

# **Committee of Adjustment Meeting**

# January 26, 2022

## **Electronic Meeting Only**

## 6:00 p.m.

# Agenda

Pursuant to the direction of Public Health Ontario, this public meeting will take place in an electronic format to maintain social/physical distancing. Consequently, the meeting is open to the public through electronic participation only. In-person attendance by the public will not be permitted. Members of the public may still view meeting web streams online live and following the meeting as archived on the City's website. Members of the public may submit written correspondence regarding an item on the agenda by 4:30 p.m. on the day of the Committee meeting for the Committee's consideration. Staff will e-mail the correspondence to all members of the Committee.

Members of the public may request to address Committee as a delegation through remote electronic access regarding an application on the agenda by submitting a written request to Tim Ryan at **tryan@oshawa.ca** a minimum of two business days prior to the meeting.

The City of Oshawa's Committee of Adjustment webpage (www.oshawa.ca/business-andinvestment/committee-of-adjustment.asp) provides a list of upcoming Committee of Adjustment meetings, agendas and minutes, and a link to the live webstream player to enable easy access to view the meeting live.

#### Notice to Correspondents:

The personal information contained in your correspondence to the Oshawa Committee of Adjustment is collected under the Municipal Act, 2001. Any personal information you choose to disclose in your correspondence will be used to receive your views on relevant issue(s) to enable the City to make its decision on the matter. This information will become part of the public record.

For inquiries about this agenda, or to make arrangements for alternate formats or other accommodations, please call Tim Ryan at 905-436-3311, extension 2376 or at tryan@oshawa.ca no later than January 24, 2022.

Questions regarding the Committee of Adjustment may be directed to Tim Ryan at 905-436-3311, extension 2376 or at **tryan@oshawa.ca**.

#### **Oshawa Committee of Adjustment**

The Committee of Adjustment has five members appointed by Council and its responsibilities and conduct are governed primarily by Ontario's Planning Act, and related Regulations.

Below are the members of the Committee of Adjustment:

Robert Adams Jerry Conlin Fred Eismont Andrew Johnson Pralhad Uprety

The Committee of Adjustment primarily considers all minor variances to the provisions of Zoning By-law 60-94, as amended, and extensions, enlargements or variations to existing legal non-conforming uses.

Committee of Adjustment meetings are held at 6:00 p.m. on the following dates in 2022:

January 26, 2022 February 9, 2022 and February 23, 2022 March 9, 2022 and March 23, 2022 April 13, 2022 and April 27, 2022 May 11, 2022 and May 25, 2022 June 8, 2022 and June 22, 2022 July 13, 2022 and July 27, 2022 August 10, 2022 and August 24, 2022 September 14, 2022 and September 28, 2022 October 13, 2022 and October 26, 2022 November 9, 2022 and November 23, 2022 December 14, 2022

You or your agent are invited to provide written comments regarding any application to the Secretary-Treasurer of the Committee of Adjustment and/or attend the public hearing to express your comments.

#### **Please Note**

Video recording and photography during Committee meetings is permitted in the area designated in the Committee Meeting Room and Council Chamber.

All who attend meetings electronically in the Council Chamber and Committee Room do so voluntarily and as a result of their attendance at these meetings may be photographed/videotaped.

## **Committee of Adjustment**

## January 26, 2022

File	Particulars
	953 Taggart Crescent
	Eric King
A-2021-87	To permit a single detached dwelling with an accessory apartment with reduced parking space length, lot frontage and landscaped open space in the front yard, and increased encroachment for an air conditioner in the east interior side yard
	536 King Street East
A-2021-91	Helder de Oliveira on behalf of Natalia Ferreira
	To permit unenclosed steps and landing associated with a single detached dwelling to be partially located in the required interior side yard
	399 King Street West
A-2022-01	Tran Dieu & Associates Inc. on behalf of 10692697 Canada Inc.
	To permit a mixed use building with a restaurant and flat with reduced parking, parking aisle width, distance of a parking area to a street line and driveway width
	210 Bond Street West
A 2022 02	Mohammad Ghofrani on behalf of Walter and Penny Intendencia
A-2022-02	To permit a personal service establishment and a take-out restaurant with reduced parking, parking aisle width, distance of a parking area to a street line, driveway width, parking space length and to permit tandem parking
	105 Celina Street
A-2022-03	Yaso Somalingham on behalf of Radium-7 Developments Ltd.
A-2022-03	To permit a semi-detached building and semi-detached dwellings with reduced lot frontage, lot area and rear yard depth and increased lot coverage and building height
	1128 Central Park Boulevard North
A-2022-04	David Laing
	To permit a semi-detached dwelling with an accessory apartment with reduced lot frontage and parking partially off-site

File	Particulars	
	754 Oshawa Boulevard North	
A-2022-05	Nicholas McNairn	
	To permit an addition to a single detached dwelling with reduced front yard depth	
	1669 Ballantrae Drive	
A-2022-06	David Igelman on behalf of Vincenzo & Francesca De Franco	
	To permit an accessory building ancillary to a single detached dwelling with reduced setback from an interior side lot line	
	464 Nipigon Street	
A-2022-07	Susan Lee Davies	
	To permit accessory buildings ancillary to a single detached dwelling with increased lot coverage	
	823 Briarwood Drive	
A-2022-08	Lori Chenier on behalf of Lorraine and Shawn Shalla	
	To permit an accessory building (detached garage) with increased lot coverage	

If you wish a copy of the Decision and/or Notices of future Committee of Adjustment meetings concerning an application listed above, email the Secretary-Treasurer at cchase@oshawa.ca. Thank you.



