

## Committee of Adjustment

Files: **A-2022-13 and A-2022-18 to 21**

### MINUTES UNDER THE PLANNING ACT

#### Committee of Adjustment Applications for 899 Conlin Road East

Applications have been submitted by **Saba Al Mathno on behalf of 11373846 Canada Corp** for variances from the City's Zoning By-law 60-94.

The applications relate to **899 Conlin Road East** (Con 4, Pt Lot 6, Now RP 40R-11985 Parts 2 to 6), Oshawa, Ontario.

The purpose and effect of the applications are to permit single detached dwellings on 5 proposed lots, each with a minimum lot frontage of 11.5m, whereas Zoning By-law 60-94 requires a minimum lot frontage of 12m for a single detached dwelling in a R1-D(1) "h-14" (Residential) Zone.

A meeting of the Oshawa Committee of Adjustment was held on February 23, 2022 at 6:00 p.m. in an electronic format to maintain social/physical distancing pursuant to the direction of Public Health Ontario.

Present: A. Johnson, R. Adams, F. Eismont, J. Conlin, P. Uprety  
T. Ryan, R. Bedic, C. Chase

Also Present: S. Mathno, 401-1670 Bayview Ave, Toronto

A report received from the Development Services Department stated no objection to the approval of the applications.

S. Mathno provided an overview of the applications. She stated that they are proposing to develop the lands for five (5) 2-storey dwellings with accessory apartments. The severance application was approved conditionally at the December 2021 Land Division Committee meeting.

In response to a question from F. Eismont, S. Mathno stated that the City would determine if a sidewalk would be constructed on Part 3 of the draft 40R plan, which is to be conveyed to the City as a condition of approval.

In response to a question from A. Johnson, T. Ryan stated the landscaped open space in the front yard complies with the 50% minimum requirement.

Moved by F. Eismont, seconded by R. Adams,

"THAT the applications by **Saba Al Mathno on behalf of 11373846 Canada Corp** for 899 Conlin Road East, Oshawa, Ontario, be approved."

Affirmative – A. Johnson, F. Eismont, J. Conlin, P. Uprety

Negative – None

CARRIED.

The Chair declared that the applications BE APPROVED.

The APPROVAL of the applications granted herein is based upon the following reasons:

1. The Committee is of the opinion that the variances granted are minor in nature.
2. The Committee is of the opinion that the variances granted are desirable for the appropriate development of the subject property.

3. The Committee is of the opinion that the granting of the variances maintains the general intent and purpose of the Official Plan and Zoning By-law.



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Tim Ryan, Assistant Secretary-Treasurer

**MINUTES UNDER THE PLANNING ACT**

**Committee of Adjustment Application for 147 Elizabeth Street**

An application has been submitted by **Frank Giordano** for variances from the City's Zoning By-law 60-94.

The application relates to **147 Elizabeth Street** (Con 2 Pt Lot 15 Now RP 40R-12798 Part 2), Oshawa, Ontario.

The purpose and effect of the application is to permit an accessory building 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 an accessory building ancillary to a single detached dwelling in a R1-C (Residential) Zone.

<b>Zoning Item</b>	<b>Column 1</b>	<b>Column 2</b>
Maximum Ground Floor Area for all Accessory Buildings	109m <sup>2</sup>	60m <sup>2</sup>
Maximum Lot Coverage as a Percentage of the Lot Area	10%	8%
Maximum Building Height	5.1m	4.5m

A meeting of the Oshawa Committee of Adjustment was held on February 23, 2022 at 6:00 p.m. in an electronic format to maintain social/physical distancing pursuant to the direction of Public Health Ontario.

Present: A. Johnson, F. Eismont, J. Conlin, P. Uprety  
T. Ryan, R. Bedic, C. Chase

Also Present: D. Raponi  
F. Giordano, 147 Elizabeth Street, Oshawa

Absent: R. Adams

A report received from the Development Services Department stated no objection to the approval of the application.

D. Raponi provided an overview of the application.

In response to a question from F. Eismont, T. Ryan stated the applicant is meeting and exceeding the minimum 0.6m setback from the side and rear lot line.

