

## MINUTES UNDER THE PLANNING ACT

### Committee of Adjustment Application for 180 Centre Street South

A revised application has been submitted by **GHD Limited on behalf of Centre Oshawa Properties Inc.** for variances from the City's Zoning By-law 60-94.

The application relates to **180 Centre Street South** (PL H-50015 LT 15,16), Oshawa, Ontario.

The purpose and effect of the revised application is to permit two additional dwelling units in an existing 18-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 a 20-unit apartment building in a R2/R3-A/R6-B/R7-A (Residential) Zone.

Zoning Item	Column 1	Column 2
Maximum Density	124 units per hectare	85 units per hectare
Minimum Number of Resident Parking Spaces for Rental Apartment Building	19 (0.95 spaces per unit)	20 (1 space per unit)
Minimum Number of Visitor Parking Spaces for Rental Apartment Building	4 (0.2 spaces per unit)	7 (0.33 spaces per unit)
Permitted Location of Parking Areas	Front Yard, Interior Side Yard and Rear Yard	Any Interior Side Yard or Rear Yard
Minimum Aisle Adjacent Parking Space in Front Yard	3m	6.5m

A meeting of the Oshawa Committee of Adjustment was held on July 12, 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. Chow, GHD Limited

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

S. Chow provided an overview of the revised application. More variances were being requested through this revised proposal but are supportive of the changes suggested by staff which result in more visitor parking.

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

"THAT the application by **GHD Limited on behalf of Centre Oshawa Properties Inc.** for **180 Centre Street South**, Oshawa, Ontario, be approved subject to the following condition:

1. The variance for reduced aisle shall only apply to a maximum of one parking space, and such space must be directly accessible from the street."

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.



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Erika Kohek, Assistant Secretary-Treasurer

**MINUTES UNDER THE PLANNING ACT****Committee of Adjustment Application for 441 Cunningham Avenue**

An application has been submitted by **Daniel Hogenbirk on behalf of Huisgeld Hold Co Inc.** for variances from the City's Zoning By-law 60-94.

The application relates to **441 Cunningham Avenue** (PL 619 PT LT 94, 95), 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 a single detached dwelling in a R1-C (Residential) Zone.

<b>Zoning Item</b>	<b>Column 1</b>	<b>Column 2</b>
Maximum Lot Coverage of an Accessory Building as a Percentage of the Lot Area	9%	8%
Maximum Ground Floor Area of an Accessory Building	61.5 m <sup>2</sup>	60 m <sup>2</sup>
Maximum Height of an Accessory Building	5.4m	4.5m

A meeting of the Oshawa Committee of Adjustment was held on July 12, 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: D. Hogenbirk, 98 Grassmere Avenue, Unit 2, Oshawa  
J. Deremo, 446 Bader Avenue, Oshawa  
P. Richards, 611 Fernhill Boulevard, Oshawa  
J. Byvelds, 407 Malan Avenue, Oshawa

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

D. Hogenbirk provided an overview of the application.

In response to a question from F. Eismont, D. Hogenbirk replied he has not constructed any coach houses in Oshawa yet, only in Clarington.

J. Deremo commented the out building will set precedent for future approvals being 15 ft. tall.

A. Johnson advised that each individual application is reviewed on its own merits.

P. Richards asked what is the building for?

D. Hogenbirk commented the accessory apartment within the new building will act as a small single detached dwelling which should be ready in April 2024. The owners will be leasing to high quality tenants similar to who would rent a full house.

E. Kohek stated that the Province changed the Planning Act to permit up to three units on every residentially zoned property and one of which can be in an accessory building, such as a coach house.

J. Byvelds asked whether the new building will remain as part of 441 Cunningham Avenue or if it will be severed in the future.

E. Kohek confirmed it will not be allowed to sever and will remain as part of 441 Cunningham Avenue.

J. Byvelds commented that the property is already owned by investors and stated that he does not support and this will set a precedent for others.

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

“THAT the application by **Daniel Hogenbirk on behalf of Huisgeld Hold Co Inc.** for **441 Cunningham Avenue**, 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.



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Erika Kohek, Assistant Secretary-Treasurer

**MINUTES UNDER THE PLANNING ACT****Committee of Adjustment Application for 2572 Craftsman Drive**

An application has been submitted by **Jerome Fernando and Solanga Seneviratne** for variances from the City's Zoning By-law 60-94.