**Notice** is hereby given that the Oshawa Committee of Adjustment will be holding a public hearing on **January 26**, **2022** at 6:00 p.m. to consider the Committee of Adjustment Application (File **A-2021-87**) submitted by **Eric King** for **953 Taggart Crescent** (Plan 40M-2309, Lot 88), Oshawa, for minor variances from the City's Zoning By-law 60-94.

**Purpose and Effect:** The purpose and effect of the revised application is to permit a single detached dwelling with an accessory apartment with the variances in Column 1 below, instead of the requirements in Column 2 below, as required by Zoning By-law 60-94 for a single detached dwelling with an accessory apartment in a R1-E(13) (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum Parking Space Length (Accessory Apartment Parking Space Only)	5m	5.75m
Minimum Landscaped Open Space in the Front Yard	41%	50%
Minimum Lot Frontage	9m	11m
Maximum Permitted Encroachment of an Air Conditioner into the Required Minimum Interior Side Yard	Om to the east interior side lot line	1.2m provided the encroachment is no closer than 0.6m to a lot line

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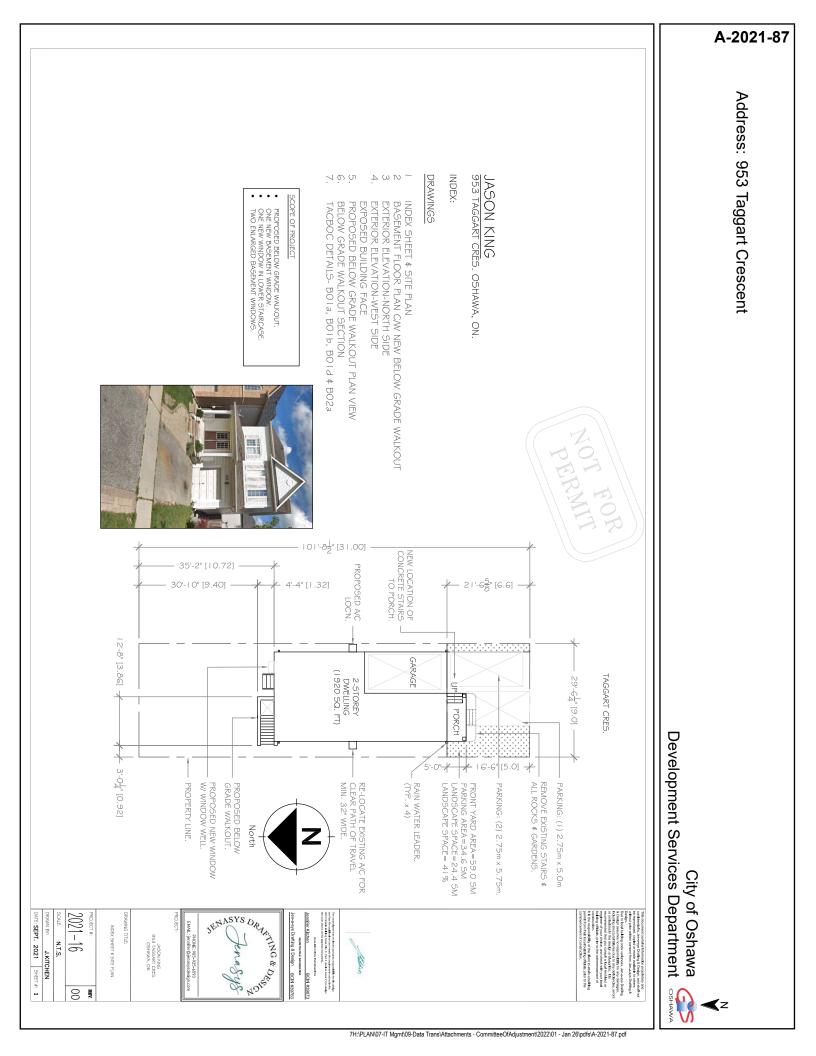
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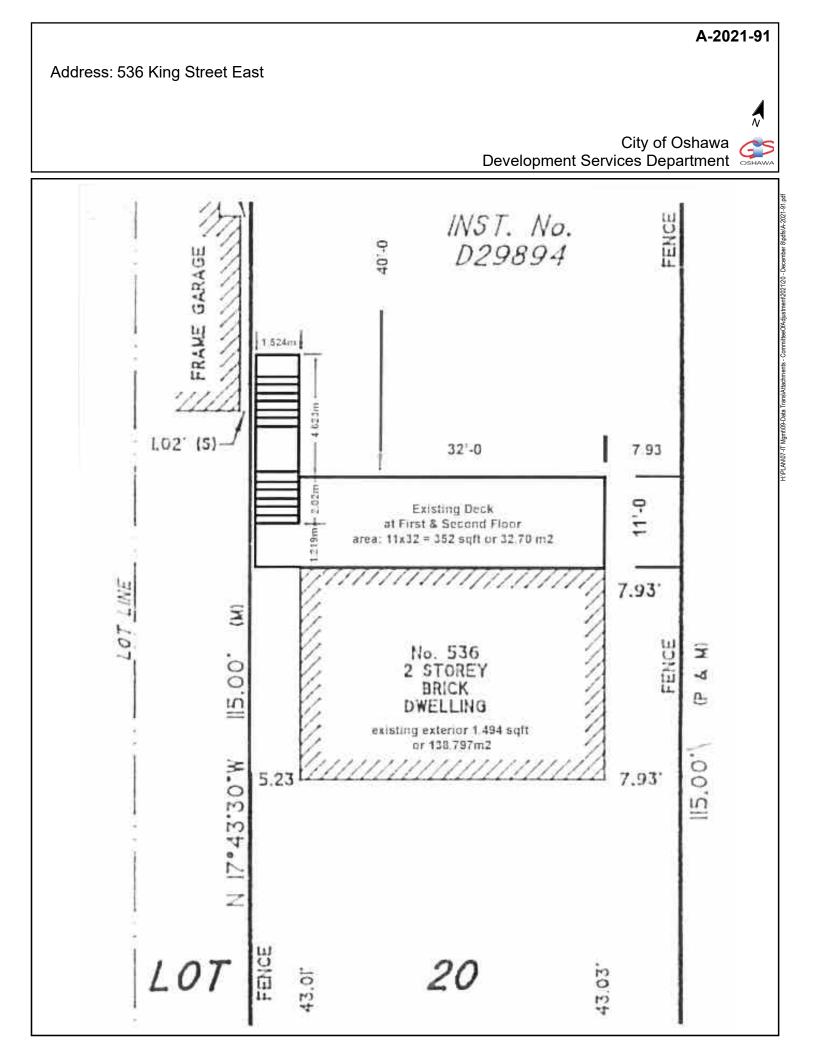
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**To Access the Report:** A copy of the staff report is available by contacting the City Contact as shown above, after 3:00 pm, on **January 21, 2022** or any day thereafter.

