



Committee of Adjustment

MINUTES UNDER THE PLANNING ACT

A meeting of the Oshawa Committee of Adjustment was held on April 19, 2023 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, R. Adams, F. Eismont, D. Thomson, D. Lindsay
E. Kohek, D. Sappleton

Adoption of Committee Minutes

That the minutes of the Committee of Adjustment meeting held on March 29, 2023, be adopted.

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

CARRIED.

A handwritten signature in black ink, appearing to read "Erika Kohek".

Erika Kohek, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 289 Cordova Road

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

The application relates to **289 Cordova Road** (PL 204 LT 67), Oshawa, Ontario.

The purpose and effect of the application is to permit an additional dwelling unit in an existing 11-unit 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 R3-A/R5-B (Residential) Zone.

Zoning Item	Column 1	Column 2
Permitted Location of Parking Areas	Front Yard, Interior Side Yard and Rear Yard	Any Interior Side Yard or Rear Yard
Minimum Distance of Parking Area to Street Line	2.6m	3.0m
Minimum Required Visitor Parking Spaces (for 12 units)	3 (0.25 spaces per unit)	4 (0.33 spaces per unit)
Location of a Building, Structure or Man-Made Feature in a Driveway Sight Triangle	To permit a portion of a Parking Space in a Driveway Sight Triangle	Not Permitted

A meeting of the Oshawa Committee of Adjustment was held on March 29, 2023 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, R. Adams, F. Eismont, D. Thomson
E. Kohek, D. Sappleton

Also Present: J. Walker, J.H.W. Properties
R. Avery, 289 Cordova Road, Unit 1, Oshawa

Absent: D. Lindsay

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

J. Walker provided an overview of the application. Wish to add a 12th unit. The new unit would be located in a large storage space that is unused in the basement.

In response to a question from J. Walker, E. Kohek replied that the condition is to add an accessible parking space as per the submitted site plan.

R. Avery commented he and his family lived in their unit before current owner took possession of the property. Under their old lease a storage unit was included with their apartment unit. Owner demanded that the items be removed and was afraid items would be stolen if not removed as per owner's request. The property owner offered tenants a lump sum to move out of their units. Money offered was not enough as rents have increased everywhere. Property owner told us to move to the south for less expensive rent but do not want to expose family to a living environment with needles, drugs, and violence. Rent will double if we have to move out to another location.

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

“THAT the application by **JHW Properties** for **289 Cordova Road**, Oshawa, Ontario, be approved subject to the following conditions:

1. That the asphalt of the parking space adjacent to the Cordova Road street line be removed and be landscaped.
2. That the existing fence be removed from the 3.0m x 3.0m driveway sight triangle.
3. That the parking spaces be re-painted to match the site plan submitted with this application including the accessible parking space closest to the main entrance of the building.
4. Failure to satisfy the above conditions within six (6) months of the date of this decision shall result in this decision becoming null and void.
5. Prior to the issuance of a building permit for an additional dwelling unit, conditions 1 to 3 above must be fulfilled to the satisfaction of Planning Services.”

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

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 617 Cobblehill Drive**

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

The application relates to **617 Cobblehill Drive** (PL 40M1432 PT LT 67 NOW RP 40R10378 PT 3), Oshawa, Ontario.

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

Zoning Item	Column 1	Column 2
Location of Parking Spaces	All in front yard	In the front yard and a minimum one space in a side yard, rear yard or garage
Minimum Landscaped Open Space in the Front Yard	44%	50%

A meeting of the Oshawa Committee of Adjustment was held on March 29, 2023 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, R. Adams, F. Eismont, D. Thomson
E. Kohek, D. Sappleton

Also Present: S. Leonard, 617 Cobblehill Drive, Oshawa

Absent: D. Lindsay

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

S. Leonard provided an overview of the application. Parking in front yard as a deck was constructed in the side yard.

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

"THAT the application by **Sheila Leonard** for **617 Cobblehill Drive**, Oshawa, Ontario, be approved subject to the following conditions:

1. A building permit for the deck must be obtained within six (6) months of the date of the decision or the decision shall be null and void.
2. A CLOCA permit must be obtained within six (6) months of the date of the decision or the decision shall be null and void."

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

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 1454 Ritson Road South

An application has been submitted by **Abayomi and Olajumoke Awotungase** for variances from the City's Zoning By-law 60-94.

The application relates to **1454 Ritson Road South** (PL M1091 PT LT 30 NOW RP 40R3390 PT 7), Oshawa, Ontario.

