

MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 521 Aldershot Drive

An application has been submitted by **Nafiseh Zangiabadi on behalf of Diyaa Ash Rafee** for variances from the City's Zoning By-law 60-94.

The application relates to **521 Aldershot Drive** (PL 40M1935 LT 21), Oshawa, Ontario.

The purpose and effect of the application is to permit a single detached dwelling which may include 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 in a R1-E(2) (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum Landscaped Open Space in the Front Yard	45%	50%
Minimum Parking Space Width	2.6m	2.75m
Minimum Parking Space Length	5.4m	5.75m
Partial Tandem Parking	To Permit	Not Permitted

A meeting of the Oshawa Committee of Adjustment was held on April 17, 2024 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, F. Eismont, D. Lindsay
D. Dutta, V. Muhunthan, D. Sappleton

Also Present: N. Zangiabadi, 30 Apple Orchard Path, Thornhill

Absent: R. Adams, D. Thomson

A report received from the Economic and Development Services Department stated no objection to the approval of this application subject to a condition.

N. Zangiabadi provided an overview of the application.

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

"THAT the application by **Nafiseh Zangiabadi on behalf of Diyaa Ash Rafee** for **521 Aldershot Drive**, Oshawa, Ontario, be approved subject to the following conditions:

1. A maximum of 0.8m overlap is permitted for the partial tandem parking spaces not assigned to the same dwelling unit, subject to the separation between said tandem parking spaces being a minimum 1.8m.
2. The applicant shall obtain an Access to Property Permit (curb cut) to generally match the width of the hard surface driveway apron in the boulevard with the parking spaces on the subject site prior to the issuance of a building permit for the accessory apartment."

Affirmative – A. Johnson, F. Eismont, D. Lindsay

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.



Deb Dutta, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT**Committee of Adjustment Application for 794 Ritson Road South (east side)**

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

The application relates to **794 Ritson Road South (east side)** (PL 243 LT 2), Oshawa, Ontario.

The purpose and effect of the applications is to permit a lot with 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 single detached dwelling in a R1-C (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum Front Yard Depth	3.8m	9.0m
Minimum Landscaped Open Space in Exterior Side Yard	47%	50%

The subject site is also subject to an application for Consent (File B-2021-11).

A meeting of the Oshawa Committee of Adjustment was held on April 17, 2024 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, F. Eismont, D. Lindsay
D. Dutta, V. Muhunthan, D. Sappleton

Also Present: I. Khan, 1906 Parkside Drive, Pickering
B. & M. Arnold, 793 Ritson Road South, Oshawa

Absent: R. Adams, D. Thomson

A report received from the Economic and Development Services Department recommended the Committee reserve its decision to allow for public input and further discussion.

I. Khan provided an overview of the application.

In response to a question from A. Johnson, D. Dutta replied that the existing front yard will become the exterior side yard, and the road widening and corner sight triangle requested by the Region will alter the requested variances which is the reason for reserving the application.

In response to a question from B. Arnold, D. Dutta replied the proposed driveway will be off of Conant Street, not Ritson Road.

In response to a question from M. Arnold, D. Dutta replied once the severance is implemented a new address will be created.

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

"THAT the application by **Imran Khan** for **794 Ritson Road South (east side)**, Oshawa, Ontario, be reserved."

Affirmative – A. Johnson, F. Eismont, D. Lindsay

Negative – None

CARRIED.

The Chair declared that the application BE RESERVED.



Deb Dutta, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT**Committee of Adjustment Application for 794 Ritson Road South (west side)**

An application has been submitted by **Imran Khan on behalf of Choudhury Anwarul Azim** for variances from the City's Zoning By-law 60-94.

The application relates to **794 Ritson Road South (west side)** (PL 243 LT 2), Oshawa, Ontario.

The purpose and effect of the applications is to permit a new lot 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 R1-C (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum Lot Area	382m ²	405m ²

The subject site is also subject to an application for Consent (File B-2021-11).

A meeting of the Oshawa Committee of Adjustment was held on April 17, 2024 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, F. Eismont, D. Lindsay
D. Dutta, V. Muhunthan, D. Sappleton

Also Present: I. Khan, 1906 Parkside Drive, Pickering
B. & M. Arnold, 793 Ritson Road South, Oshawa

Absent: R. Adams, D. Thomson

A report received from the Economic and Development Services Department recommended the Committee reserve its decision to allow for public input and further discussion.

