

MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 253 Overbank Drive

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

The application relates to **253 Overbank Drive** (PL 40M-1460 PT LT 5 NOW RP 40R-11052 PT 3), 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 single detached dwelling 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	2.6m	2.75m
Minimum Parking Space Length	5.4m	5.75m
Minimum Driveway Width	2.6m	2.75m

A meeting of the Oshawa Committee of Adjustment was held on January 29, 2025 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

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

Also Present: D. Raponi, 160 Stevenson Road South, Oshawa
A. Ianiri 253 Overbank Drive, Oshawa

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

D. Raponi provided an overview of the application.

In response to a question from A. Johnson, D. Dutta clarified a walkway will be required to connect the driveway to the main entrance of the dwelling.

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

"THAT the application by **Angelo Ianiri** for **253 Overbank Drive**, Oshawa, Ontario, be approved."

Affirmative – A. Johnson, 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.



Deb Dutta, Assistant Secretary-Treasurer



Committee of Adjustment

File: **A-2024-132**

Ward: **2**

MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 2061 Simcoe Street North

An application has been submitted by **Weston Consulting on behalf of Margaret Everest** for variances from the City's Zoning By-law 60-94.

The application relates to **2061 Simcoe Street North** (PL 609 PT LTS 3 TO 7 RP 40R-25300 PT 4 PT PT 2), Oshawa, Ontario.

The purpose and effect of the application is to permit 5 vehicle queuing spaces for a vehicle drive-through facility associated with a restaurant, whereas Zoning By-law 60-94 requires 16 vehicle queuing spaces for a vehicle drive-through facility associated with restaurant in a MU-C(1) (Mixed Use) Zone.

A meeting of the Oshawa Committee of Adjustment was held on January 29, 2025 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

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

Absent: K. Pandey, Weston Consulting

A report received from the Economic and Development Services Department recommended the Committee reserve its decision since the notification sign was not posted.

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

"THAT the application by **Weston Consulting on behalf of Margaret Everest** for 2061 Simcoe Street North, Oshawa, Ontario, be reserved."

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

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 345 Simcoe Street South

An application has been submitted by **Deanlee Management Inc. on behalf of Nimalan Somasundaram and Janani Vijendran** for a variance from the City's Zoning By-law 60-94.

The application relates to **345 Simcoe Street South** (PL 335 SHEET 20 PT LT C3 NOW RP 40R-5737 PT 1), Oshawa, Ontario.

The purpose and effect of the application is to permit a day care centre with 11 parking spaces as queue storage, whereas Zoning By-law 60-94 requires a minimum of 14 queue storage spaces for a day care centre in a PSC-A (Planned Strip Commercial) Zone.

A meeting of the Oshawa Committee of Adjustment was held on January 29, 2025 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

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

Also Present: M. Starr, Deanlee Management Inc.

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

M. Starr provided an overview of the application.

In response to a question from F. Eismont, M. Starr clarified the entrance location is proposed to be on Olive Avenue to avoid the traffic on Simcoe Street South.

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

"THAT the application by **Deanlee Management Inc. on behalf of Nimalan Somasundaram and Janani Vijendran** for **345 Simcoe Street South**, Oshawa, Ontario, be approved."

Affirmative – A. Johnson, 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.



Deb Dutta, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 1604 Sarasota Crescent

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

The application relates to **1604 Sarasota Crescent** (PL 40M-2196 LT 26), 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 R2(5) (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum Landscaped Open Space in Front Yard	45%	50%
Minimum Parking Space Length	5.4m	5.75m
Minimum Parking Space Width	2.6m	2.75m
Maximum Lot Coverage of an Accessory Building as a Percentage of the Main Building	63%	50%
Maximum Lot Coverage of Accessory Buildings	12%	8%

A meeting of the Oshawa Committee of Adjustment was held on January 29, 2025 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

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

Also Present: A. Rajgor, MEM Engineering

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

A. Rajgor provided an overview of the application.

D. Lindsay confirmed that the Committee had received and reviewed written correspondence from the public for this application.

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

"THAT the application by **Nischalakrishna Vittalanathan** for **1604 Sarasota Crescent**, Oshawa, Ontario, be approved."

Affirmative – A. Johnson, 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.



Deb Dutta, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 599 Burton Road

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

The application relates to **599 Burton Road** (PL 196 LT 20), 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 single detached dwelling in a R2 (Residential) Zone.

Zoning Item	Column 1	Column 2
Minimum Landscaped Open Space in the Front Yard	37%	50%
Partial Tandem Parking	To Permit	Not permitted

A meeting of the Oshawa Committee of Adjustment was held on January 29, 2025 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

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

Also Present: P. Whitsitt, Whurner Investment Inc.
R. Rodney, Whurner Investment Inc.

