

MINUTES UNDER THE PLANNING ACT**Committee of Adjustment Application for 571 Raglan Road East**

An application has been submitted by **Sharon Creasor on behalf of Ronald and Valerie Linton** for a variance from the City's Zoning By-law 60-94.

The application relates to **571 Raglan Road East** (EAST WHITBY CON 8 PT LTS 7 AND 8 PT RD ALLOW RP 40R10782 PT PT 1 RP 40R10820 PT 4 RP 40R30404 PT 1), Oshawa, Ontario.

The purpose and effect of the revised application is to permit one dwelling unit in two portable buildings for the accommodation of a maximum of 10 agricultural workers employed on the farm during growing and harvest season accessory to an agricultural use, in addition to a farm dwelling, whereas Zoning By-law 60-94 permits a maximum of one farm dwelling and does not permit additional dwellings for agricultural workers in an AG-ORM(6) (Oak Ridges Moraine Agricultural) Zone.

A meeting of the Oshawa Committee of Adjustment was held on May 10, 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. Lindsay, D. Thomson
E. Kohek, D. Sappleton

Also Present: S. Creasor, Applicant

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

S. Creasor provided an overview of the revised application.

In response to a question from F. Eismont, S. Creasor replied two separate living quarters are required for men and women through the Ontario Building Code.

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

"THAT the application by **Sharon Creasor on behalf of Ronald and Valerie Linton for 571 Raglan Road East**, Oshawa, Ontario, be approved subject to the following conditions:

1. That the applicant be required to obtain a building permit for the portable farm dwelling used for seasonal worker accommodation to ensure compliance with the Ontario Building Code for residential use within six (6) months of the date of this decision.
2. Failure to fulfil Condition 1 shall result in this decision becoming null and void.
3. The combined floor area of the portables used as a dwelling unit shall not exceed 150 square metres, not including any breezeway."

Affirmative – A. Johnson, R. Adams, F. Eismont, D. Lindsay, 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 24 and 26 Fairbanks Street**

An application has been submitted by **D. G. Biddle and Associates Ltd. on behalf of Victorious Properties Inc.** for variances from the City's Zoning By-law 60-94.

The application relates to **24 and 26 Fairbanks Street** (PL 47, PT LTS 52 AND 53), Oshawa, Ontario.

Purpose and Effect: The purpose and effect of the revised 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 R3-A/R5-B/R7-A (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum Lot Frontage	23.8m	25m
Minimum Front Yard Depth	3.5m	6.5m
Minimum Interior Side Yard Depth	0.60m	1.50m per storey
Maximum Density	116 units per hectare (8 units)	85 units per hectare (5 units)
Maximum Lot Coverage	23.1%	22%
Minimum Landscaped Open Space	17%	35%
Minimum Drive Aisle Width	6.0m	6.5m

A meeting of the Oshawa Committee of Adjustment was held on May 10, 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. Lindsay, D. Thomson
E. Kohek, D. Sappleton

Also Present: A. Prescott, Applicant

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

A. Prescott provided an overview of the application.

In response to a question from F. Eismont, A. Prescott replied the revised application includes a reduction in residential density from 9 units to 8 units.

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

"THAT the application by **D. G. Biddle and Associates Ltd. on behalf of Victorious Properties Inc.** for **24 and 26 Fairbanks Street**, Oshawa, Ontario, be approved."

Affirmative – A. Johnson, R. Adams, F. Eismont, D. Lindsay, 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 307 Simcoe Street South

An application has been submitted by **Eva Mueller** for variances from the City’s Zoning By-law 60-94.

The application relates to **307 Simcoe Street South** (PL H-50005 PT LT 34 NOW RP 40R11743 PT 1), Oshawa, Ontario.

Purpose and Effect: The purpose and effect of the revised 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 PSC-A (Planned Strip Commercial) Zone.

Zoning Item	Column 1	Column 2
Minimum Lot Frontage	20.5m	25m
Minimum Front Yard Depth	2m	6m
Minimum Interior Side Yard Depth	3m	4.5m
Minimum Exterior Side Yard Depth	2m	4.5m
Maximum Density	95 units per hectare	85 units per hectare
Minimum Landscaped Open Space	28%	35%
Maximum Lot Coverage	34.5%	22%

A meeting of the Oshawa Committee of Adjustment was held on May 10, 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. Lindsay, D. Thomson
E. Kohek, D. Sappleton

Also Present: E. Mueller, Owner

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

E. Mueller provided an overview of the revised application.

E. Mueller requested distribution of a new site plan to share with Committee members. E. Kohek advised this plan was not circulated or reviewed and could not be used for the application before the Committee at this meeting.

E. Kohek explained the variances incorporated by staff through the zoning review of the submitted site plan. E. Mueller asked that the variance for landscaped open space be reduced to 28%. E. Kohek advised that the Committee could approve the application with this added request to the decision.

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

“THAT the application by **Eva Mueller** for **307 Simcoe Street South**, Oshawa, Ontario, be approved.”

Affirmative – A. Johnson, R. Adams, F. Eismont, D. Lindsay, 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 433 Simcoe Street South**

An application has been submitted by **Jennifer Park on behalf of 266779 Ontario Inc.** for variances from the City's Zoning By-law 60-94.

The application relates to **433 Simcoe Street South** (PL 41 LT 26 PT LT 25,27 28, CLOSED CELINA ST PT PL 335 SHEET 20 LT C37, LT C38 LT C41), Oshawa, Ontario.