I. Khan provided an overview of the application.

In response to a question from A. Johnson, D. Dutta replied that the existing front yard will become the exterior side yard, and the road widening and corner sight triangle requested by the Region will alter the requested variances which is the reason for reserving the application.

In response to a question from B. Arnold, D. Dutta replied the proposed driveway will be off of Conant Street, not Ritson Road.

In response to a question from M. Arnold, D. Dutta replied once the severance is implemented a new address will be created.

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

"THAT the application by **Imran Khan for 794 Ritson Road South (west side)**, Oshawa, Ontario, be reserved."

Affirmative – A. Johnson, F. Eismont, D. Lindsay

Negative – None

CARRIED.

The Chair declared that the application BE RESERVED.



Deb Dutta, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT**Committee of Adjustment Application for 329 Bristol Crescent**

An application has been submitted by **Ravinder Singh on behalf of Mohammad Abul Hasan and Nusrat Muhjabin** for variances from the City's Zoning By-law 60-94.

The application relates to **329 Bristol Crescent** (PL M1182 PT LT 12 NOW RP 40R11701 PT 24 AND RP 40R11838 PT 2), Oshawa, Ontario.

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

Zoning Item	Column 1	Column 2
Minimum Landscaped Open Space in Front Yard	45%	50%
Minimum Parking Space Width	2.6m	2.75m
Minimum Parking Space Length	5.4m	5.75m
Partial Tandem Parking	To Permit	Not Permitted

A meeting of the Oshawa Committee of Adjustment was held on April 17, 2024 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, F. Eismont, D. Lindsay
D. Dutta, V. Muhunthan, D. Sappleton

Also Present: R. Singh, 7040 Gillespie Lane, Mississauga

Absent: R. Adams, D. Thomson

A report received from the Economic and Development Services Department stated no objection to the approval of this application subject to a condition.

R. Singh provided an overview of the application.

Moved by D. Lindsay, seconded by A. Johnson,

"THAT the application by **Ravinder Singh on behalf of Mohammad Abul Hasan and Nusrat Muhjabin** for **329 Bristol Crescent**, Oshawa, Ontario, be approved subject to the following conditions:

1. A maximum of 0.30m overlap is permitted for the partial tandem parking spaces not assigned to the same dwelling unit.
2. The applicant shall obtain an Access to Property Permit (curb cut) to generally match the width of the hard surface driveway apron in the boulevard with the parking spaces on the subject site prior to the issuance of a building permit for the accessory apartment."

Affirmative – A. Johnson, F. Eismont, D. Lindsay

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.

Deborah Dutta

Deb Dutta, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT**Committee of Adjustment Application for 493 Phillip Murray Avenue**

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

The application relates to **493 Phillip Murray Avenue** (PL 653 LT 59), Oshawa, Ontario.

The purpose and effect of the applications is to permit a single detached dwelling on each proposed lot 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 Frontage	8.9m	9.0m
Minimum Lot Area	261m ²	270m ²
Minimum Interior Side Yard Depth	1.1m between dwelling units	1.2m between dwelling units

The subject site is also subject to an application for Consent (File LD 133/2022).

A meeting of the Oshawa Committee of Adjustment was held on April 17, 2024 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, F. Eismont, D. Lindsay
D. Dutta, V. Muhunthan, D. Sappleton

Also Present: L. Oylafi, 66 Wilmington Avenue, North York

Absent: R. Adams, D. Thomson

A report received from the Economic and Development Services Department stated no objection to the approval of this application with a condition.

L. Oylafi provided an overview of the application.

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

"THAT the application by **Liuzha Oylafi** for **493 Phillip Murray Avenue**, Oshawa, Ontario, be approved subject to the following condition:

1. The reduced interior side yard depth shall only apply to the west interior side yard."

Affirmative – A. Johnson, F. Eismont, D. Lindsay

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.

Delanyia Dutta

Deb Dutta, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT**Committee of Adjustment Application for 497 Phillip Murray Avenue**

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

The application relates to **497 Phillip Murray Avenue** (PL 653 LT 59), Oshawa, Ontario.