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**Notice** is hereby given that the Oshawa Committee of Adjustment will be holding a public hearing on **January 26**, **2022** at 6:00 p.m. to consider the Committee of Adjustment Application (File A-2022-01) submitted by **Tran Dieu & Associates Inc. on behalf of 10692697 Canada Inc.** for **399 King Street West** (Plan 178, Pt Lts 2 and 3), Oshawa, for minor variances from the City's Zoning By-law 60-94.

**Purpose and Effect:** The purpose and effect of the application is to permit a mixed use building containing a restaurant and a flat with the variances in Column 1 below, instead of the requirements in Column 2 below, as required by Zoning By-law 60-94 for a restaurant and flat within the existing building in a PSC-A (Planned Strip Commercial) Zone.

Zoning Item	Column 1	Column 2	
Minimum parking required for basement of restaurant provided the basement is used only for storage and a washroom	1 parking space per 90m <sup>2</sup> of gross floor area	1 parking space per 11m <sup>2</sup> of gross floor area	
Minimum parking required for ground floor of restaurant	1 parking space per 14m <sup>2</sup> of gross floor area	1 parking space per 11m <sup>2</sup> of gross floor area	
Minimum Parking Aisle Width	0m	6.5m	
Minimum Distance of a Parking Area to a Street Line	0m	3m	
Minimum Driveway Width	0m	3m	