D. Raponi commented that grading has been altered and there are no drainage concerns.

Moved by J. Conlin, seconded by P. Uprety,

“THAT the application by **Frank Giordano** for **147 Elizabeth Street**, Oshawa, Ontario, be approved.”

Affirmative – A. Johnson, R. Adams, F. Eismont, J. Conlin, P. Uprety

Negative – None

CARRIED.

The Chair declared that the application BE APPROVED.

The APPROVAL of the application granted herein is based upon the following reasons:

1. The Committee is of the opinion that the variances granted are minor in nature.

2. The Committee is of the opinion that the variances granted are desirable for the appropriate development of the subject property.
3. The Committee is of the opinion that the granting of the variances maintains the general intent and purpose of the Official Plan and Zoning By-law.



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Tim Ryan, Assistant Secretary-Treasurer

**MINUTES UNDER THE PLANNING ACT**

**Committee of Adjustment Application for 1173 Cloverdale Street**

An application has been submitted by **Sheila Daubeny on behalf of Michal Kowalski** for variances from the City's Zoning By-law 60-94.

The application relates to **1173 Cloverdale Street** (Plan 546, Lot 104, Pt Lot 103), Oshawa, Ontario.

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 an accessory building ancillary to a single detached dwelling in a R1-C (Residential) Zone.

<b>Zoning Item</b>	<b>Column 1</b>	<b>Column 2</b>
Maximum Lot Coverage as a Percentage of the Lot Area	12%	8%
Maximum Lot Coverage as a Percentage of the Main Building	87%	50%
Maximum Ground Floor Area for an Accessory Building	75m <sup>2</sup>	60m <sup>2</sup>
Minimum Length of a Driveway Leading to a Private Garage	4m	6m

A meeting of the Oshawa Committee of Adjustment was held on February 23, 2022 at 6:00 p.m. in an electronic format to maintain social/physical distancing pursuant to the direction of Public Health Ontario.

Present: A. Johnson, F. Eismont, J. Conlin, P. Uprety  
T. Ryan, R. Bedic, C. Chase

Also Present: S. Daubeny, 27 Royal Gala Drive, Brighton

Absent: R. Adams

A report received from the Development Services Department stated no objection to the approval of the application, in part, subject to a condition, and denial of the minimum driveway length variance request.

S. Daubeny provided an overview of the application, stating that there is 1 parking space located in the garage and 3 parking spaces in the driveway facing Cloverdale Street, therefore the driveway leading to the new garage is unlikely to be used.

Moved by A. Johnson, seconded by F. Eismont,

“THAT the application by **Sheila Daubeny on behalf of Michal Kowalski for 1173 Cloverdale Street**, Oshawa, Ontario, be approved in part, and the Minimum Length of a Driveway Leading to a Private Garage variance be denied.”

Affirmative – A. Johnson, F. Eismont, J. Conlin, P. Uprety

Negative – None

CARRIED.

The Chair declared that the application BE APPROVED in part.

The APPROVAL of a portion of the application granted herein is based upon the following reasons:

1. The Committee is of the opinion that the variances granted are minor in nature.
2. The Committee is of the opinion that the variances granted are desirable for the appropriate development of the subject property.

3. The Committee is of the opinion that the granting of the variances maintains the general intent and purpose of the Official Plan and Zoning By-law.

The Chair declared that the application BE DENIED in part.

The DENIAL of a portion of the application granted herein is based upon the following reasons:

1. The Committee is of the opinion that the variance is not minor.
2. The Committee is of the opinion that the granting of the variance would not maintain the general intent and purpose of the Official Plan and Zoning By-law.
3. The Committee is of the opinion that the granting of the variance would not contribute to the proper and orderly development of the municipality.
4. The Committee is of the opinion that the granting of the variance is not desirable for the appropriate development of the subject property.



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Tim Ryan, Assistant Secretary-Treasurer

**MINUTES UNDER THE PLANNING ACT**

**Committee of Adjustment Application for 2466 Harmony Road North**

A revised application has been submitted by **Minto (Harmony Road) LP** for a variance from the City's Zoning By-law 60-94.

The revised application relates to **2466 Harmony Road North** (Con 5, Pt Lot 5), Oshawa, Ontario.