The purpose and effect of the applications is to permit a single detached dwelling on each proposed lot 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 Frontage	8.7m	9.0m
Minimum Lot Area	264m ²	270m ²
Minimum Interior Side Yard Depth	1.1m between dwelling units	1.2m between dwelling units

The subject site is also subject to an application for Consent (File LD 133/2022).

A meeting of the Oshawa Committee of Adjustment was held on April 17, 2024 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, F. Eismont, D. Lindsay
D. Dutta, V. Muhunthan, D. Sappleton

Also Present: L. Oylafi, 66 Wilmington Avenue, North York

Absent: R. Adams, D. Thomson

A report received from the Economic and Development Services Department stated no objection to the approval of this application with a condition.

L. Oylafi provided an overview of the application.

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

"THAT the application by **Liuzha Oylafi** for **497 Phillip Murray Avenue**, Oshawa, Ontario, be approved subject to the following condition:

1. The reduced interior side yard depth shall only apply to the east interior side yard."

Affirmative – A. Johnson, F. Eismont, D. Lindsay

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.



Deb Dutta, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT**Committee of Adjustment Application for 140 Vancouver Street**

An application has been submitted by **RJ CAD Solutions Inc. on behalf of Kaheliin Empires Inc.** for variances from the City's Zoning By-law 60-94.

The application relates to **140 Vancouver Street** (PL 837 PT LT 62, 63 NOW RP 40R608 PT 21, 22), Oshawa, Ontario.

The purpose and effect of the application is to permit a semi-detached dwelling which may include 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 which may include an accessory apartment in a R2 (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum Landscaped Open Space in Front Yard	47%	50%
Minimum Parking Space Width	2.6m	2.75m
Minimum Parking Space Length	5.3m	5.75m

A meeting of the Oshawa Committee of Adjustment was held on April 17, 2024 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, F. Eismont, D. Lindsay
D. Dutta, V. Muhunthan, D. Sappleton

Also Present: K. Shah, RJ CAD Solutions Inc.

Absent: R. Adams, D. Thomson

A report received from the Economic and Development Services Department recommended the Committee reserve its decision to allow for public input and further discussion.

K. Shah provided an overview of the application.

In response to a question from A. Johnson, D. Dutta stated revisions to the site plan are required to accurately depict the length of the driveway to the property line.

Moved by D. Lindsay, seconded by A. Johnson,

"THAT the application by **RJ CAD Solutions Inc. on behalf of Kaheliin Empires Inc.** for **140 Vancouver Street**, Oshawa, Ontario, be reserved."

Affirmative – A. Johnson, F. Eismont, D. Lindsay

Negative – None

CARRIED.

The Chair declared that the application BE RESERVED.



Deb Dutta, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT**Committee of Adjustment Application for southwest corner of Windfields Farm Drive East and Bridle Road**

An application has been submitted by **Hossack & Associates Architects Inc. on behalf of Durham District School Board** for a variance from the City's Zoning By-law 60-94.

The application relates to the **southwest corner of Windfields Farm Drive East and Bridle Road** (PL 40M-2605 BLK 13 and PL 40M2548 PT BLK 118 PT BRIDLE RD AND RP 40R29713 PTS 2 AND 3), Oshawa, Ontario.

The purpose and effect of the application is to permit a secondary school with a maximum height of 15m, whereas Zoning By-law 60-94 permits a maximum height of 12m for a secondary school in a CIN/R1-D(3)/R1-E(21)/R3-A(8) (Community Institutional/Residential) Zone.

The subject site is also subject to an application for Site Plan Approval (File SPA-2023-13).

A meeting of the Oshawa Committee of Adjustment was held on April 17, 2024 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, F. Eismont, D. Lindsay
D. Dutta, V. Muhunthan, D. Sappleton

Also Present: P. Ladouceur, Hossack & Associates Architects Inc.

Absent: R. Adams, D. Thomson

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

P. Ladouceur provided an overview of the application.

In response to a question from F. Eismont, P. Ladouceur replied the school will open in 2026.

Moved by A. Johnson, seconded by D. Lindsay,

"THAT the application by **Hossack & Associates Architects Inc. on behalf of Durham District School Board** for the **southwest corner of Windfields Farm Drive East and Bridle Road**, Oshawa, Ontario, be approved."

Affirmative – A. Johnson, F. Eismont, D. Lindsay

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.



