 3495 BLOOMFIELD RD are concurrent and will be heard together.

The Chair confirms with the applicant if they agree 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. Pillon-Abbs confirms they agree with the recommendations and comments provided in the report from Administration. The Chair asks why the parking spaces are not able to be constructed. Ms. Pillon-Abbs outlines that in this area, no driveways are allowed, and access is available for some thru the alleyways but no all. She outlined thru the CIP funding they have done their studies, and that the driveway is guided by CIP that outlines no driveway permitted in the front yard. The Chair asks if there is public consultation. Ms. Pillon-Abbs outlines it is not required. Mr. Cerasa asks if there will be public transportation available. Ms. Pillon-Abbs confirms that there is a bus stop nearby, however she is not familiar with the distance. The Chair asks if Planning Staff were consulted with? Ms. Pillon-Abbs outlined that staff reviewed the site-plan and pre-approved the funding for this proposal. The Chair asks about EMS access. Ms. Pillon-Abbs outlines that access from the roadway is the only way. Mr. Cerasa asks about the CIP and what it is used for. Mr. Atkinson identifies the Community Improvement Plan, an initiative offered by the City, that provides funding for improvements in neighborhoods.

The Chair asks for public presentation. None noted

Moved by: M. Gatti

Seconded by: J. Balsamo

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): REIGNS 740 INC.
Subject Lands: PLAN 1072 S PT BLK B and known as Municipal Number 3495 BLOOMFIELD RD
Zoning: Residential RD2.2
RELIEF: Request for relief from parking requirement.

INTERESTED PARTIES PRESENT:

Tracey Pillon-Abbs, Agent

PRELIMINARY PROCEEDINGS

Moved by: J. Balsamo
Seconded by: M. Baki

That file numbers A-047/24 and B-030/24, PLAN 1072 S PT BLK B and known as Municipal Number 3495 BLOOMFIELD RD are concurrent and will be heard together.

The Chair confirms with the applicant if they agree 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. Pillon-Abbs confirms they agree with the recommendations and comments provided in the report from Administration. The Chair asks why the parking spaces are not able to be constructed. Ms. Pillon-Abbs outlines that in this area, no driveways are allowed, and access is available for some thru the alleyways but no all. She outlined thru the CIP funding they have done their studies, and that the driveway is guided by CIP that outlines no driveway permitted in the front yard. The Chair asks if there is public consultation. Ms. Pillon-Abbs outlines it is not required. Mr. Cerasa asks if there will be public transportation available. Ms. Pillon-Abbs confirms that there is a bus stop nearby, however she is not familiar with the distance. The Chair asks if Planning Staff were consulted with? Ms. Pillon-Abbs outlined that staff reviewed the site-plan and pre-approved the funding for this proposal. The Chair asks about EMS access. Ms. Pillon-Abbs outlines that access from the roadway is the only way. Mr. Cerasa asks about the CIP and what it is used for. Mr. Atkinson identifies the Community Improvement Plan, an initiative offered by the City, that provides funding for improvements in neighborhoods.

The Chair asks for public presentation. None noted

Moved by: M. Gatti
Seconded by: J. 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): WINDSOR CITY
Subject Lands: PLAN 925 LOT 6 and known as Municipal Number 2121 YORK ST
Zoning: Residential RD1.3
RELIEF: Requesting relief from minimum lot area.

INTERESTED PARTIES PRESENT:

Stephanie Santos, 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. Santos confirms they agree with the recommendations and comments provided in the report from Administration. The Chair asks if the city is building a house on the property. Ms. Santos confirms that the lot is vacant and is going to be sold as a buildable lot.

The Chair asks for public presentation. None noted

Moved by: J. Balsamo
Seconded by: F. 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): IBRAHIM ALSALKHADI

Subject Lands: PLAN 691; LOT 76; PLAN 58; PT BLOCK 12 and known as Municipal Number 940 CAMPBELL AVE

Zoning: Residential RD2.2

RELIEF: Accommodate a single unit dwelling with reduced minimum side yard width (retained lot only) and minimum number of parking spaces (retained lot only).