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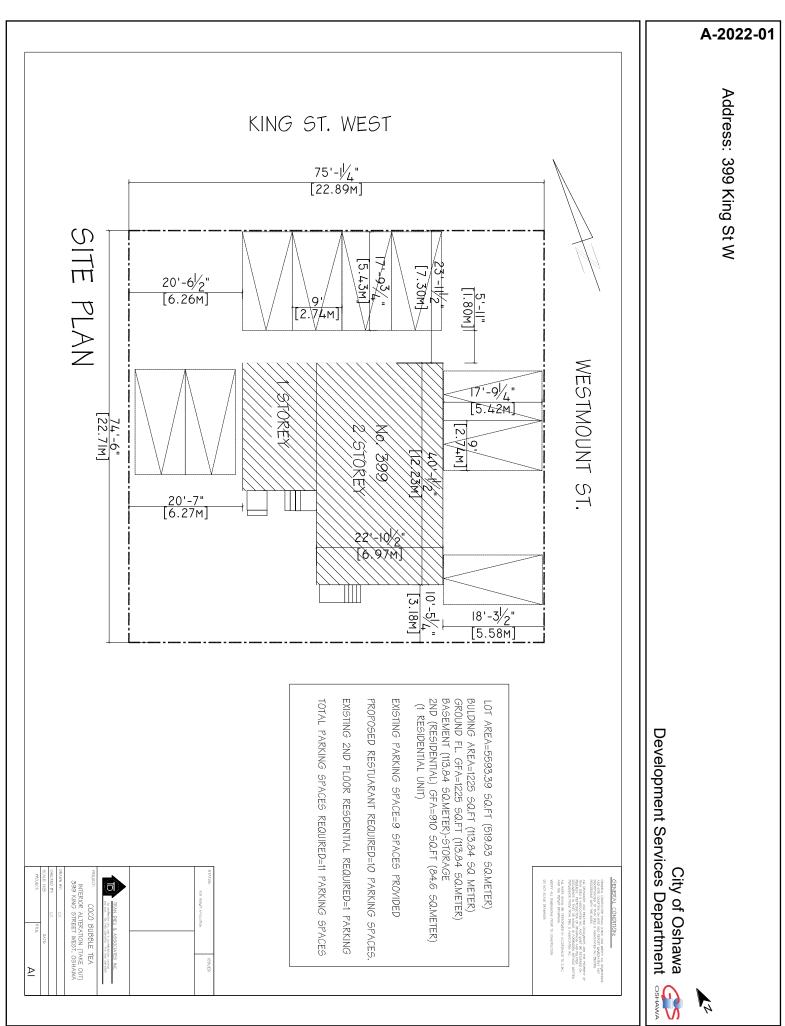
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**Notice** is hereby given that the Oshawa Committee of Adjustment will be holding a public hearing on **January 26**, **2022** at 6:00 p.m. to consider the Committee of Adjustment Application (File **A-2022-02**) submitted by **Mohammad Ghofrani on behalf of Walter and Penny Intendencia** for **210 Bond Street West** (Plan 174, Pt Lt 70), Oshawa, for minor variances from the City's Zoning By-law 60-94.

**Purpose and Effect:** The purpose and effect of the application is to permit a personal service establishment (massage therapy) and a take-out restaurant within the existing building with the variances in Column 1 below, instead of the requirements in Column 2 below, as required by Zoning By-law 60-94 for a personal service establishment and take-out restaurant in a PSC-A (Planned Strip Commercial) Zone.

Zoning Item	Column 1	Column 2
Minimum Number of Parking Spaces	6	7
Tandem Parking	To Permit	Not Permitted
Minimum Parking Aisle Width	0m	6.5m
Minimum Distance of a Parking Area to a Street Line	0m	3m
Minimum Driveway Width	0m	3m
Minimum Parking Space Length for Parking Spaces at a Parking Angle Between 0-20 Degrees	5.4m	6.7m
Minimum Parking Space Length	4.5m	5.4m

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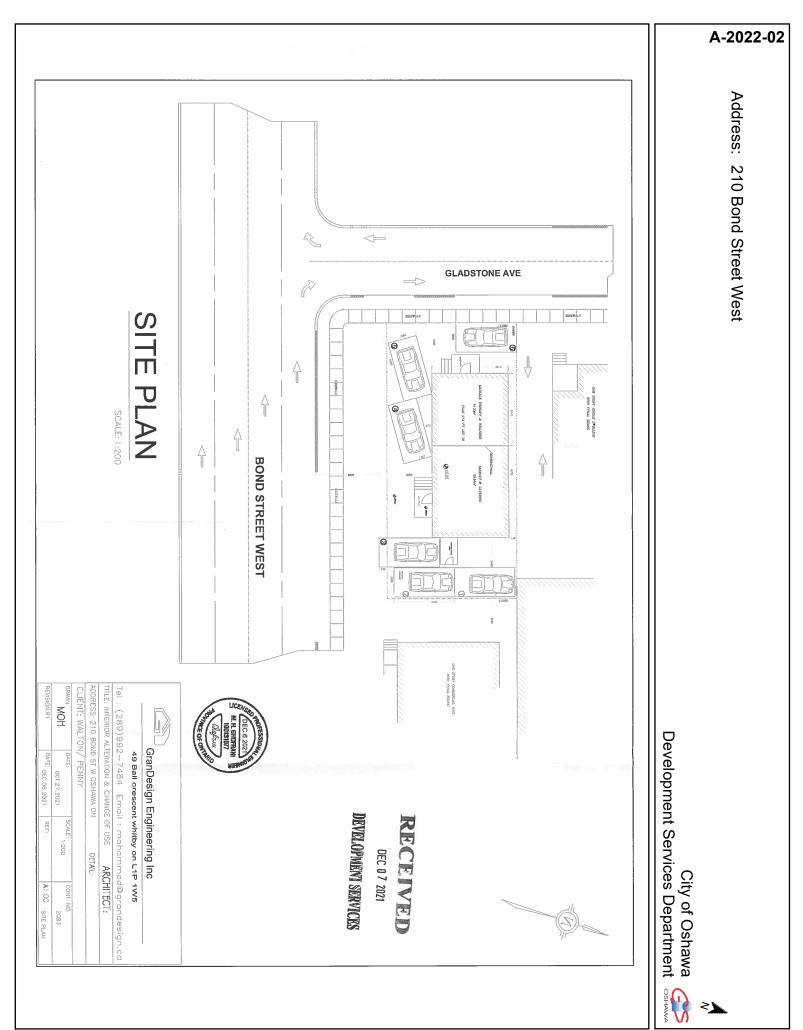
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**Notice** is hereby given that the Oshawa Committee of Adjustment will be holding a public hearing on **January 26, 2022** at 6:00 p.m. to consider the Committee of Adjustment Application (File **A-2022-03**) submitted by **Yaso Somalingham on behalf of Radium-7 Developments Ltd.** for **105 Celina Street** (Plan H-50005, Pt Lt 13, RP 40R-3746 Part 2), Ontario, for minor variances from the City's Zoning By-law 60-94.