The purpose and effect of the application is to permit a place of amusement as an accessory use in a retail store and personal service establishment 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 place of amusement in a PSC-A (Planned Strip Commercial) Zone.

Zoning Item	Column 1	Column 2
Place of Amusement as an Accessory Use to a Retail Store and Personal Service Establishment	To permit	Not permitted
Maximum Number Of Amusement Machines	30	15

A meeting of the Oshawa Committee of Adjustment was held on May 10, 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. Lindsay, D. Thomson
E. Kohek, D. Sappleton

Also Present: J. Park, Applicant

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

J. Park provided an overview of the application.

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

"THAT the application by **Jennifer Park on behalf of 266779 Ontario Inc.** for **433 Simcoe Street South**, Oshawa, Ontario, be approved."

Affirmative – A. Johnson, R. Adams, F. Eismont, D. Lindsay, 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 2660 Ritson Road North**

An application has been submitted by **Michael Shirzadfar on behalf of Igor Mattos Silverio** for variances from the City's Zoning By-law 60-94.

The application relates to **2660 Ritson Road North** (CON 5 PT LT 9), 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 an OSR-A (Rural Open Space) Zone.

Zoning Item	Column 1	Column 2
Minimum Front Yard Depth	6.1m	15m
Minimum Rear Yard Depth	6m	10m
Maximum Encroachment of Porch into Required Front Yard	3.2m	2.4m
Maximum Encroachment of Deck into Required Rear Yard	3.4m	2.4m

A meeting of the Oshawa Committee of Adjustment was held on May 10, 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. Lindsay, D. Thomson
E. Kohek, D. Sappleton

Also Present: M. Shirzadfar, Applicant

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

M. Shirzadfar provided an overview of the application. Explained the property is very deep but the developable area is reduced due to the natural heritage feature across the property and the rear lot depth must be measured from top of bank.

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

"THAT the application by **Michael Shirzadfar on behalf of Igor Mattos Silverio** for **2660 Ritson Road North**, Oshawa, Ontario, be approved."

Affirmative – A. Johnson, R. Adams, F. Eismont, D. Lindsay, 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 97-103 Albert Street**

An application has been submitted by **Mayu Balasubramaniam on behalf of Saththijesvaran Kathiravelu** for a variance from the City's Zoning By-law 60-94.

The application relates to **97-103 Albert Street** (PL 33 PT LT 43, 44), Oshawa, Ontario.

The purpose and effect of the application is to permit the expansion of a legal non-conforming automobile repair garage, whereas Zoning By-law 60-94 does not permit an automobile repair garage in a R2/R3-A/R6-B/R7-A (Residential) Zone.

A meeting of the Oshawa Committee of Adjustment was held on May 10, 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. Lindsay, D. Thomson
E. Kohek, D. Sappleton

Also Present: M. Balasubramaniam, Applicant
L. Knapper, 102 Albert Street, Oshawa

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

M. Balasubramaniam provided an overview of the application.

L. Knapper provided details on her ongoing concerns for the operations on this property. There are issues with noise, parking and safety. Advised that the property sometimes operates late into the night, parks vehicles on the lawn and drive on the sidewalks.

M. Balasubramaniam commented the expansion is not a building, it is a fabric dome for passage and a roof connecting the existing buildings.

E. Kohek advised the resident that Municipal Law Enforcement staff can attend the property after complaints are filed through Service Oshawa regarding noise.

In response to a question from F. Eismont, M. Balasubramaniam replied there will likely be no change to existing parking conditions as a result of the proposed expansion.

D. Lindsay requested to include an advisory comment about concerns regarding noise, parking and hours of operation.

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

"THAT the application by **Mayu Balasubramaniam on behalf of Saththijesvaran Kathiravelu** for **97-103 Albert Street**, Oshawa, Ontario, be approved."

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



Erika Kohek, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT**Committee of Adjustment Application for 315-317 Celina Street**

An application has been submitted by **D. G. Biddle and Associates on behalf of Wealth Blume and Sri Lankeswaran** for variances from the City's Zoning By-law 60-94.

The application relates to **315-317 Celina Street** (PL H-50005 PT LT 38,39), 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 R2/R3-A/R6-B/R7-A (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum Lot Frontage	14.9m	25m
Minimum Interior Side Yard Depth	0.0m	1.5m per storey
Minimum Front Yard Depth	1.9m	6.0m
Minimum Landscaped Open Space	19%	35%
Maximum Lot Coverage	29.5%	22.0%
Maximum Density	90 units per hectare	85 units per hectare

A meeting of the Oshawa Committee of Adjustment was held on May 10, 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. Lindsay, D. Thomson
E. Kohek, D. Sappleton

Also Present: M. Fry, D. G. Biddle and Associates, Applicant

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

M. Fry provided an overview of the application.

In response to a question from F. Eismont, M. Fry replied all parking would be located at the rear yard of the property.

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

"THAT the application by **D. G. Biddle and Associates on behalf of Wealth Blume and Sri Lankeswaran** for **315-317 Celina Street**, Oshawa, Ontario, be approved subject to the following conditions:

1. The variances related to yard depths shall only apply to the existing building. If the existing building is demolished the variances for minimum interior side yard depth and minimum front yard depth shall not apply to a new apartment building."

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