INTERESTED PARTIES PRESENT:

Ibrahim Alsalkhadi, Owner

PRELIMINARY PROCEEDINGS

That file numbers A-053/24 and B-032/24, PLAN 691; LOT 76; PLAN 58; PT BLOCK 12 and known as Municipal Number 940 CAMPBELL AVE are concurrent and will be heard together

The Chair confirms with the applicant if they agree 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. Alsalkhadi confirms they agree with the recommendations and comments provided in the report from Administration. The Chair asks if there is a delay in construction of the house, will there be temporary use on the property? The Chair outlines that there is a tree and streetlight pole, and to consider a shared driveway with both lots. Ms. Simon outlines that the applicants weren't interested in a shared driveway. The existing house doesn't have a driveway and would have to use on-street parking.

The Chair asks for public presentation. None noted

Moved by: M. Baki

Seconded by: J. 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): IBRAHIM ALSALKHADI
Subject Lands: PLAN 691; LOT 76; PLAN 58; PT BLOCK 12 and known as Municipal Number 940 CAMPBELL AVE
Zoning: Residential RD2.2
REQUEST: Create a new lot

INTERESTED PARTIES PRESENT:

Ibrahim Alsalkhadi, Owner

PRELIMINARY PROCEEDINGS

That file numbers A-053/24 and B-032/24, PLAN 691; LOT 76; PLAN 58; PT BLOCK 12 and known as Municipal Number 940 CAMPBELL AVE are concurrent and will be heard together

The Chair confirms with the applicant if they agree 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. Alsalkhadi confirms they agree with the recommendations and comments provided in the report from Administration. The Chair asks if there is a delay in construction of the house, will there be temporary use on the property? The Chair outlines that there is a tree and streetlight pole, and to consider a shared driveway with both lots. Ms. Simon outlines that the applicants weren't interested in a shared driveway. The existing house doesn't have a driveway and would have to use on-street parking.

The Chair asks for public presentation. None noted

Moved by: M. Baki

Seconded by: J. Balsamo

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): HASSAN BAHCHELI, EMINE BAHCHELI
Subject Lands: PLAN 630; LOTS 1 TO 3 & 44 TO 48 & PT CLOSED ALLEY; and known as Municipal Number 1117 GEORGE AVE
Zoning: Manufacturing MD1.1
REQUEST: Create a new lot

INTERESTED PARTIES PRESENT:

Brad Smith, Agent
Hassan Bahcheli, 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. Smith confirms they agree with the recommendations and comments provided in the report from Administration. Mr. Cerasa outlines that there is a condition for the creation of a new sidewalk along the frontage of George St. The applicant is seeking out options, including funding to help with this, and discussions with Public Works. The Chair asks about parking. Mr. Smith outlines 3 parking stalls will be on the existing lot. The severance won't affect any landscaping or parking. The Applicant outlines currently there is a gravel lot.

The Chair asks for the current parking requirements, Ms. Simona outlines that there is only 3 required parking stalls for this size of warehouse. Mr. Cerasa outlines that they have 6 parking spaces outlined on the site plan submitted to the Committee. Mr. Smith outlines at the time this was what they wanted to propose, however the requirement is only 3 and they will amend the site plan to identify the 3 parking stalls, although they have space for 6 parking stalls.

The Chair asks for public presentation. None noted

Moved by: J. Balsamo
Seconded by: F. Cerasa

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

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 SALA

Subject Lands: PLAN 709 LOT 405 TO 407 and known as Municipal Number 853
FORD BLVD

Zoning: Residential RD1.2

RELIEF: Relief from maximum front yard paving area requirement to
accommodate parking.