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

R. Rodney provided an overview of the application.

In response to a question from P. Whitsitt, D. Dutta advised that the site plan provided did not show the parking spaces or landscaped open space in the front yard, therefore staff could not accurately review the application.

D. Dutta requested that the applicant continue to work with staff to submit an updated site plan that shows the information required.

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

"THAT the application by **Whurner Investment Inc.** for **599 Burton Road**, Oshawa, Ontario, be reserved."

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

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 1100 Coldstream Drive

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

The application relates to **1100 Coldstream Drive** (EAST WHITBY CON 4 PT LT 4 RP 40R-24979 PTS 8 AND 9), Oshawa, Ontario.

The purpose and effect of the application is to permit a secondary school with 121 of the required parking spaces provided off-site at 1661 Harmony Road North, whereas Zoning By-law 60-94 requires all required parking spaces to be provided on-site for a secondary school in a CIN(5) (Community Institutional) Zone.

A meeting of the Oshawa Committee of Adjustment was held on January 29, 2025 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

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

Also Present: R. Stiemer, Stiemer Engineering Inc.

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

R. Stiemer provided an overview of the application.

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

"THAT the application by **Stiemer Engineering on behalf of Durham District School Board** for **1100 Coldstream Drive**, Oshawa, Ontario, be approved subject to the following condition:

1. The variance shall be deemed null and void upon termination of the license agreement for the off-site parking spaces."

Affirmative – A. Johnson, 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.



Deb Dutta, Assistant Secretary-Treasurer



MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 501 Ritson Road South

An application has been submitted by **Signe Leisk on behalf of Corlen Investments Inc** for Consent under Section 53(1) of the Planning Act.

The application relates to **501 Ritson Road South** (PL 258 LTS 2 6 TO 8 PT LTS 1 3 4 9 TO 12 PT BLK D PT MONTGOMERY ST), Oshawa, Ontario.

B-2024-45: The purpose and effect of the application is to sever a 0.3978 ha commercial parcel of land with an existing building (Parts 1 and 2 on draft 40R plan), retaining a 0.3574 ha commercial parcel of land with an existing building (Parts 3-6 on draft 40R plan). An additional purpose and effect of the application is to permit an access easement over the existing driveway (Part 2 on draft 40R plan) in favour of the retained lands.

B-2024-46: The purpose and effect of the application is to permit an access easement over the existing driveway (Parts 3 and 4 on draft 40R plan) in favour of the lands to the west (severed lands of application B-2024-45).

A meeting of the Oshawa Committee of Adjustment was held on January 29, 2025 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

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

Also Present: S. Leisk, Cassells Brock & Blackwell LLP

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

S. Leisk provided an overview of the application.

In response to a question from F. Eismont, S. Leisk confirmed that the existing entrances on site will remain, and no new development is proposed at this time.

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

"THAT the applications by **Signe Leisk on behalf of Corlen Investments Inc** for **501 Ritson Road South**, Oshawa, Ontario, be approved subject to the following conditions:

City Conditions:

1. That the subject site shall meet the applicable provisions of Zoning By-law 60-94 or, in the alternative, the Owner 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 Owner submit to the Economic and Development Services Department a draft 40R Plan for approval describing the proposed severed and retained lots and any necessary easements and road widening(s). Ultimately, the 40R Plan shall be deposited at the Land Registry Office prior to the preparation of a clearance letter, and the City be provided with a copy;
3. That the Owner demonstrates that there are no underground utilities on or under the proposed severed or retained lots. In the event utilities such as, but not limited, to gas or hydro cross property lines, easements will be required or services will need to be relocated;
4. The Owner shall submit the draft easement document for review and approval prior to final approval;
5. The Owner shall pay the required fee for clearance of City conditions for each application;

6. All taxes for the subject lands shall be current;
7. That the Owner satisfy the requirement of the Region of Durham's letter dated January 20, 2025; and,
8. That the consent be subject to the following periods:
 - (a) Last date for fulfilling conditions is January 31, 2027
 - (b) Expiry date of Application is February 28, 2027

Agency Conditions:

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 City of Oshawa that condition one to six (1-6) 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 Region of Durham that condition seven (7) 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 eight (8) have been adhered to."

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

Negative – None

CARRIED.

The Chair declared that the application BE APPROVED.



Deb Dutta, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 1361 Harmony Road North

An application has been submitted by **Timwen Partnership on behalf of Calloway REIT (Harmony) Inc.** for Consent under Section 53(1) of the Planning Act.

The application relates to **1361 Harmony Road North** (EAST WHITBY CON 4 PT LTS 3 AND 4 RP 40R-19979 PT 34 PT PTS 5 6 18 20 23 AND 28 RP 40R-22655 PT 1 RP 40R-25966 PTS 2 AND 3), Oshawa, Ontario.

The purpose and effect of the application is to permit a lease over 21 years over a 0.1651ha commercial parcel of land with an existing building, retaining a 26.1ha commercial parcel of land with existing buildings.