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

Zoning Item	Column 1	Column 2
Minimum Landscaped Open Space in the Front Yard	40%	50%
Minimum Side Yard Depth (for a carport only)	0.6m	1.2m
Location of Parking Spaces	In the front yard and partially in a side yard	In the front yard and minimum one space in a side yard, rear yard or garage

A meeting of the Oshawa Committee of Adjustment was held on March 29, 2023 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, R. Adams, F. Eismont, D. Thomson
E. Kohek, D. Sappleton

Also Present: A. Awotungase, 1454 Ritson Road South, Oshawa
K. Vanderwyk, 1450 Ritson Road South, Oshawa
E. Vanderwyk, 1450 Ritson Road South, Oshawa

Absent: D. Lindsay

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

A. Awotungase provided an overview of the application. Application is to permit a basement apartment and an attached carport with reduced side setback to allow car to park.

K. Vanderwyk commented that he believes the 1.2m depth should be maintained for health and safety reasons. The slope of the carport roof will cause snow, ice and rain onto their parked cars. Has a paired driveway with the applicant.

In respond to K. Vanderwyk, A. Awotungase replied the carport will be made of wood shingles and metal posts. Advised the carport would have a roof gutter for rain drainage with a downspout. Does not have the exact roof angle to provide at this time.

To clarify a point made during discussion between the applicant and the delegation, E. Kohek explained the difference between main buildings and accessory structures and their yard depths under Zoning By-law 60-94.

E. Vanderwyk stated opposition to the applicant not meeting by-law requirements. Believes there would be a fire hazard caused by the reduced yard depth. Worried this proposal will cause value of property to go down. Questioned how the basement apartment at this location could be legal without proper windows.

In response E. Kohek commented all safety requirements for the basement apartment would be reviewed through the mandatory building permit process.

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

“THAT the application by **Abayomi and Olajumoke Awotungase** for **1454 Ritson Road South**, Oshawa, Ontario, be approved/be approved subject to the following condition:/be denied/be reserved.”

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

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 641 Merritt Street

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

The application relates to **641 Merritt Street** (PL 159 PT LT 4), Oshawa, Ontario.

The purpose and effect of the application is to permit a 3-unit 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 PSC-A (Planned Strip Commercial) Zone.

Zoning Item	Column 1	Column 2
Minimum Lot Frontage	19.8m	25.0m
Minimum Front Yard Depth	3.0m	6.0m
Minimum Interior Side Yard Depth	2.1m	3.0m
Minimum Rear Yard Depth	3.0m	16.0m
Maximum Lot Coverage	27%	22%
Minimum Distance of Parking Area to a Street Line	0m	3.0m
Parking in the Front Yard	To permit	Not permitted
Location of Visitor Parking Spaces	In tandem with required resident parking space	Individually accessed from the street or a drive aisle

A meeting of the Oshawa Committee of Adjustment was held on March 29, 2023 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, R. Adams, F. Eismont, D. Thomson
E. Kohek, D. Sappleton

Also Present: H. Popovych, representing owner of 641 Merritt Street, Oshawa
M. Petrovski, Owner of 641 Merritt Street, Oshawa
G. Lysyk, 71 Southwood Street, Oshawa

Absent: D. Lindsay

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

H. Popovych provided an overview of the application. Seeking to legalize apartment building with three units. Adding an additional parking space by widening the driveway.

G. Lysyk spoke in support of the application.

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

"THAT the application by **Mayya Petrovski** for **641 Merritt Street**, Oshawa, Ontario, be approved subject to the following conditions:

1. A building permit shall be obtained to ensure compliance with the Ontario Building Code. An up-to-date survey may be required with the building permit submission.
2. That the applicant obtain an Access to Property Permit for the proposed curb cut.
3. That the above conditions shall be satisfied within (1) year 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, R. Adams, F. Eismont, D. Thomson

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 192 Vancouver Street**

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

The application relates to **192 Vancouver Street** (PL 837 PT LT 72,73), Oshawa, Ontario.

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

Zoning Item	Column 1	Column 2
Minimum Landscaped Open Space in the Front Yard	44%	50%
Minimum Parking Space Length (accessory apartment parking space only)	5.4m	5.75m
Minimum Parking Space Width (accessory apartment parking space only)	2.6m	2.75m

A meeting of the Oshawa Committee of Adjustment was held on March 29, 2023 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, R. Adams, F. Eismont, D. Thomson
E. Kohek, D. Sappleton

Also Present: S. Schroetter, 192 Vancouver Street, Oshawa

Absent: D. Lindsay

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

S. Schroetter provided an overview of the application. Extra parking space is required for the proposed accessory apartment.

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

"THAT the application by **Shawnie Schroetter** for **192 Vancouver Street**, Oshawa, Ontario, be approved."

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

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 109 Elgin Street West

An application has been submitted by **Alfred Ramsingh on behalf of Anita Ramsingh** for variances from the City's Zoning By-law 60-94.