INTERESTED PARTIES PRESENT:

Enrique Sala, 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. Sala confirms they agree with the recommendations and comments provided in the report from Administration. The Chair address if there is EMS access. Mr. Sala outlines he is looking for an extension of the driveway to fit the garage, and the side yard was previously approved last year thru the committee.

The Chair asks for public presentation. None noted

Moved by: M. Baki
Seconded by: F. 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): EVERMAKS PROPERTIES INC

Subject Lands: CON 1; PT LOT 87 & PLAN 315; PT BLOCK H; RP 12R22691; PARTS 1 TO 3 and known as Municipal Number 1624 HOWARD AVE

Zoning: Commercial CD3.3

RELIEF: Conversion of an existing wholesale store to a major commercial centre resulting in a parking area curb deficiency and a minimum reduction in required parking spaces from 102 to 92.

INTERESTED PARTIES PRESENT:

Kevin Miller, 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.

DISCUSSION

Mr. Miller confirms they agree with the recommendations and comments provided in the report from Administration. The Chair outlines if the parking demand exceeds in the future, how will the applicant address this and is there a contingency plan in place. Mr. Miller outlines there is not additional room on the property for parking and a parking study was conducted and provided by an engineering firm. The parking demand for the re-development is the 92 reduction is less than what is required. The Chair asks if the change of use in the future a plan for parking is there. Mr. Miller outlines if it changes, then this would trigger other variances, or deciding on the intended use then there wouldn't be additional parking would be required. The Chair asks about the daily traffic count. Mr. Kurdi, Site Plan outlines that the numbers can be referenced in the parking study provided. Ms. Mehriou, (Transportation Planner) provides information with respect to the traffic count on Howard and says 18,700 traffic count is for both sides of traffic flow, (east and west) and was released in 2013 during peak hour. Mr. Cerasa asks if there are tenants in place now for the proposed. The agent outlines one is assigned, and they will be seeking others. The Agent outlines currently there is an orthodontist. The Chair outlines across the road is automotive commercial and vacant land as well.

The Chair asks for public presentation. None noted

Moved by: F. Cerasa
Seconded by: J. 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): 1603899 ONTARIO INC
Subject Lands: CON 2 PT LOT 92;RP 12R6330 PT PARTS 3 & 4 and known as
Municipal Number 1215 GRAND MARAIS RD E
Zoning: Residential RD1.1
REQUEST: Create a new lot

INTERESTED PARTIES PRESENT:

Cesidio Paglia, 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. Paglia confirms they agree with the recommendations and comments provided in the report from Administration

The Chair asks for public presentation. None noted

Moved by: J. Balsamo

Seconded by: F. 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): 2531823 ONTARIO LIMITED

Subject Lands: PLAN 51 LOT 47 and known as Municipal Number 377 ASKIN AVE

Zoning: Residential RD2.1

RELIEF: Requesting relief from maximum main building gross floor area and maximum lot coverage for all accessory buildings.

INTERESTED PARTIES PRESENT:

Anthony Gyemi, Agent
Sheila Wisdom, Neighbour
Kai Hildebrandt, Neighbour

PRELIMINARY PROCEEDINGS

The Secretary-Treasurer outlines there have been objections from residents provided prior to the hearing, and have been shared with the Committee, Administration and Agent for their review and response if required

The Chair confirms with the applicant if they agree 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. Gyemi confirms they agree with the recommendations and comments provided in the report from Administration. Mr. Balsamo outlines some concerns from the neighbours by way of objections has been submitted and mainly with respect to the “looks” of the development, and the characteristics of the current houses in the neighbourhood. Mr. Gyemi, outlines the current homes in the neighbourhood was taking into consideration, and outlines the esthetics of the homes as shown in the drawings submitted and is in alignment to fit what is currently in the neighborhood. Mr. Cerasa outlines the elevations outline 3 units. Mr. Gyemi outlines the proposed are 2 semi-detached, with 2 ADU’s in the rear. Mr. Cerasa’s concerns are the basement being utilized as an additional dwelling and that it is illegal. The Applicant outlines that this is not permissible, and they have already maxed out the permitted use of all 6 units. This is also part of the building permit application. The Chair asks about the separation distance. Mr. Gyemi outlines it is 15ft from wall to wall. Mr. Zwayyed outlines that everything in the proposed developments conform and are sufficient

The Chair asks for public presentation.