Deb Dutta, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT**Committee of Adjustment Application for 58 Riverside Drive North**

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

The application relates to **58 Riverside Drive North** (PL 357 SHEET 5C PT LT 12 13 NOW RP 40R11850 PT 3 PT), Oshawa, Ontario.

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

Zoning Item	Column 1	Column 2
Maximum Height of an Accessory Building	7.14m	4.5m
Minimum distance of an Accessory building containing an accessory apartment to the Main Building	2.9m	3m
Accessory Building in Front Yard	To permit	Not permitted

A meeting of the Oshawa Committee of Adjustment was held on April 17, 2024 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, F. Eismont, D. Lindsay
D. Dutta, V. Muhunthan, D. Sappleton

Also Present: C. Dochuk, 14 Ashdale Crescent, Bowmanville

Absent: R. Adams, D. Thomson

A report received from the Economic and Development Services Department recommended the Committee reserve its decision to allow for public input and further discussion.

C. Dochuk provided an overview of the application and acknowledged the reason for reserving the application.

Moved by A. Johnson, seconded by D. Lindsay,

"THAT the application by **Clinton Dochuk** for **58 Riverside Drive North**, Oshawa, Ontario, be reserved."

Affirmative – A. Johnson, F. Eismont, D. Lindsay

Negative – None

CARRIED.

The Chair declared that the application BE RESERVED.



Deb Dutta, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT**Committee of Adjustment Application for 626 Coldstream Drive**

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

The application relates to **626 Coldstream Drive** (PL 40M2051 PT BLK 38 RP 40R21456 PT 5), 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 R3-A.DB35 (Residential) Zone.

Zoning Item	Column 1	Column 2
Parking Space Location	No parking space in a garage	Minimum one parking space in a side yard, rear yard or in a garage
Minimum Landscaped Open Space in the Front Yard	29%	50%
Minimum Parking Space Width	2.6m	2.75m

A meeting of the Oshawa Committee of Adjustment was held on April 17, 2024 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, F. Eismont, D. Lindsay
D. Dutta, V. Muhunthan, D. Sappleton

Also Present: M. Hamad, 626 Coldstream Drive, Oshawa
B. Ottenbrite, 623 Coldstream Drive, Oshawa

Absent: R. Adams, D. Thomson

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

M. Hamad provided an overview of the application.

M. Hamad explained the reason for replacing the garage door with a regular door is because the garage door was deteriorating and that the garage was not used as a parking space.

M. Hamad expressed that many of the surrounding properties have widened their driveways. A petition in support of the application was shared with the Committee.

M. Hamad indicated that the signage on the front façade of the garage is associated with his ice cream business which is licenced and operated in his home.

M. Hamad expressed that his intention is to maintain an attractive streetscape by not utilizing concrete as part of the driveway widening.

M. Hamad expressed that he is a recipient of unfair treatment as other properties in the neighbourhood have had their driveways widened.

In response to a question from D. Lindsay, M. Hamad replied his products are sold to customers through phone orders and on-site pick up, local markets, restaurants and dessert shops.

D. Lindsay commented the City boulevard cannot be used for parking for customers.

M. Hamad clarified that customers park on the road for a few of minutes.

M. Hamad stated the application should be approved as twenty houses in the neighbourhood have had their driveways widened.

D. Lindsay commented the Committee makes their decisions based on the four tests and that the Committee evaluates applications against the applicable by-law.

M. Hamad stated the Committee can override regulations set out in the by-law if it makes sense to as by-laws can be dated.

F. Eismont commented by-laws get updated due to Provincial changes such as Bill 23.

M. Hamad indicated that minor variances have been granted for requests similar to his.

D. Dutta clarified the prior application heard by the Committee that day was approved with a lower landscaped percentage was based on a specific situation that considered the rear yard and his recommendation for approval was based on the 4 tests.

In response to a question from M. Hamad, D. Dutta replied providing notice is required under the Planning Act and it allows for the public to provide input through written or verbal submissions for consideration.

D. Dutta expressed that the requested variance is not minor in nature.

In response to a question from M. Hamad, D. Dutta replied the City relies on neighbours and municipal by-law offers to report illegal driveway widenings in the City.

