



CITY OF WINDSOR
COMMITTEE OF ADJUSTMENT

MINUTES

FOR THE HEARING OF

September 26, 2024

A virtual hearing by the Committee of Adjustment for the City of Windsor was held on September 26, 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
Frank Cerasa, Member
Mohammed Baki, Member

Jessica Watson, Secretary-Treasurer, Committee of Adjustment
Riley Dufour, Committee of Adjustment Clerk

Regrets:

Joe Balsamo, Member

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

Planning & Building Services Department

Greg Atkinson, Deputy City Planner
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
Kareem Kurdi, Site Plan Approval Officer

Engineering & Geomatics Department

Sandi Mio, Technologist I

Transportation Planning Department

Ellie Mehrilou, 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): WINDSOR CITY

Subject Lands: PLAN 1074; LOTS 135 TO 137; PT ALLEY; PLAN 1335; PT LOT 24; PT ALLEY; RP 12R25907; PARTS 3 & 5 and known as Municipal Number 0 NORTHWAY AVE

Zoning: Residential RD2.2

RELIEF: Developable building lot with minimum lot width.

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. Santo 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: 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): BILAL HABIB, MAHMOUD HABIB

Subject Lands: PLAN 1137 LOTS 84 & 85 & PT CLOSED ALLEY and known as
Municipal Number 640 EUGENIE ST E

Zoning: Residential RD1.3

REQUEST: Alley severance, for the purpose of creating a 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.

DISCUSSION

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

Mr. Gatti asks for further information with respect to the severance. Ms. Simion outlines the purpose for the severance to split the alley into 2 separate portions and transfer to the abutting 2 Lots and is owned by the Owner currently.

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): ANDI SHALLVARI, BORA DEMIRI

Subject Lands: PLAN 1023; LOTS 1394 TO 1396 & PT LOTS 1397 TO 1399; BLOCKK B; PT ALLEY; RP 12R18877; PARTS 62; 63; 70; 71 & 72 and known as Municipal Number 2380 CABANA RD W

Zoning: Residential RD1.4

REQUEST: Severance of lands for the purpose of creating a new Lot.

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 are in agreement with the recommendations and comments provided in the report from Administration

Mr. Cera asks if the land will be vacant? Mr. Shallvari outlines the proposed is to build a single unit dwelling.

The Chair asks for public presentation. None noted

Moved by: D. Gatti

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): 33 TIMBERS INC.
Subject Lands: PLAN 968 N PT LOT 15;S PT LOT 16 and known as Municipal Number 482 JOSEPHINE AVE
Zoning: Residential RD1.3
RELIEF: Construct a single unit dwelling with increased maximum lot coverage and reduced minimum rear yard depth.

INTERESTED PARTIES PRESENT:

Marko Agbaba, 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. Agbaba confirms they are in agreement with the recommendations and comments provided in the report from Administration. The Chair asks if parking will be applied. Mr. Agbaba outlines parking space is not a problem, they have space for it.

The Chair asks for public presentation. None noted

Moved by: D. 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): KENNETH WARREN LEW

Subject Lands: PLAN 1097 LOTS 128 & 129 & PT CLOSED ALLEY and known as Municipal Number 700 CAPITOL ST

Zoning: Residential RD2.1

RELIEF: Proposed accessory structure with maximum accessory building lot coverage and minimum separation of an accessory building, deck, and steps from a side lot line.

INTERESTED PARTIES PRESENT:

Tracey Pillon-Abbs, Agent

PRELIMINARY PROCEEDINGS

That file numbers A-056/24 and B-039/24 PLAN 1097 LOTS 128 & 129 & PT CLOSED ALLEY and known as Municipal Number 700 CAPITOL ST are concurrent and will be heard together.

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 agree with the recommendations and comments provided in the report from Administration.

Mr. Gatti asks if the 3 Lots are created, is the minimum lot width achieved. Mr. Zwayyed, outlines that they will comply, and existing lots can remain as is. The Chair asks for clarification. Mr. Zaid outlined the section of the bylaw, and it complies, and the dwelling is subject to the general provision as it is existing town-home dwelling. It will be severed thru the common walls. See Section 5.23 of Bylaw 8600.

Mr. Cerasa asks if they will be sold or retained. Ms. Pillon-Abbs outlines they are currently rentals; however, they will be sold as separate units.

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): KENNETH WARREN LEW

Subject Lands: PLAN 1097 LOTS 128 & 129 & PT CLOSED ALLEY and known as Municipal Number 700 CAPITOL ST

Zoning: Residential RD2.1

REQUEST: Severance of lands, for the purpose of creating a new lot.