The application relates to **2572 Craftsman Drive** (PL 40M2690 LT 19), 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 R1-E(24) (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum Landscaped Open Space in the Front Yard	45%	50%
Minimum Parking Space Length (one space only)	5.2m	5.75m

A meeting of the Oshawa Committee of Adjustment was held on July 12, 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. Seneviratne, 2572 Craftsman Drive, Oshawa

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

S. Seneviratne provided an overview of the application.

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

"THAT the application by **Jerome Fernando and Solanga Seneviratne** for **2572 Craftsman Drive**, Oshawa, Ontario, be approved subject to the following condition:

1. The applicant shall remove the paving stones and restore soft landscaping to the area on the north side of the driveway (generally 0.65m wide). This shall be completed to the satisfaction of Planning Services prior to the issuance of a building permit for the accessory apartment."

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 336 Britannia Avenue West**

A revised application has been submitted by **Keval Patel and Isha Patel** for variances from the City's Zoning By-law 60-94.

The application relates to **336 Britannia Avenue West** (PL 40M2289 LT 77), Oshawa, Ontario.

The purpose and effect of the revised 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 with an accessory apartment in a R2(11) (Residential) Zone.

<b>Zoning Item</b>	<b>Column 1</b>	<b>Column 2</b>
Minimum Landscaped Open Space in the Rear Yard	46.5%	50%
Minimum Parking Space Width	2.6m	2.75m

A meeting of the Oshawa Committee of Adjustment was held on July 12, 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: Keval Patel, 336 Britannia Avenue West, Oshawa

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

K. Patel provided an overview of the application. Parking space required for the basement apartment that is not in tandem with the other parking spaces resulted in reduction of greenspace in the rear yard.

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

"THAT the application by **Keval Patel and Isha Patel** for **336 Britannia Avenue West**, 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 228 Medina Court**

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

The application relates to **228 Medina Court** (PL M1152 PT LT 2 NOW RP 40R7325 PT 2), Oshawa, Ontario.

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

<b>Zoning Item</b>	<b>Column 1</b>	<b>Column 2</b>
Minimum Landscaped Open Space in the Front Yard	47%	50%
Minimum Parking Space Width	2.5m	2.75m
Minimum Parking Space Length (one parking space only)	5m	5.75m

A meeting of the Oshawa Committee of Adjustment was held on July 12, 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: D. Shand, 1003 Schooling Drive, Oshawa

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

D. Shand provided an overview of the application.

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

"THAT the application by **Derrick Shand** for **228 Medina Court**, 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 396 Elgin Street East**

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

The application relates to **396 Elgin Street East** (PL 439 LT 10), Oshawa, Ontario.

The purpose and effect of the application is to permit accessory buildings ancillary to a single detached dwelling with a maximum lot coverage of 8.6%, whereas Zoning By-law 60-94 permits a maximum lot coverage of 8% for accessory buildings ancillary to a single detached dwelling in a R1-C (Residential) Zone.

A meeting of the Oshawa Committee of Adjustment was held on July 12, 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. Ientile, 396 Elgin Street East, Oshawa

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

S. Ientile provided an overview of the application.

In response to a question from R. Adams, S. Ientile replied the garage will be used for storage, big enough for a vehicle and will not be used to operate an auto related business.

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

"THAT the application by **Sal Ientile** for **396 Elgin Street East**, 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 231 Glenwood Crescent**

An application has been submitted by **Jim Pitre on behalf of Erik and Allison Bradley** for a variance from the City's Zoning By-law 60-94.

The application relates to **231 Glenwood Crescent** (PL 442 PT LT 23 TO 25 PL 532 BLK D PT BLK E), Oshawa, Ontario.

The purpose and effect of the application is to permit a deck and pool cabana ancillary to a legal non-conforming single detached dwelling in an OSH (Hazard Lands Open Space) Zone, whereas Zoning By-law 60-94 does not permit a single detached dwelling or enlargements or additions thereto in an OSH Zone.

A meeting of the Oshawa Committee of Adjustment was held on July 12, 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. Pitre, Applicant, Whitby Shores Landscaping

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

J. Pitre provided an overview of the application. The owners wish to build a cabana and deck on the property. The proposed construction is outside of the floodplain by 8m. The two proposed structures would not be impacted by a flood event.

In response to a question from F. Eismont, J. Pitre replied the floodplain is from the Oshawa Creek.

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

"**THAT the application by Jim Pitre on behalf of Erik and Allison Bradley for 231 Glenwood Crescent, 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 419 King Street West**

An application has been submitted by **The Biglieri Group on behalf of Ivanhoe Cambridge Inc. and 7503067 Canada Inc.** for a variance from the City's Zoning By-law 60-94.