A. Johnson commented that the applicant has the option to replace existing door with a new garage door which would demonstrate the ability to park 2 cars on the property.

In response to a question from A. Johnson, D. Dutta replied the ice cream business is a permitted home occupation, as long as it is not served at the house.

B. Ottenbrite commented that Coldstream Drive is an extremely busy street with traffic safety concerns and that the municipal by-law officers have been addressing illegal parking on boulevard vigorously.

B. Ottenbrite expressed concerns with the applicant replacing the garage door and implementation of the business sign without permits.

In response to a question from B. Ottenbrite, M. Hamad indicated that he has a business licence for the ice cream manufacturing operation and that the business has passed the health inspection from the Region.

B. Ottenbrite expressed concerns with the lack of neighbourhood compatibility and negative impact on property values.

D. Lindsay commented that the subject issue is that the replacement of the garage door with a residential door removed the option for a parking space in the garage.

In response to a question from D. Lindsay, M. Hamad provided an overview of the reasoning for replacing the garage door.

D. Dutta clarified a building permit is triggered when there is a change to the size of an external door.

Moved by D. Lindsay, seconded by A. Johnson,

“THAT the application by **Mohamad Hamad** for **626 Coldstream Drive**, Oshawa, Ontario, be denied.”

Affirmative – A. Johnson, F. Eismont, D. Lindsay

Negative – None

CARRIED.

The Chair declared that the application BE DENIED.

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

1. The Committee is of the opinion that the variances are not minor in nature.
2. The Committee is of the opinion that the granting of the variances is desirable for the appropriate development of the subject property.
3. The Committee is of the opinion that the granting of the variances does not maintain the general intent and purpose of the Official Plan and Zoning By-law.



Deb Dutta, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT**Committee of Adjustment Application for 1812 Fosterbrook Street**

An application has been submitted by **Valiuddin Mohammed on behalf of Nirajkumar Thakkar and Shefali Tahakkar** for variances from the City's Zoning By-law 60-94.

The application relates to **1812 Fosterbrook Street** (PL 40M2721 LT 27), Oshawa, Ontario.

The purpose and effect of the application is to permit a single detached dwelling which may include an accessory apartment with a minimum landscaped open space in the front yard of 44%, whereas Zoning By-law 60-94 requires 50% minimum landscaped open space in the front yard for a single detached dwelling in a R2.Y4.5 (Residential) Zone.

A meeting of the Oshawa Committee of Adjustment was held on April 17, 2024 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, F. Eismont, D. Lindsay
D. Dutta, V. Muhunthan, D. Sappleton

Also Present: V. Mohammed, 6 Ripon Street, Mississauga

Absent: R. Adams, D. Thomson

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

V. Mohammed provided an overview of the application.

Moved by A. Johnson, seconded by D. Lindsay,

"THAT the application by **Valiuddin Mohammed on behalf of Nirajkumar Thakkar and Shefali Tahakkar** for **1812 Fosterbrook Street**, Oshawa, Ontario, be approved."

Affirmative – A. Johnson, F. Eismont, D. Lindsay

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.



Deb Dutta, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT**Committee of Adjustment Application for 523 Drew Street**

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

The application relates to **523 Drew Street** (PL 148 LT 220,221), Oshawa, Ontario.

The purpose and effect of the application is to permit a single detached dwelling which may include 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 in a R5-A (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum floor area of an accessory apartment located wholly above or below another dwelling unit	0%	75%
Minimum Parking Space Width	2.6m	2.75m

A meeting of the Oshawa Committee of Adjustment was held on April 17, 2024 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, F. Eismont, D. Lindsay
D. Dutta, V. Muhunthan, D. Sappleton

Also Present: M. Alschaar, 523 Drew Street, Oshawa

Absent: R. Adams, D. Thomson

A report received from the Economic and Development Services Department recommended the Committee reserve its decision to allow for public input and further discussion.

M. Alschaar provided an overview of the application.

In response to a question from A. Johnson, D. Dutta replied that no portion of the floor area of the proposed accessory apartment will be located above or below the main unit.

Moved by D. Lindsay, seconded by F. Eismont,

"THAT the application by **Mamoon Alschaar** for **523 Drew Street**, Oshawa, Ontario, be reserved."

Affirmative – A. Johnson, F. Eismont, D. Lindsay

Negative – None

CARRIED.