INTERESTED PARTIES PRESENT:

Tracey Pillon-Abbs, Agent

PRELIMINARY PROCEEDINGS

That file numbers A-056/24 and B-039/24 PLAN 1097 LOTS 128 & 129 & PT CLOSED ALLEY and known as Municipal Number 700 CAPITOL ST are concurrent and will be heard together.

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 agree with the recommendations and comments provided in the report from Administration.

Mr. Gatti asks if the 3 Lots are created, is the minimum lot width achieved. Mr. Zwayyed, outlines that they will comply, and existing lots can remain as is. The Chair asks for clarification. Mr. Zaid outlined the section of the bylaw, and it complies, and the dwelling is subject to the general provision as it is existing town-home dwelling. It will be severed thru the common walls. See Section 5.23 of Bylaw 8600.

Mr. Cerasa asks if they will be sold or retained. Ms. Pillon-Abbs outlines they are currently rentals; however, they will be sold as separate units.

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 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): HADRAMAUT INC

Subject Lands: SANDWICH EAST CON 5; PT LOT 12; RP 12R23594; PART 2 & PT PART 1 and known as Municipal Number 0 PIONEER AVE

Zoning: Residential RD1.1

REQUEST: Severance of lands as shown on the attached drawing, for the purpose of creating a new lot.

INTERESTED PARTIES PRESENT:

Tracey Pillon-Abbs, Agent

PRELIMINARY PROCEEDINGS

That file numbers A-057/24 and B-040/24 SANDWICH EAST CON 5; PT LOT 12; RP 12R23594; PART 2 & PT PART 1 and known as Municipal Number 0 PIONEER AVE are concurrent and will be heard together.

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

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

The Chair asks for public presentation. Scott Dube, neighbour -Mr. Dube, outlines he is in objection and is a neighbour across the street. He feels that minimizing the width will put smaller houses on the property, and he feels that the application wasn't consistent. He outlines there is an existing home on the lot, and he feels this is just a real estate profit only. Ms. Pillon-Abbs outlines that the existing use, is currently vacant and has been boarded up. She outlines there is a vacant home, and the intent is to demolish the current structure, and re-build, and there will be affordable housing built. She outlines that the frontage will be similar to those on similar, however the rear of Part 1 will be oddly shaped and shorter in area, and a corner-cut off, which causes the lot frontage reduction. They have complied with all setbacks. Mr. Cerasa asks the size. Part 1 is 404.1 sq m, with the maximum is 45% and would be 2000 Sq ft. Mr. Cerasa outlines the homes would be larger, and he feels it would enhance property value in the area. The neighbour outlines that all houses are around 2500 sq ft and are raised ranches, so this would be smaller. Mr. Cerasa outlines that this building is conformant to the area with respect to land size, and he is in support of it and feels smaller homes can be a higher cost than larger homes.

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): HADRAMAUT INC

Subject Lands: SANDWICH EAST CON 5; PT LOT 12; RP 12R23594; PART 2 & PT PART 1 and known as Municipal Number 0 PIONEER AVE

Zoning: Residential RD1.1

RELIEF: Construct a single unit dwelling with reduced minimum lot width and minimum lot area (severed and retained).

INTERESTED PARTIES PRESENT:

Tracey Pillon-Abbs, Agent

PRELIMINARY PROCEEDINGS

That file numbers A-057/24 and B-040/24 SANDWICH EAST CON 5; PT LOT 12; RP 12R23594; PART 2 & PT PART 1 and known as Municipal Number 0 PIONEER AVE are concurrent and will be heard together.

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

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

The Chair asks for public presentation. Scott Dube, neighbour -Mr. Dube, outlines he is in objection and is a neighbour across the street. He feels that minimizing the width will put smaller houses on the property, and he feels that the application wasn't consistent. He outlines there is an existing home on the lot, and he feels this is just a real estate profit only. Ms. Pillon-Abbs outlines that the existing use, is currently vacant and has been boarded up. She outlines there is a vacant home, and the intent is to demolish the current structure, and re-build, and there will be affordable housing built. She outlines that the frontage will be similar to those on similar, however the rear of Part 1 will be oddly shaped and shorter in area, and a corner-cut off, which causes the lot frontage reduction. They have complied with all setbacks. Mr. Cerasa asks the size. Part 1 is 404.1 sq m, with the maximum is 45% and would be 2000 Sq ft. Mr. Cerasa outlines the homes would be larger, and he feels it would enhance property value in the area. The neighbour outlines that all houses are around 2500 sq ft and are raised ranches, so this would be smaller. Mr. Cerasa outlines that this building is conformant to the area with respect to land size, and he is in support of it and feels smaller homes can be a higher cost than larger homes.

Moved by: D. Gatti
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.

ADOPTION OF MINUTES

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

Moved by **D. Gatti**
Seconded by **F. Cerasa**

That the minutes of the Committee of Adjustment Hearing held **on August 26, 2024 BE**
ADOPTED

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