**Purpose and Effect:** The purpose and effect of the application is to permit a semidetached building and semi-detached dwellings on proposed lots with the variances in Column 1 below, instead of the requirements in Column 2 below, as required by Zoning By-law 60-94 for a semi-detached building and semi-detached dwellings in a R2/R3-A/R6-B/R7-A (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum Lot Frontage for a Semi-Detached Building	12.5m	15m
Minimum Lot Frontage for a Semi-Detached Dwelling	6.45m	7.5m
Minimum Lot Area for a Semi-Detached Building	390m <sup>2</sup>	450m <sup>2</sup>
Minimum Lot Area for a Semi-Detached Dwelling	195m <sup>2</sup>	225m <sup>2</sup>
Minimum Rear Yard Depth	6m	7.5m
Maximum Lot Coverage for a Semi-Detached Building	48.5%	40%
Maximum Lot Coverage for a Semi-Detached Dwelling	48.5%	40%
Maximum Height	9.75m	9m

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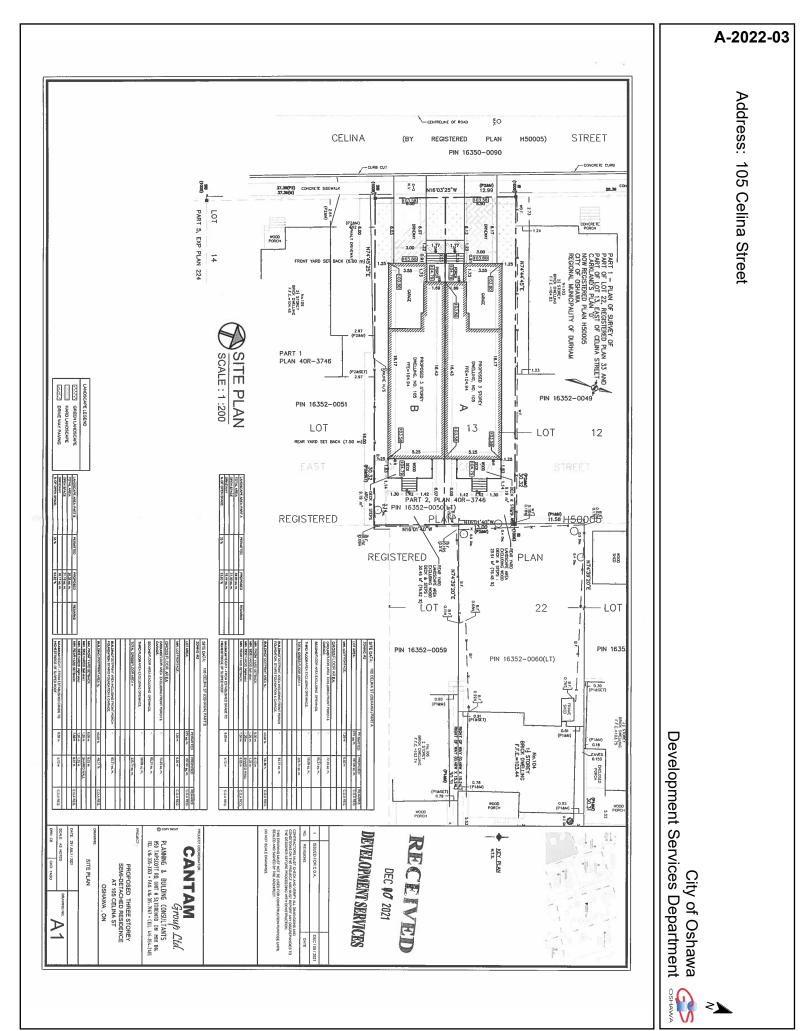
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The Corporation of the City of Oshawa, 50 Centre Street South, Oshawa, Ontario L1H 3Z7 Phone 905·436·3853 1·800·667·4292 Fax 905·436·5699 www.oshawa.ca/business-and-investment/committee-of-adjustment

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**Notice** is hereby given that the Oshawa Committee of Adjustment will be holding a public hearing on **January 26**, **2022** at 6:00 p.m. to consider the Committee of Adjustment Application (File **A-2022-04**) submitted by **David Laing** for **1128 Central Park Boulevard North** (M-1090 Pt Lot 40, Now RP 40R-3482, Part 12), Oshawa, for minor variances from the City's Zoning By-law 60-94.

