

MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 150 Adelaide Avenue East

An application has been submitted by **Ashley and Dustin Kozak** for variances from the City's Zoning By-law 60-94.

The application relates to **150 Adelaide Avenue East** (PL 161, PT LT 1), Oshawa, Ontario.

The purpose and effect of the application is to permit a new parking space in the rear yard of an existing 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 a parking space associated with a single detached dwelling in a R2 (Residential) Zone.

Zoning Item	Column 1	Column 2
Maximum height of a building, structure or man-made feature in a driveway sight triangle (south side of driveway)	Height permitted in the R2 Zone	0.9m
Maximum height of a building, structure or man-made feature in a driveway sight triangle (north side of driveway)	1.2m	0.9m

A meeting of the Oshawa Committee of Adjustment was held on May 11, 2022 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, R. Adams, F. Eismont, P. Uprety
E. Kohek, T. Ryan, D. Sappleton, C. Chase

Also Present: A. Kozak, 150 Adelaide Avenue East, Oshawa

A report received from the Development Services Department recommended the Committee reserve its decision since the notice signs had not been posted and to allow for public input and further discussion.

A. Kozak provided an overview of the application. There is no legal parking space therefore would like to propose a parking space in the rear yard. The fence is too close to the road.

The notice signs were not posted on the property in accordance with the requirements of the Planning Act.

Moved by R. Adams, seconded by A. Johnson,

"THAT the application by **Ashley and Dustin Kozak** for **150 Adelaide Avenue East**, Oshawa, Ontario, be reserved."

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

Negative – None

CARRIED.

The Chair declared that the application BE RESERVED.



Erika Kohek, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 64 Albany Street and 426 Front Street

An application has been submitted by **1841393 Ontario Inc.** for variances from the City's Zoning By-law 60-94.

The application relates to **64 Albany Street and 426 Front Street** (PL 41 LTS 11 and 12 PT LT 13 and RP 40R1295 PT 4, PT 3 and PL 41, PT LT 10), Oshawa, Ontario.

The purpose and effect of the application is to permit an apartment 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 an apartment building in a R6-D(5) "h-82" (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum Number of Resident Parking Spaces – Condominium	0.50 spaces per 1-bedroom unit 0.75 spaces per 2-bedroom unit	1.08 space per unit
Minimum Number of Resident Parking Spaces – Rental	0.50 spaces per 1-bedroom unit 0.75 spaces per 2-bedroom unit	1.00 space per unit
Minimum Number of Visitor Parking Spaces - Rental	0.25 spaces per unit	0.33 spaces per unit

A meeting of the Oshawa Committee of Adjustment was held on May 11, 2022 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, R. Adams, F. Eismont, P. Uprety
E. Kohek, T. Ryan, D. Sappleton, C. Chase

Also Present: Conlin Quinlan,

A report received from the Development Services Department recommended denial of this application.

C. Quinlan provided an overview of the application. C. Quinlan stated that 2 levels of underground parking are proposed with 49 spaces per level. The environment is changing and is getting away from automobile use. The proposal will be 40% affordable with 100 rental units. The cost of a single parking space is \$64,000 based on the City Parking Study. By removing the second level of underground parking the project saves an estimated \$3-4 million. Keeping the second level of parking is cost prohibitive, reduces affordability of units and the cost would be passed onto tenants. C. Quinlan overviewed excerpts from the City of Oshawa Official Plan in support of the application, including policies related to a future commuter station in the area. The proposed building is 50-60m from a proposed public transit station. C. Quinlan stated that if the transit station is not built, neither will the proposal.

In response to a question from A. Johnson, C. Quinlan stated that when the transit station breaks ground an application for site plan approval will be submitted.

In response to a question from F. Eismont, C. Quinlan stated that the development was not always 11 storeys. Initially the proposal was for 4 storeys but through many discussions with architects and City staff it developed into 11 storeys.

R. Adams questioned whether it was a possibility that reduced parking could cause overflow onto neighbouring streets.

C. Quinlan replied it is a possibility and that personal habits such as using a personal vehicle are difficult to change. If parking is provided, cars will continue to be used. The proposal is geared towards young professionals and first time home buyers.

In response to a question from A. Johnson, C. Quinlan stated that applying early allows the ability to move forward with the proposal if/when things change with the transit station. Will need approximately \$50 million for funding and will need to know the budget for lenders. Removing a level of parking can change the cost estimate drastically.

R. Adams stated he is concerned this request is not minor in nature.

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

“THAT the application by **1841393 Ontario Inc.** for **64 Albany Street and 426 Front Street**, Oshawa, Ontario, be denied.”

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

Negative – None

CARRIED.

The Chair declared that the application BE DENIED, for the following reasons:

1. The Committee is of the opinion that the variance is not minor in nature.
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 is not desirable for the appropriate development of the subject property.



Erika Kohek, Assistant Secretary-Treasurer

Committee of Adjustment

File: **A-2022-42**

MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 4179 Simcoe Street North

An application has been submitted by **Steve Edwards of GHD on behalf of 2321719 Ontario Ltd** for a variance from the City's Zoning By-law 60-94.

The application relates to **4179 Simcoe Street North** (CON 8, PT LT 12, RP 40R7774, PT 2, RP 40R7232, PT 1), Oshawa, Ontario.

The purpose and effect of the application is to permit two new buildings for an expansion to an existing farm implement sales, rental and service establishment resulting in a maximum lot coverage of 12%, whereas Zoning By-law 60-94 requires a maximum lot coverage of 10% for a farm implement sales, rental and service establishment in an AG-A/EU (Agricultural/Existing Use) Zone.