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

Also Present: M. Fishman, Dillon Consulting

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

M. Fishman provided an overview of the application.

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

“THAT the application by **Timwen Partnership on behalf of Calloway REIT (Harmony) Inc.** for **1361 Harmony Road North**, Oshawa, Ontario, be approved subject to the following conditions:

1. That the subject site shall 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 Owner submit to the Economic and Development Services Department a draft 40R Plan for approval describing the long term lease lands. Ultimately, the 40R Plan shall be deposited at the Land Registry Office prior to the preparation of a clearance letter, and the City be provided with a copy;
3. The Owner shall pay the required fee for clearance of City conditions for each application;
4. All taxes for the subject lands shall be current; and,
5. That the consent be subject to the following periods:
 - (a) Last date for fulfilling conditions is January 31, 2027
 - (b) Expiry date of Application is February 26, 2027.”

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

Negative – None

CARRIED.

The Chair declared that the application BE APPROVED.



Deb Dutta, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 630 Stevenson Road North

An application has been submitted by **David and Marion Haynes on behalf of Durham District School Board** for Consent under Section 53(1) of the Planning Act.

The application relates to **630 Stevenson Road North** (CON 2 PT LT 15), Oshawa, Ontario.

The purpose and effect of the application is to sever a 0.013 ha parcel of land and add it to the lands to the west (625 Berwick Crescent), retaining an 8.692 ha parcel of land with existing institutional uses.

A meeting of the Oshawa Committee of Adjustment was held on January 29, 2025 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

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

Also Present: D. Haynes, 625 Berwick Cres, Oshawa
M. Bebee, Bebee & Associates
D. Acken, 631 Berwick Cres, Oshawa

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

M. Bebee and D. Haynes provided an overview of the application.

D. Ackens spoke in support of the application.

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

"THAT the application by **David and Marion Haynes on behalf of Durham District School Board** for **630 Stevenson Road North**, Oshawa, Ontario, be approved subject to the following conditions:

1. That the subject site shall meet the applicable provisions of Zoning By-law 60-94 or, in the alternative, the Owner 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 Owner submit to the Economic and Development Services Department a draft 40R Plan for approval. Ultimately, the 40R Plan shall be deposited at the Land Registry Office prior to the preparation of a clearance letter, and the City be provided with a copy;
3. The Owner shall pay the required fee for clearance of City conditions for each application;
4. All taxes for the subject lands shall be current; and,
5. That the consent be subject to the following periods:
 - (a) Last date for fulfilling conditions is January 31, 2027
 - (b) Expiry date of Application is February 26, 2027."

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

Negative – None

CARRIED.

The Chair declared that the application BE APPROVED.



Deb Dutta, Assistant Secretary-Treasurer

MINUTES UNDER THE PLANNING ACT

Committee of Adjustment Application for 501 Raleigh Avenue

An application has been submitted by **Jak Eastern Holdings Inc.** for Consent under Section 53(1) of the Planning Act.

The application relates to **501 Raleigh Avenue** (EAST WHITBY CON BF PT LT 6 RP 40R-30715 PTS 2 AND 3), Oshawa, Ontario.

The purpose and effect of the application is to sever a 1.0645 ha vacant industrial parcel of land, retaining a 1.5562 ha vacant industrial parcel of land.

A meeting of the Oshawa Committee of Adjustment was held on January 29, 2025 at 6:00 p.m. in the "C" Wing Committee Meeting Room, City Hall, Oshawa, Ontario.

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

Also Present: D. Pearce, DP Realty Advisors

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

D. Pearce provided an overview of the application.

In response to a question from F. Eismont, D. Pearce clarified that these lots are not associated with the neighbouring businesses and the proposal is to create a new industrial lot for future development.

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

"THAT the application by **Jak Eastern Holdings Inc.** for **501 Raleigh Avenue**, Oshawa, Ontario, be approved subject to the following conditions:

City Conditions:

1. That the subject site shall 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. Ultimately, the 40R Plan shall be deposited at the Land Registry Office prior to the preparation of a clearance letter, and the City be provided with a copy;
3. The Applicant shall pay the required fee for clearance of City conditions for each application;
4. All taxes for the subject lands shall be current;
5. That the applicant satisfy the requirement of the Region of Durham's letter dated January 20, 2025; and,
6. That the consent be subject to the following periods:
 - (a) Last date for fulfilling conditions is January 31, 2027
 - (b) Expiry date of Application is February 26, 2027

Agency Conditions:

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 City of Oshawa that conditions one to four (1-4) 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 Region of Durham that condition five (5) 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 six (6) have been adhered to.”

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

Negative – None

CARRIED.

The Chair declared that the application BE APPROVED.



Deb Dutta, Assistant Secretary-Treasurer