

Committee of Adjustment

File: **B-3500**

MINUTES UNDER THE PLANNING ACT

A meeting of the Oshawa Committee of Adjustment was held on July 27, 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, J. Dowson
E. Kohek, R. Bedic, C. Chase

Adoption of Committee Minutes

That the minutes of the Committee of Adjustment meeting held on July 13, 2022, be adopted.

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

CARRIED.



Erika Kohek, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 1855 Thornton Road North

An application has been submitted by **n Architecture Inc. on behalf of Sarabjit Sandhu** for a variance from the City's Zoning By-law 60-94.

The application relates to **1855 Thornton Road North** (Con 4, Pt Lt 16, now RP 40R4281, Pt 1), Oshawa, Ontario.

The purpose and effect of the application is to permit a single detached dwelling with a home occupation (commercial kitchen) with a floor area of 45m², whereas Zoning By-law 60-94 permits a maximum floor area of 28m² for a home occupation in an existing single detached dwelling in a SI-A(15) "h-71" (Select Industrial) Zone.

A meeting of the Oshawa Committee of Adjustment was held on July 13, 2022 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, F. Eismont, P. Uprety, J. Dowson
R. Bedic, D. Sappleton, C. Chase

Also Present: N. Malhota – N Architecture Inc., 9120 Leslie St, Suite 208, Richmond Hill

Absent: R. Adams

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

N. Malhota provided an overview of the application. N. Malhota stated that the owner lives in the house and the cooking area complies with the size restriction for a home occupation but the additional area of the walk-in freezer makes the total area of the home occupation larger than permitted.

In response to a question from F. Eismont, N. Malhota replied that the applicant is aware of the comments contained in the staff report.

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

"**THAT the application by n Architecture Inc. on behalf of Sarabjit Sandhu for 1855 Thornton Road North, Oshawa, Ontario, be approved.**"

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

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.



Robert Bedic, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 1142 Snowberry Court

An application has been submitted by **Inthiran Subramaniam and Pathmini Inthiran** for variances from the City's Zoning By-law 60-94.

The application relates to **1142 Snowberry Court** (PL 40M1666, LT 60), 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 R2 (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum Landscaped Open Space in the Front Yard	43%	50%
Parking Space Location	Permit all in the front yard	A minimum of 1 parking space must be located in a side yard, rear yard or garage

A meeting of the Oshawa Committee of Adjustment was held on July 13, 2022 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, F. Eismont, P. Uprety, J. Dowson
R. Bedic, D. Sappleton, C. Chase

Also Present: I. Subramaniam, 1142 Snowberry Court, Oshawa

Absent: R. Adams

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

I. Subramaniam provided an overview of the application. I. Subramaniam stated that the garage is being used as living space and therefore not used for parking. If the application is approved, all parking will be in the front yard. I. Subramaniam stated that in accordance with City's request, the addition to the driveway will be interlock and not asphalt.

In response to a questions and comments from F. Eismont and J. Dowson, I. Subramaniam replied that there are legally 2 parking spaces in the driveway but there is space for 4 cars in the existing driveway when the boulevard is included as part of the driveway. There is no sidewalk in front of the subject dwelling.

In response to a question from P. Uprety, I. Subramaniam replied there is no intention to remove any trees.

F. Eismont commented that the neighbour is assuming that the tree would have to be removed to accommodate the proposed driveway expansion.

Moved by A. Johnson, seconded by J. Dowson,

"THAT the application by Inthiran Subramaniam and Pathmini Inthiran for 1142 Snowberry Court, Oshawa, Ontario, be approved subject to the following conditions

1. That the paved portion of the driveway shall not exceed a maximum width of 8.25 metres.
2. That the westerly 1.25m of the driveway shall have a maximum length of 5.75 metres."

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

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.



Robert Bedic, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 416 Vancouver Crescent

An application has been submitted by **Marcus Apaloo** for a variance from the City's Zoning By-law 60-94.

The revised application relates to **416 Vancouver Crescent** (PL 877, S PT LT 12), Oshawa, Ontario.

The purpose and effect of the revised application is to permit a semi-detached dwelling and a semi-detached dwelling with an accessory apartment with a minimum landscaped open space of 45% in the front yard, whereas Zoning By-law 60-94 requires a minimum landscaped open space of 50% in the front yard for a semi-detached dwelling and a semi-detached dwelling with an accessory apartment in a R2 (Residential) Zone.

A meeting of the Oshawa Committee of Adjustment was held on July 13, 2022 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, F. Eismont, P. Uprety, J. Dowson
R. Bedic, D. Sappleton, C. Chase

Also Present: M. Apaloo, 416 Vancouver Crescent, Oshawa

Absent: R. Adams

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

M. Apaloo provided an overview of the application. M. Apaloo stated that he wanted to provide sufficient parking for tenants and to avoid having cars parked on the street.

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

"THAT the application by **Marcus Apaloo** for **416 Vancouver Crescent**, Oshawa, Ontario, be approved subject to the following condition:

1. That the applicant obtain an Access to Property Permit within three (3) months of the date of the decision becoming final and binding. Failure to do so shall result in the decision becoming null and void."

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

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.



Robert Bedic, Assistant Secretary-Treasurer

Committee of Adjustment

File: **A-2022-57**

MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 161 Athol Street East

An application has been submitted by **Steve Edwards on behalf of 161 Athol Street GP LTD** for variances from the City’s Zoning By-law 60-94.

The application relates to **161 Athol Street East** (PL 335, Sheet 17, PT LTS C31 to C33, RP 40R30010, PTS 2 TO 4, PT 6), 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(3) (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum Number of Parking Spaces	0.185 per dwelling unit, plus 0.05 per dwelling unit for visitors, for a rental accommodation apartment building	0.185 per dwelling unit, which shall include a minimum of 1 car-share parking space for every 90 dwelling units, plus 0.05 per dwelling unit for visitors, for a rental apartment building for student accommodation only

A meeting of the Oshawa Committee of Adjustment was held on July 13, 2022 at 6:00 p.m. in the “C” Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, F. Eismont, P. Uprety, J. Dowson
R. Bedic, D. Sappleton, C. Chase

Also Present: S. Edwards, GHD, 65 Sunray St, Whitby
E. Nividi – 161 Athol Street GP LTD, 120 Adelaide St, Toronto

Absent: R. Adams

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

S. Edwards provided an overview of the application. The subject building was built in 2019 and occupied in 2020. Emerging car-share businesses have been significantly affected by COVID and the owner has been unable to retain a car-share provider. In addition, COVID has impacted in-person learning and demand for student housing. If the application is approved, the 2 car-share parking spaces will become general parking for residents.

In response to a question from F. Eismont, E. Nividi replied that current tenants are approximately ½ students and ½ non-students. Some of the non-students were previously students but still choose to live in the building.

In response to a question from F. Eismont, E. Nividi stated that the existing bike parking will not be affected by the variances.

In response to a question from P. Uprety, S. Edwards stated that there are currently 185 units with 34 parking spaces for residents, 2 car share parking spaces and 9 visitor parking spaces.

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

“THAT the application by **Steve Edwards on behalf of 161 Athol Street GP LTD** for **161 Athol Street East**, Oshawa, Ontario, be approved.”

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

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.



Robert Bedic, Assistant Secretary-Treasurer