A meeting of the Oshawa Committee of Adjustment was held on May 11, 2022 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, R. Adams, F. Eismont, P. Uprety
E. Kohek, T. Ryan, D. Sappleton, C. Chase

Absent: S. Edwards

A report received from the Development Services Department recommended the Committee approve the application as submitted. However, the applicant indicated they wish to change the request and submit an updated site plan to accurately reflect the future proposed development of the property. The applicant asked that the Committee reserve its decision.

Moved by A. Johnson, seconded by R. Adams,

"THAT the application by Steve Edwards of GHD on behalf of 2321719 Ontario Ltd for 4179 Simcoe Street North, Oshawa, Ontario, be reserved."

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

Negative – None

CARRIED.

The Chair declared that the application BE RESERVED.



Erika Kohek, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 183 Gibbons Street

An application has been submitted by **Donato Barros and Christina Conforti** for variances from the City's Zoning By-law 60-94.

The application relates to **183 Gibbons Street** (PL 759, PT LT 21 and Part 1 on a draft 40R-Plan), Oshawa, Ontario.

The purpose and effect of the 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 an R1-C (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum Lot Frontage for a Single Detached Dwelling with an Accessory Apartment	9.1m	11m
Parking Space Location	To permit all parking in the front yard	A minimum of one parking space must be located in a side yard, rear yard or in a garage

A meeting of the Oshawa Committee of Adjustment was held on May 11, 2022 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, R. Adams, F. Eismont, P. Uprety
E. Kohek, T. Ryan, D. Sappleton, C. Chase

Also Present: D. Barros, 183 Gibbons Street, Oshawa
H. Lamers, 191 Gibbons Street, Oshawa

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

D. Barros provided an overview of the application and explained that the subject lot has been created through a Part Lot Control application. D. Barros that similar variances for reduced lot frontage have been approved for nearby properties. D. Barros stated that additional landscaping will be incorporated in the front yard to eliminate the need for the originally requested variance to reduce the landscaped open space in the front yard.

In response to questions from A. Johnson, D. Barros stated that there is no garage in the new building and the maple tree in front yard is to be preserved.

In response to a question from F. Eismont, D. Barros stated that no changes are proposed for pedestrian access to Madison Avenue.

E. Kohek read aloud one written submission from the public in objection to the application.

H. Lamers addressed the Committee on behalf of his mother who resides at 191 Gibbons Street. H. Lemars stated that lots to the north of 191 Gibbons Street were severed and built to comply with the by-law. Once the proposed house is built, 191 Gibbons Street will be left in a shadow. H. Lemars stated that the subject lot does not warrant all parking in the front yard and does not understand why a garage is not being provided. H. Lemars questioned the proposed side yard setbacks and if they provide adequate fire separation.

A. Johnson stated that the zoning by-law requires a minimum side yard depth 1.2m (4 ft) for interior side yards, which would result in approximately 8 ft between buildings.

In response to a question from H. Lamers, D. Barros stated that the proposed building would be constructed 8 ft underground and the building height will not be similar to 195/197 Gibbons Street.

In response to a question from H. Lamers, D. Barros stated that the garage will be appropriately decommissioned.

R. Adams requested the applicant to reach out to neighbours to discuss the proposal further.

Moved by A. Johnson, seconded by P. Uprety,

“THAT the application by **Donato Barros and Christina Conforti** for **183 Gibbons Street**, Oshawa, Ontario, be approved.”

Affirmative – A. Johnson, R. Adams, F. Eismont, 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.



Erika Kohek, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 145 Banting Avenue

An application has been submitted by **Mohammad Mofizur Rahman on behalf of Foyzun Nahar Rahman** for variances from the City's Zoning By-law 60-94.

The application relates to **145 Banting Avenue** (PL 145, LT 429), Oshawa, Ontario.

The purpose and effect of the application is to permit 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 a single detached dwelling in a R2 (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum Lot Area	202 sq. m.	270 sq. m.
Minimum Rear Yard Depth	5.5m	7.5m
Maximum Lot Coverage	47%	40%
Maximum Building Height	11m	9.0m
Minimum Length of Driveway to Private Garage	4.1m	6.0m
Minimum Length of Parking Space	4.1m	5.75m
Maximum Encroachment of Unenclosed Steps into Required Rear Yard	3.4m	2.4m

A meeting of the Oshawa Committee of Adjustment was held on May 11, 2022 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, R. Adams, F. Eismont, P. Uprety
E. Kohek, T. Ryan, D. Sappleton, C. Chase

Also Present: M. Rahman

A report received from the Development Services Department recommended that the Committee reserve its decision since the notice sign had not been posted and to allow for public input and further discussion.

The notice sign was not posted on the property in accordance with the requirements of the Planning Act.

M. Rahman provided an overview of the application. The household has six family members and is designed to fit all members.

In response to a questions from F. Eismont, M. Rahman replied he is the only occupant who drives and the existing garage is to be demolished.

Moved by R. Adams, seconded by A. Johnson,

"THAT the application by **Mohammad Mofizur Rahman on behalf of Foyzun Nahar Rahman for 145 Banting Avenue**, Oshawa, Ontario, be reserved."

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

Negative – None

CARRIED.

The Chair declared that the application BE RESERVED.

A handwritten signature in black ink, appearing to read "Erika Kohek". The signature is fluid and cursive, with a long horizontal stroke at the end.

Erika Kohek, Assistant Secretary-Treasurer