The Chair declared that the application BE RESERVED.



Deb Dutta, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT**Committee of Adjustment Application for 794 Ritson Road South**

An application has been submitted by **Imran Khan on behalf of Choudhury Anwarul Azim** for Consent under Section 53(1) of the Planning Act.

The application relates to **794 Ritson Road South** (PL 243 LT 2), Oshawa, Ontario.

The purpose and effect of the application is to sever a 382.32 sq. m. parcel of land for the purpose of creating a new residential lot, retaining a 430 sq. m. parcel of residential land with an existing single detached dwelling.

A meeting of the Oshawa Committee of Adjustment was held on April 17, 2024 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, F. Eismont, D. Lindsay
D. Dutta, V. Muhunthan, D. Sappleton

Also Present: I. Khan, 1906 Parkside Drive, Pickering
B. & M. Arnold, 793 Ritson Road South, Oshawa

Absent: R. Adams, D. Thomson

A report received from the Economic and Development Services Department recommended the Committee reserve its decision to allow for public input and further discussion.

I. Khan provided an overview of the application.

In response to a question from A. Johnson, D. Dutta replied that the existing front yard will become the exterior side yard, and the road widening and corner sight triangle requested by the Region will alter the requested variances which is the reason for reserving the application.

In response to a question from B. Arnold, D. Dutta replied the proposed driveway will be off of Conant Street, not Ritson Road.

In response to a question from M. Arnold, D. Dutta replied once the severance is implemented a new address will be created.

Moved by A. Johnson, seconded by D. Lindsay,

"THAT the application by **Imran Khan on behalf of Choudhury Anwarul Azim** for **794 Ritson Road South**, Oshawa, Ontario, be reserved."

Affirmative – A. Johnson, F. Eismont, D. Lindsay

Negative – None

CARRIED.

The Chair declared that the application BE RESERVED.



Deb Dutta, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT**Committee of Adjustment Application for 226 Toronto Avenue**

An application has been submitted by **Stephen Lennox** for Consent under Section 53(1) of the Planning Act.

The application relates to **226 Toronto Avenue** (PL 148 LT 268 PT LT 267), Oshawa, Ontario.

The purpose and effect of the application is to sever a 232.21 sq. m. parcel of land for the purpose of creating a new residential lot, retaining a 232.21 sq. m. parcel of residential land, with the existing single detached dwelling to be demolished.

A meeting of the Oshawa Committee of Adjustment was held on April 17, 2024 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, F. Eismont, D. Lindsay
D. Dutta, V. Muhunthan, D. Sappleton

Also Present: S. Lennox, 3060 Concession Road 17, Pickering

Absent: R. Adams, D. Thomson

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

S. Lennox provided an overview of the application.

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

"THAT the application by **Stephen Lennox** for **226 Toronto Avenue**, Oshawa, Ontario, be approved subject to the following conditions:

1. That the lands meet the applicable provisions of Zoning By-law 60-94 or, in the alternative, the Applicant obtain the approval of the Committee of Adjustment for any variances required to ensure conformity with the applicable provisions of Zoning By-law 60-94, and that such approvals become final and binding.
2. That the applicant submit to the Economic and Development Services Department a draft 40R Plan for approval describing the proposed severed and retained lands and the required road widening. Ultimately, the 40R Plan shall be deposited at the Land Registry Office prior to final approval, and the City be provided with a copy.
3. The Applicant provides the City with a fixed payment of \$400 for the proposed severed lot for a street tree to be planted in the boulevard in front of the severed lot by the City. In the event that a street tree cannot be planted in this location, the City will plant the tree in a more suitable location City-wide.
4. All existing buildings shall be demolished prior to final approval.
5. The Applicant is to provide written confirmation that the review of any required engineering plans (servicing, grading etc.) is being deferred to the building permit application/Site Alteration permit stage and that it is the Applicant's responsibility to ensure that any future requirements in this regard will be completed to the satisfaction of The City of Oshawa.
6. Toronto Avenue is classed a local residential street, with a desired Right-of-way (R.O.W) width of 20.10m. Therefore since the existing R.O.W is 15.10m wide, the owner shall convey to the City of Oshawa a 2.5 metre road allowance widening for a total 10m from original centreline of road.