**Purpose and Effect:** The purpose and effect of the application is to permit a semidetached dwelling with an accessory apartment with the variances in Column 1 below, instead of the requirements in Column 2 below, as required by Zoning By-law 60-94 for a semi-detached dwelling with an accessory apartment in a R2 (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum Lot Frontage	9.5m	11m
Parking Space Location	Parking partially off-site	Parking shall be made and maintained on the same lot for every land, building or structure

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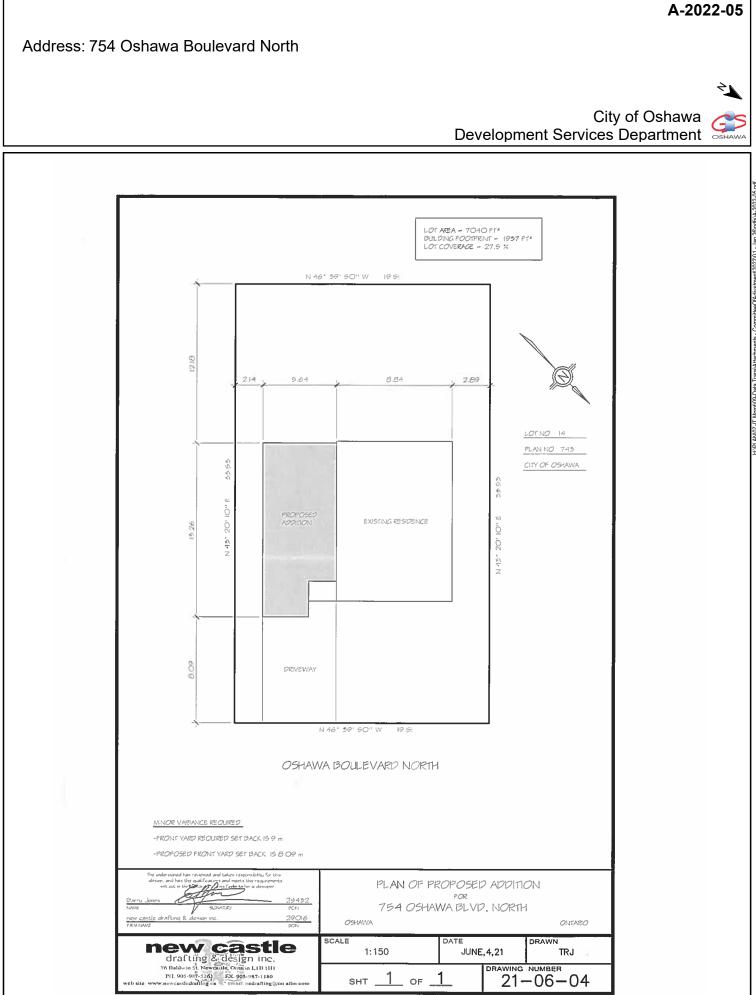
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**Purpose and Effect:** The purpose and effect of the application is to permit a single detached dwelling with a minimum front yard depth of 8m, whereas Zoning By-law 60-94 requires a minimum front yard depth of 9m for a single detached dwelling in a R1-A (Residential) Zone.

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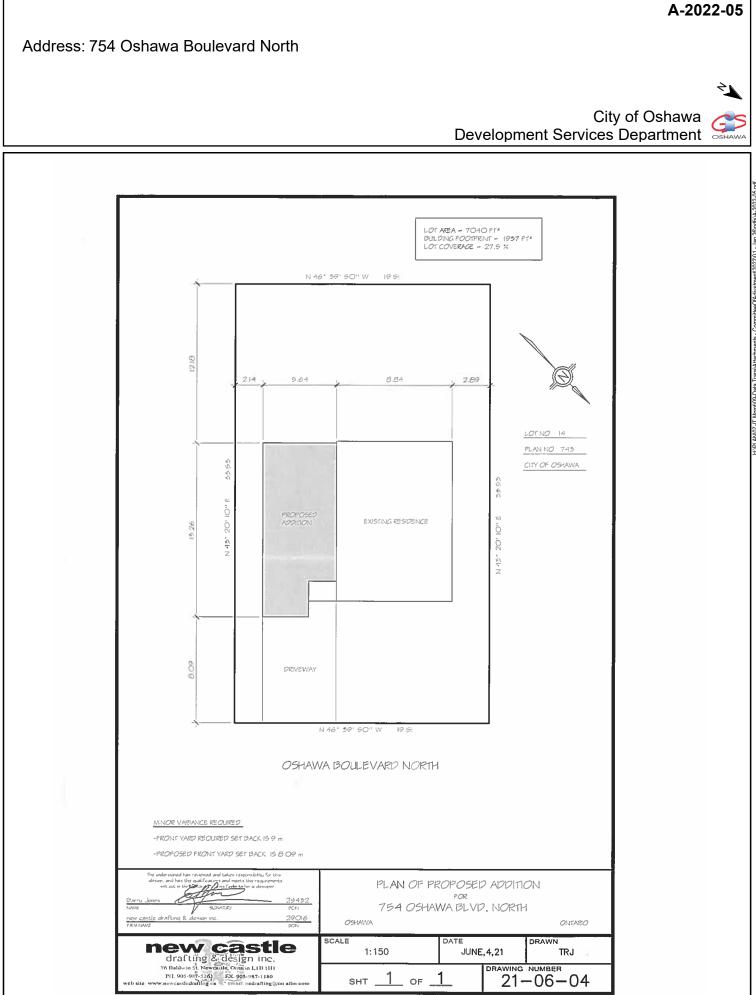
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**Purpose and Effect:** The purpose and effect of the application is to permit an accessory building ancillary to a single detached dwelling with a minimum setback of 0.1m from an interior side lot line, whereas Zoning By-law 60-94 requires a minimum setback of 0.6m for an accessory building ancillary to a single detached dwelling in a R1-B(2) (Residential) Zone.