Sheila Wisdom, Neighbour - Expresses that she is not in support of this proposal. Her main concerns address the facades and materials, she outlines the changes of by-laws overtime will bring more of these developments to the neighbourhood. She would like to know the impacts on these approvals with respect to the sanitary sewers and parking.

Kai Hildebrandt, Neighbour, comments with respect to the empty lot previously held a 3 bedroom family home on it, and now it is proposing an 18-bedroom home with ADUs to house up to 40 students. He understands it conforms with the by-law; however, his concerns are with the characteristics of the new development, and the parking slabs in the front of the building. Mr. Hildebrandt feels that there shouldn’t be no parking slabs in the front of any home. He understands the approval is a business plan and that is the purpose for these variances. The units that are proposed are well appointed and discusses the layout of the units. He asks that the front of the building be brick and the bottom floor of the ADU be brick and windows to be added to the sides of the ADU’s and no parking in the front. He would like parking to be accessed by the alley, and consideration be giving to paving the alleyway on this approval.

Member Cerasa asks if the addition of the windows would be included, and he feels that vinyl cladding would add value and be a better esthetics and outlines that even though the neighbours would like brick, the applicants don't have to comply.

Mr. Gyemi, thanks the presenters, and asks if there are specifics that the Committee would like to be considered. The Chair reiterates the concerns of the neighbours. The Chair thanks the presenters and compliments Ms. Wisdom. The Chair outlines the Committee has no jurisdiction to dictate materials due to the building, they are here for Committee of Adjustment matters only, and this applications merits are variances. Mr. Gyemi, outlines parking in the front is what they wanted, and the right-of-way service area don't allow parking off the rear, so the parking is going to be gone, no front yard parking. Windows are shown on the drawings for the ADU's. Mr. Gyemi outlines there are windows (3) on the ADU and thought that limiting would be doing a service to neighbours for privacy. He outlines there isn't much room for additional windows, and limited, however Mr. Gyemi outlines he will bring this feedback and will bring it back to the owner.

Moved by: F. Cerasa

Seconded by: J. 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): LITTLE RIVER LOFTS LP
Subject Lands: CON 2; PT LOTS 125 & 126 and known as Municipal Number 3160 MEADOWBROOK LANE
Zoning: Residential RD3.2
REQUEST: Create a new lot

INTERESTED PARTIES PRESENT:

Giacomo Ramieri, Agent

PRELIMINARY PROCEEDINGS

That file numbers B-034/24 and B-035/24, CON 2; PT LOTS 125 & 126 and known as Municipal Number 3160 MEADOWBROOK LANE are concurrent and will be heard together.

The Chair confirms with the applicant if they agree 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. Ramieri confirms they agree with the recommendations and comments provided in the report from Administration. This application is back before the committee for a new mortgage and is for finances.

The Chair asks for public presentation. None noted

Moved by: F. Cerasa
Seconded by: M. 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.

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DISCUSSION

Mr. Ramieri confirms they agree with the recommendations and comments provided in the report from Administration. This is back before the committee for a new mortgage and is for finances.

The Chair asks for public presentation. None noted

Moved by: F. Cerasa
Seconded by: M. 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.

ADOPTION OF MINUTES

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

Moved by: J. Balsamo
Seconded by F. Cerasa,

That the minutes of the Committee of Adjustment Hearing held BE **ADOPTED.**

CARRIED.

ADJOURNMENT:

There being no further business before the Committee, the meeting accordingly adjourned at 6:25 p.m.

Mike Sleiman, Chairperson

Jessica Watson, Secretary-Treasurer