The application relates to **419 King Street West** (CON 1 PT LT 14 NOW RP 40R11724 PT 1,2 8 TO 10), Oshawa, Ontario.

The purpose and effect of the application is to permit an automobile sales and service establishment in a shopping centre in a PCC-A(1) (Planned Commercial Centre) Zone, whereas Zoning By-law 60-94 does not permit an automobile sales and service establishment in a PCC-A(1) Zone.

A meeting of the Oshawa Committee of Adjustment was held on July 12, 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: L. Lebel-Pantazopoulos, The Biglieri Group  
J. Girvan, 121 Westmount Street

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

L. Lebel-Pantazopoulos provided an overview of the application and requested a change to condition 3, to increase the maximum floor area from 200 sq. m. to 250 sq. m. to accommodate a variety of unit sizes within the shopping centre.

In response to a question from J. Girvan, E. Kohek confirmed that the new use would be within an existing unit in the shopping centre and not a new building on the property for a dealership.

Moved by D. Lindsay, seconded by D. Thomson,

"THAT the application by **The Biglieri Group on behalf of Ivanhoe Cambridge Inc. and 7503067 Canada Inc.** for **419 King Street West**, Oshawa, Ontario, be approved subject to the following conditions:

1. This decision shall only apply to permit the display and sale of electric vehicles and related parts and accessories. An automobile body shop and automobile repair garage shall not be permitted as an associated or accessory use.
2. An automobile sales and service establishment shall only be permitted in an existing building.
3. A maximum of one automobile sales and service establishment shall be permitted and shall not exceed a maximum gross floor area of 250 square metres."

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.



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Erika Kohek, Assistant Secretary-Treasurer

**MINUTES UNDER THE PLANNING ACT****Committee of Adjustment Application for 1680 Thornton Road North**

An application has been submitted by **Broccolini Thornton Limited Partnership** for variances from the City's Zoning By-law 60-94.

The application relates to **1680 Thornton Road North** (CON 4 PT LT 17 NOW RP 40R20598 PT 1,2), Oshawa, Ontario.

The purpose and effect of the application is to permit a warehouse and office with the variances in Column 1 below, instead of the requirements in Column 2 below, as required by Zoning By-law 60-94 for warehouse and office in a SI-A(15) "h-71" (Select Industrial) Zone.

Zoning Item	Column 1	Column 2
Minimum Number of Parking Spaces for a Warehouse	75	94
Minimum Number of Parking Spaces for an Office	37	46

A meeting of the Oshawa Committee of Adjustment was held on July 12, 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. Taylor, Broccolini Thornton Limited Partnership

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

A. Taylor provided an overview of the application. A Traffic Impact Study has been submitted for review through the site plan approval process.

In response to a question from F. Eismont, A. Taylor replied the facility is leased, tenant remains confidential.

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

"THAT the application by **Broccolini Thornton Limited Partnership** for **1680 Thornton 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 2499 Kentucky Derby Way**

An application has been submitted by **Haroon Malik on behalf of Steve Yangongo** for variances from the City's Zoning By-law 60-94.

The application relates to **2499 Kentucky Derby Way** (PL 40M2543 LT 24), 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(10) (Residential) Zone.

<b>Zoning Item</b>	<b>Column 1</b>	<b>Column 2</b>
Minimum Parking Space Length	5.2m	5.75m
Minimum Landscaped Open Space in the Front Yard	44%	50%

A meeting of the Oshawa Committee of Adjustment was held on July 12, 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: H. Malik

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

H. Malik provided an overview of the application.

Moved by D. Lindsay, seconded by D. Thomson,

**"THAT the application by Haroon Malik on behalf of Steve Yangongo for 2499 Kentucky Derby Way, Oshawa, Ontario, be approved subject to the following condition:**

1. That the applicant remove the hard surfaces in the front yard (such as the interlocking stones and asphalt) such that the hard surfacing in the front yard does not exceed a width of 5.5m. This shall be completed to the satisfaction of Planning Services prior to the issuance of a building permit for the accessory apartment.
2. That the applicant remove the hard surfaces (such as interlocking stones and asphalt) from the City boulevard such that there is 1-metre separation from the base of the street tree to the edge of the driveway. This shall be completed to the satisfaction of Planning Services prior to the issuance of a building permit for the accessory apartment.
3. The applicant shall obtain an Access to Property Permit (curb cut) to match the width of the hard surface driveway apron in the boulevard prior to the issuance of a building permit for the accessory apartment."

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.



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Erika Kohek, Assistant Secretary-Treasurer