The purpose and effect of the revised application is to permit a proposed lot with a minimum lot area of 14.8 hectares, whereas Zoning By-law 60-94 requires a minimum lot area of 20 hectares in the AG-A (Agricultural) Zone.

A meeting of the Oshawa Committee of Adjustment was held on February 23, 2022 at 6:00 p.m. in an electronic format to maintain social/physical distancing pursuant to the direction of Public Health Ontario.

Present: A. Johnson, F. Eismont, J. Conlin, P. Uprety  
T. Ryan, R. Bedic, C. Chase

Also Present: M. Robins, 39 Niagara Street, Unit 1604, Toronto

Absent: R. Adams

A report received from the Development Services Department stated no objection to the approval of the application.

M. Robins provided an overview of the application. The retained lot on the southern end of the property is within the Kedron urban boundary and subject to a plan of subdivision. The subject lot is being severed and will remain agricultural lands outside of the urban boundary.

Moved by F. Eismont, seconded by P. Uprety,

“THAT the application by **Minto (Harmony Road) LP** for **2466 Harmony Road North**, Oshawa, Ontario, be approved.”

Affirmative – A. Johnson, F. Eismont, J. Conlin, P. Uprety

Negative – None

CARRIED.

The Chair declared that the application BE APPROVED.

The APPROVAL of the application granted herein is based upon the following reasons:

1. The Committee is of the opinion that the variance granted is minor in nature.
2. The Committee is of the opinion that the variance granted is desirable for the appropriate development of the subject property.
3. The Committee is of the opinion that the granting of the variance maintains the general intent and purpose of the Official Plan and Zoning By-law.



Tim Ryan, Assistant Secretary-Treasurer

**MINUTES UNDER THE PLANNING ACT**

**Committee of Adjustment Application for 356 Trafalgar Avenue**

An application has been submitted by **YEJ Studio and Consulting Inc. on behalf of Chitra Mahadeva and Atchuthananthan Kathirithamby** for a variance from the City's Zoning By-law 60-94.

The application relates to **356 Trafalgar Avenue** (Plan 843, Lot 2), Oshawa, Ontario.

The purpose and effect of the application is to permit a single detached dwelling with an accessory apartment with a minimum parking space length of 5.5m (accessory apartment parking space only), whereas Zoning By-law 60-94 requires a minimum parking space length of 5.75m for a single detached dwelling with an accessory apartment in a R1-C (Residential) Zone.

A meeting of the Oshawa Committee of Adjustment was held on February 23, 2022 at 6:00 p.m. in an electronic format to maintain social/physical distancing pursuant to the direction of Public Health Ontario.

Present: A. Johnson, F. Eismont, J. Conlin, P. Uprety  
T. Ryan, R. Bedic, C. Chase

Also Present: H. Robah, 250 Shields Ct, Unit 7, Markham

Absent: R. Adams

A report received from the Development Services Department stated no objection to the approval of the application.

H. Robah provided an overview of the application.

In response to a question from A. Johnson, T. Ryan stated the garage could be considered one of the required parking spaces but would change the alignment of the parking spaces. This arrangement would require the accessory apartment parking space to be shifted eastwards as to not obstruct the path of travel, which is unnecessary given the proposed arrangement complies without requiring a driveway widening.

Moved by F. Eismont, seconded by A. Johnson,

**"THAT the application by YEJ Studio and Consulting Inc. on behalf of Chitra Mahadeva and Atchuthananthan Kathirithamby for 356 Trafalgar Avenue, Oshawa, Ontario, be approved."**

Affirmative – A. Johnson, F. Eismont, J. Conlin, P. Uprety

Negative – None

CARRIED.

The Chair declared that the application BE APPROVED.

The APPROVAL of the application granted herein is based upon the following reasons:

1. The Committee is of the opinion that the variance granted is minor in nature.
2. The Committee is of the opinion that the variance granted is desirable for the appropriate development of the subject property.



3. The Committee is of the opinion that the granting of the variance maintains the general intent and purpose of the Official Plan and Zoning By-law.



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Tim Ryan, Assistant Secretary-Treasurer