7. The applicant enters into an agreement or other satisfactory arrangement with the City to ensure the fulfillment of the City's requirements, financially or otherwise for the development of the lands.
8. That the applicant acknowledge and agree to arrange for and pay the cost of all services required to service the severed and retained lands in accordance with the policies and/or requirements of the City.
9. That the applicant acknowledge and agree to arrange for and pay for the cost of any relocation, extension, alteration, damage repair or extraordinary maintenance of the existing services necessitated by this development shall be the responsibility of the applicant.
10. That the applicant satisfy the requirement of the Regional Works Department's letter dated April 3, 2024.
11. That the applicant satisfy the requirement of the Regional Planning and Economic Development Department's letter dated April 8, 2024.
12. That the applicant submit two copies of a deposited reference plan describing the lands.
13. That the consent be subject to the following periods:
 - (a) Last date for fulfilling conditions is April 17, 2026
 - (b) Expiry date of Application is May 15, 2026"

Affirmative – A. Johnson, F. Eismont, D. Lindsay

Negative – None

CARRIED.

The Chair declared that the application BE APPROVED.



Deb Dutta, Assistant Secretary-Treasurer

Clearing Agencies

1. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the Regional Works Department that Condition 10 has been carried out to its satisfaction.
2. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that the consent has been given, the Assistant Secretary-Treasurer is to be advised in writing by the Regional Planning and Economic Development Department that Condition 11 has been carried out to its satisfaction.
3. That prior to the signing of the certificate by the Assistant Secretary-Treasurer that consent has been given, the assistant Secretary-Treasurer is to be satisfied that the time periods outlined in Condition 13 have been adhered to.

Advisory Comments

1. Applicants/owners are responsible for fulfilling all conditions.
2. See attached Comments from Rob Roy, Engineering Services dated March 28, 2024.
3. See attached Comments from Anthony Procaccini, Building Services dated April 8, 2024.
4. If there are any works proposed within the Toronto Avenue road allowance. I.e. new water connections, sanitary connections, storm and FDC works, sidewalk replacement, boulevard restoration, the extent of the work including dimensions within the road allowance shall be indicated on the servicing drawing.
5. That the location of driveways to the proposed lots be approved by the City prior to issuance of building permits. The location of all driveways must maintain a minimum one (1) meter clearance from all aboveground utility structures or other like apparatus.

6. The applicant acknowledges that there is no existing storm sewer system along Toronto Avenue to accommodate foundation weeper drainage. The applicant is required to retain a qualified Engineer to prepare and submit engineering details for the approval of the City and Region, indicating how the foundation weeper drainage of the future dwelling(s) on the severed and retained lots will be dealt with.
7. The applicant acknowledges that if it is determined that the foundation weepers are best to drain to the City's storm sewer system, the City could consider an indirect connection rather than a direct connection to its service. In this regard, the applicant may be required to grant the City any easement(s), free of charge, for servicing and/or conveyance of overland flows. The easement(s) shall be in a location and size as determined by the City and is to be granted prior to the City providing its clearance of the application. Furthermore, the applicant agrees to bear all costs associated with any proposed works required to accommodate foundation weeper drainage.
8. That the applicant acknowledge that if it is determined that this development is to be best served by connecting the foundation weepers to the nearby sanitary sewer system, written confirmation from the Region indicating their approval must be provided to the City. All actual costs financial and otherwise, to be borne by the applicant.
9. It should be noted that the property will require a Property to Access Permit for the relocation of an existing entrance and restoration of full barrier curb, which was not shown on the Application. The site plan drawing must be revised and submitted showing all work required within the Toronto Street road allowance, for an estimate to be prepared by Operations, for work by City forces at the applicants expense.
10. Once all of the conditions contained in the Committee's Decision are fully satisfied by the applicant, the applicant's solicitor must prepare and forward the legal document(s) with the applicable stamping fee to the Region of Durham Land Division Committee office, to the attention of the Assistant Secretary-Treasurer for review and approval with stamping. The document(s) will be returned to the solicitor for registration purposes. Failing receipt by the Assistant Secretary-Treasurer of the Deed Package by the requisite date, the application shall be deemed expired and shall lapse.
11. An application for minor variances to the Committee of Adjustment will be required to permit the semi-detached building/dwellings with reduced lot area and lot frontage.