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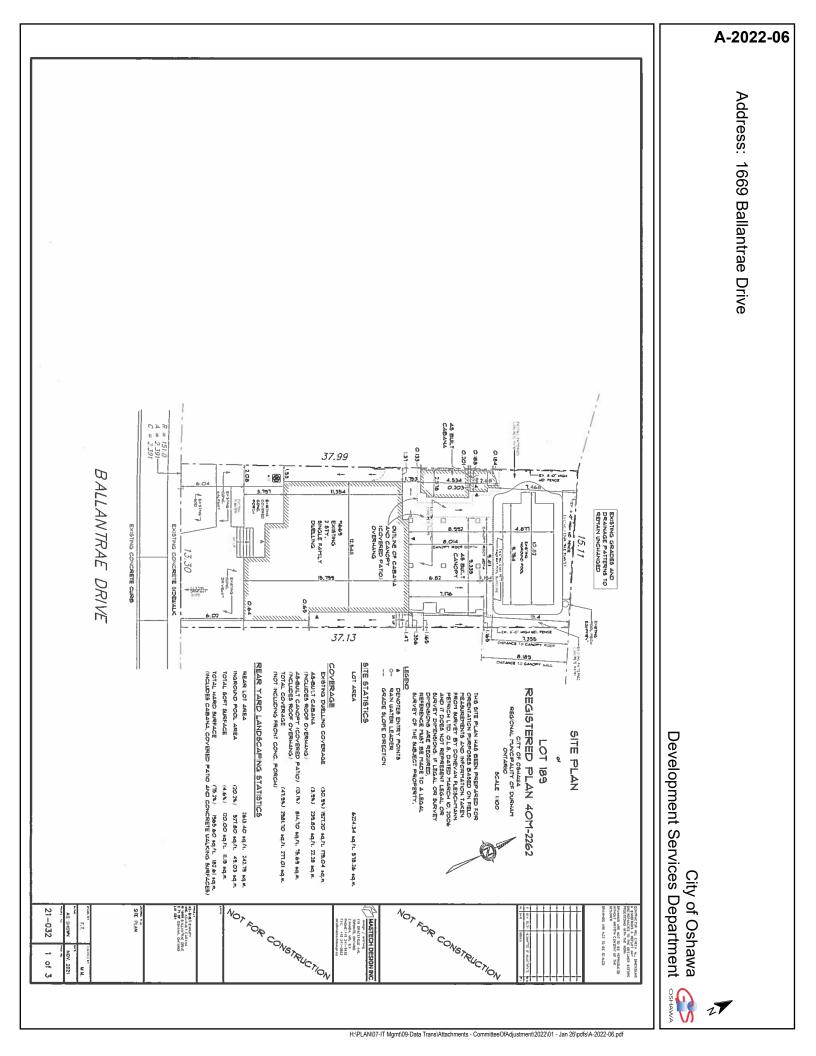
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**Freedom of Information and Protection of Privacy Act:** Information will be collected in accordance with the Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.





**Notice** is hereby given that the Oshawa Committee of Adjustment will be holding a public hearing on **January 26, 2022** at 6:00 p.m. to consider the Committee of Adjustment Application (File **A-2022-07**) submitted by **Susan Lee Davies** for **464 Nipigon Street** (Plan 620, Pt Lot 57), Oshawa, for minor variances from the City's Zoning By-law 60-94.

**Purpose and Effect:** The purpose and effect of the application is to permit accessory buildings ancillary to a single detached dwelling with the variances in Column 1 below, instead of the requirements in Column 2 below, as required by Zoning By-law 60-94 for accessory buildings ancillary to a single detached dwelling in a R1-C (Residential) Zone.

Zoning Item	Column 1	Column 2
Maximum Lot Coverage as a Percentage of Lot Area for all Accessory Buildings	10%	8%
Maximum Lot Coverage as a Percentage of the Main Building for all Accessory Buildings	71.5%	50%
Maximum Ground Floor Area for all Accessory Buildings	66m <sup>2</sup>	60m <sup>2</sup>

You have been sent this notice because you own land close to the subject property.

#### Meeting

Pursuant to the direction of Public Health Ontario, this public meeting will take place in an electronic format to maintain social/physical distancing. Consequently, the meeting is open to the public through electronic participation only, and in-person delegations are not possible at this time. Members of the public are invited to submit correspondence concerning this matter. Please address your comments to the City Contact shown below by 4:30 p.m. on **January 26, 2022** in order for your correspondence to be provided to Committee members for the **January 26, 2022** public meeting.