The application relates to **109 Elgin Street West** (PL 6 PT LT 17), Oshawa, Ontario.

The purpose and effect of the application is to permit an expansion of a legal non-conforming use by adding a second accessory apartment on the property in an accessory building, ancillary to an legal non-conforming 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 legal non-conforming single detached dwelling with accessory apartments and an accessory building in a R6-C/R7-A (Residential) Zone.

Zoning Item	Column 1	Column 2
Maximum Height of Accessory Building	5.2m	5m
Maximum Lot Coverage of Accessory Buildings	11.5%	8%
Minimum Setback of Accessory Building to Interior Side Yard Lot Line	0.18m	0.6m
Expansion of a Legal Non-Conforming Use (Permit an additional accessory apartment in an accessory building ancillary to a legal non-conforming single detached dwelling)	To permit	Single detached dwellings and accessory apartments not permitted in R6-C/R7-A Zone

A meeting of the Oshawa Committee of Adjustment was held on March 29, 2023 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, R. Adams, F. Eismont, D. Thomson
E. Kohek, D. Sappleton

Also Present: A. Maiorano, speaking on behalf of Owner and Applicant
Alfred Ramsingh, Applicant
Anita Ramsingh, Owner of 109 Elgin Street

Absent: D. Lindsay

A report received from the Economic and Development Services Department recommended the Committee deny this application.

A. Maiorano provided an overview of the application. Built a three unit building on the property. Proposing to add a 1-bedroom apartment in downtown core in the detached garage. Height is not going to be an issue. Believes the proposal would be a beautiful addition to the area.

In response to a question from F. Eismont, A. Maiorano advised the existing garage would be modified for the accessory apartment on the second floor and would be extended with beams for the carport. Will be a one-bedroom one-bathroom, garage will not be a garage any longer.

D. Sappleton provided an overview of current legislation and commented that the City is currently advancing City-wide zoning amendments. Single detached houses, semi-detached houses or rowhouses can have up to three units. The issue here is that there is already three units in the main building and the applicant is proposing a fourth unit in the detached accessory building. Advised that the City does permit detached accessory apartments and are required to but only up to three units total on a lot.

A. Maiorano asked whether the application could be amended to use whatever wording the City wants in order to permit the detached accessory apartment. Believes the site is underutilized with a higher residential zoning. Commented that the City has known about this since the beginning.

In response, E. Kohek clarified that the City never recognized or knew about a third unit and the building permit that was submitted and approved previously indicated two units as did the application form submitted by the applicant for this request to the Committee of Adjustment. To permit the fourth unit accessory would require a completely different review against different zoning regulations than what was originally submitted and contemplated. A new application should be submitted if the applicant wants to pursue 4 units.

A. Maiorano stated disagreement for denial of the application based on grey areas.

D. Sappleton advised that the City is advancing technical amendments to the City's Zoning By-law and Official Plan to comply with the Planning Act as amended by Bill 23. This would permit up to three units in applicable single detached, semi-detached and row houses. The City has authorization to go forward with a public meeting scheduled for May 2023.

D. Sappleton advised that the City is not looking at permitting up to four units associated with houses. The current zoning of the subject property would permit four units in the main building but not spread across the property.

A. Maiorano stated that the zoning permits high density. Acquiring additional lands for redevelopment is not possible for all landowners. The City allowed them to reconstruct the single in this location.

R. Adams advised he believes this Committee cannot ignore that the zoning does not permit an apartment building with a detached accessory apartment and does not believe the application is minor.

Moved by R. Adams, seconded by D. Thomson,

"THAT the application by Alfred Ramsingh on behalf of Anita Ramsingh for 109 Elgin Street West, Oshawa, Ontario, be denied."

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

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



Erika Kohek, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT**Committee of Adjustment Application for 1439 Birchcliffe Court**

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

The application relates to **1439 Birchcliffe Court** (PL 40M1399 PT LT 50 NOW RP 40R10096 PT 7), 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 a R2 (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum Landscaped Open Space in the Front Yard	41%	50%
Minimum Parking Space Width	2.5m	2.75m
Minimum Parking Space Length	5.4m	5.75m
Location of Parking Spaces	All in the front yard	In the front yard and a minimum one space in a side yard, rear yard or garage

A meeting of the Oshawa Committee of Adjustment was held on March 29, 2023 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

Present: A. Johnson, R. Adams, F. Eismont, D. Thomson
E. Kohek, D. Sappleton

Also Present: A. Ford, 1439 Birchcliffe Court, Oshawa

Absent: D. Lindsay

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

A. Ford provided an overview of the application. Proposal is to add an accessory apartment.

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

"THAT the application by **Alexander Ford** for **1439 Birchcliffe Court**, Oshawa, Ontario, be approved."

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

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