Members of the public may request to verbally address the Committee as a delegation through remote electronic access regarding an application on the agenda by submitting a written request to the City Contact shown below by 4:30 p.m. on **January 24**, **2022**.

#### The City of Oshawa's Committee of Adjustment webpage

(https://www.oshawa.ca/business-and-investment/committee-of-adjustment.asp) provides a list of upcoming Committee of Adjustment meetings and agendas, and a link to the live webstream player to enable easy access to view the meeting live.

**City Contact:** Tim Ryan, Oshawa City Hall, 50 Centre Street South, Oshawa, Ontario L1H 3Z7 or by telephone at 905-436-3311, extension 2376 or by email to tryan@oshawa.ca.

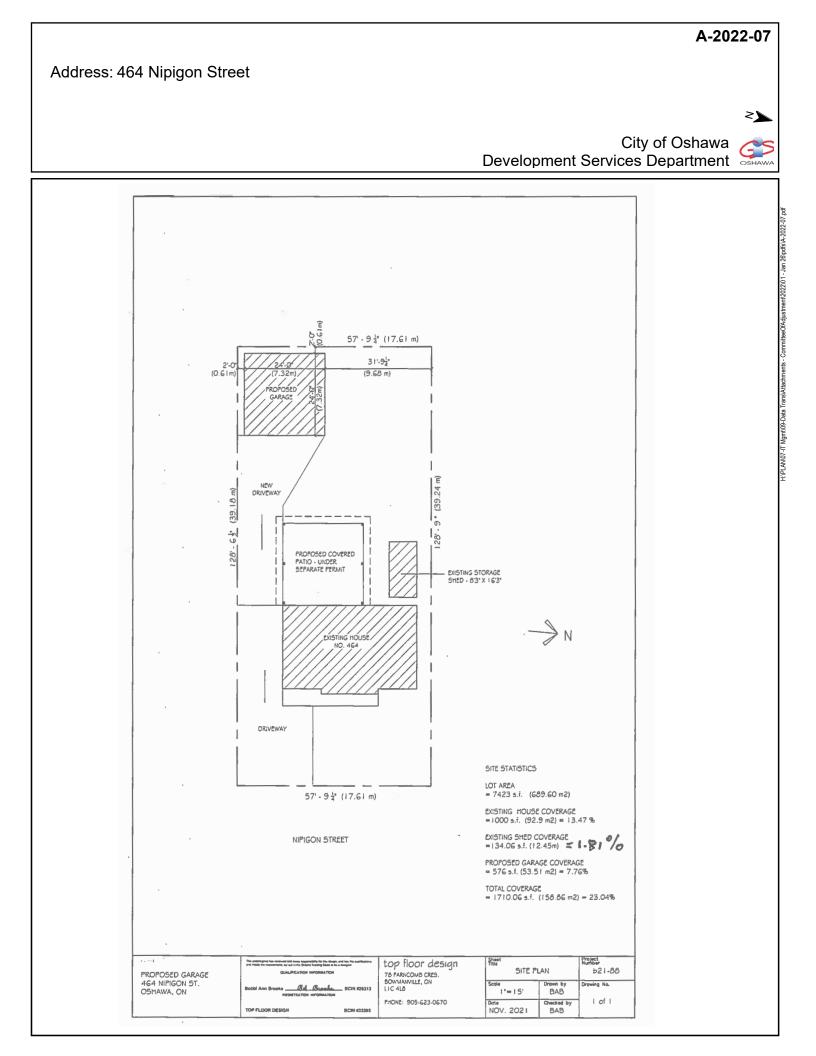
**How to submit written comments:** Written comments to the Committee must be received no later than 4:30 pm on **January 26, 2022**. Submissions are accepted by email at tryan@oshawa.ca or by mailing the Committee of Adjustment at the address shown above. Please include your name, your address and application number or address of the property you are providing comments on.

**To Obtain Additional information:** For more information, contact the City Contact as shown above between 8:30 am and 4:30 pm Monday to Friday.

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**Notice** is hereby given that the Oshawa Committee of Adjustment will be holding a public hearing on **January 26**, **2022** at 6:00 p.m. to consider the Committee of Adjustment Application (File **A-2022-08**) submitted by **Lori Chenier on behalf of Lorraine and Shawn Shalla** for **823 Briarwood Drive** (Plan 40M-1867, Lot 3), Oshawa, for minor variances from the City's Zoning By-law 60-94.

**Purpose and Effect:** The purpose and effect of the application is to permit an accessory building (detached garage) ancillary to a single detached dwelling with the variances in Column 1 below, instead of the requirements in Column 2 below, as required by Zoning By-law 60-94 for accessory buildings ancillary to a single detached dwelling in a R1-B (Residential) Zone.

Zoning Item	Column 1	Column 2
Maximum Ground Floor Area for all Accessory Buildings	72m <sup>2</sup>	60m <sup>2</sup>
Maximum Lot Coverage as a Percentage of Lot Area for all Accessory Buildings	9%	8%

You have been sent this notice because you own land close to the subject property.

#### Meeting

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