



## Report to the Committee of Adjustment Minor Variance Application

**Date:** February 13, 2025  
**Address:** 155 Rumble Avenue  
**Owner(s):** Anthony Provenzano & Julie Siwiec  
**Applicant:** Daniel Berry c/o Vulcan Design Inc.  
**File Number(s):** MV-24-90  
**Related Application(s):** D06-18047  
**Hearing Date:** February 20, 2025  
**Prepared By:** Darren Ding, Planner II

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### Application Request

The following relief to Zoning By-law 66-71, as amended, is requested:

	<b>By-Law Requirement</b>	<b>Proposed</b>	<b>Deficiency</b>
<b>Maximum Gross Floor Area</b>	266.4 sq m (2,867.51 sq ft.)	408.59 sq m (4397.92 sq ft.)	142.18 sq m (1530.41 sq ft.)
<b>Maximum Height to Peak of Roof of Detached Accessory Structure (Cabana)</b>	3.6 m (11.81 ft.)	4.17 m (13.68 ft.)	0.57 m (1.87 ft.)
<b>Maximum Wall Height of Detached Accessory Structure (Cabana)</b>	2.44 m (8.0 ft.)	2.82 m (9.25 ft.)	0.38 m (1.25 ft.)
<b>Maximum Floor Area of Detached Garage</b>	40.0 sq m (430.56 sq ft.)	69.49 sq m (747.90 sq ft.)	29.49 sq m (317.34 sq ft.)

The applicant is requesting relief from the requirements of the City of Richmond Hill Zoning By-law 66-71, as amended, to facilitate an enlargement of their existing detached garage as well as the addition of a cabana.

## **Background**

### **Subject Property and Area Context**

The subject lands, municipally known as 155 Rumble Avenue, are generally located on the north side of Rumble Avenue and west of Lucas Street. The property has a lot area of approximately 1,863.00 sq.m (20,053.17 sq.ft) and a lot frontage of approximately 19.81 m (64.99 ft). The subject lands contain a two-storey single detached dwelling and a detached garage in the rear yard. Surrounding land uses include an established residential neighborhood consisting of primarily one and two-storey single detached dwellings.

### **Official Plan**

The subject lands are designated as “Neighbourhood” in accordance with the City’s Official Plan (the “Plan”). This designation permits low-density residential uses, inclusive of single detached dwellings and accessory structures. Development is required to respect the character and distinguishing features of neighbourhoods, be context-sensitive, and be compatible with the character of the adjacent and surrounding areas.

### **Zoning**

The subject lands are zoned “Residential Second Density (R2) Zone” pursuant to Zoning By-law 66-71, as amended. This zone permits single detached dwellings, along with accessory structures and limited institutional uses, subject to specific lot and development standards.

### **Related Applications on The Subject Lands**

N/A

### **Planning Comments**

Planning Staff have evaluated the requested minor variance(s) pursuant to the prescribed tests as set out in Section 45 (1) of the *Planning Act*, as follows:

#### **1) Do the proposed variances meet the general intent and purpose of the Official Plan?**

As noted above, the subject lands are designated “Neighbourhood” in accordance with the Plan. The policies of this designation require that new development shall respect the character and distinguishing features of neighbourhoods and shall be context-sensitive and compatible with the adjacent and surrounding areas with respect to massing, including the consideration of height and scale, among other matters as outlined in Section 4.9.2 of the Plan. The intent of this section of the Plan is to also ensure that new development respects the existing physical context and can exist in harmony with existing development and uses.

Staff are of the opinion that the requested variances are in keeping with the general intent and purpose of the Official Plan.

**2) Do the proposed variances meet the general intent and purpose of the Zoning By-law?**

The Zoning By-laws applicable to the subject lands establish development standards that regulate the location, size, and height of structures. The intent of the maximum gross floor area (GFA) provision is to ensure that dwellings and accessory structures are proportionate to the lot size, prevent oversized homes, maintain adequate light, air, and privacy for neighbors, and preserve outdoor amenity space. The applicant is requesting relief for a total GFA of 408.59 sq. m (4,397.92 sq. ft), whereas 266.4 sq. m (2,867.51 sq. ft) is permitted, and a detached garage floor area of 69.49 sq. m (747.90 sq. ft), whereas 40.0 sq. m (430.56 sq. ft) is permitted. It is noted that a previous minor variance application (File No.: A046-19) was approved to increase the GFA to 382.10 sq. m (4,112.89 sq. ft) and the garage floor area to 43.0 sq. m (462.84 sq. ft) to accommodate the existing single detached dwelling and detached garage. The current request seeks further increases to facilitate an addition to the detached garage in the rear yard. Given the lot size and the garage's location, the proposed increase is not expected to impact outdoor amenity space.

The purpose of the maximum height to peak of roof and maximum wall height provisions for detached accessory structures is to ensure that accessory buildings remain secondary to the main dwelling, do not dominate the lot, and minimize impacts on neighboring properties by preventing excessive height that could block sunlight or create privacy concerns. The applicant is proposing to construct a cabana attached to the proposed garage addition to service a new swimming pool in the rear yard. The requested variances include an increase in the maximum height to the peak of the roof from 3.6m (11.81 ft) to 4.17m (13.68 ft) and an increase in the maximum wall height from 2.44m (8.0 ft) to 2.82m (9.25 ft). The proposed cabana will comply with the side yard setbacks and will align with the roof peak and wall height of the existing garage. Therefore, the variances are considered minor and not expected to have any negative impacts on neighboring properties.

Overall, the requested variances are in keeping with the general intent and purpose of the Zoning By-law.

**3) Are the proposed variances considered desirable for the appropriate development of the land?**

The construction of the proposed garage addition and cabana is compatible with and in keeping with the existing character of the neighbourhood with respect to building massing, scale and the patterns of existing yard setbacks.

Staff are of the opinion that the proposed variances are desirable for the appropriate development of the land.

**4) Are the proposed variances considered minor in nature?**

In staff's opinion, the requested variances are minor in nature, as the proposed increases in total GFA, garage floor area, and roof peak height and wall height for the cabana are compatible with and respectful of the surrounding context and adjacent properties.

Notwithstanding the above, Planning Staff note that there are several outstanding comments from Parks and Natural Heritage Planning (PNHP) Division regarding tree preservation and protection. As such, PNHP recommends deferral of this application until all outstanding comments are addressed.

Department or Agency	Comments
Zoning Section	The requested variances are correct. No other areas of non-compliance were identified.
Development Engineering/Transportation	No objections.
Parks & Natural Heritage	<p>PNHP staff recommends deferral of minor variance application MV-24-54 given the following information remains outstanding:</p> <ul style="list-style-type: none"> <li>• Written consent from the neighbouring property owner to injure/destroy the shared tree(s) is required.</li> <li>• Alternatively to the above, the applicant may wish to consider moving the proposed addition outside the Tree Protection Zone of the boundary tree(s).</li> </ul>
Heritage	No comment received.
Corporate & Financial Services	Not applicable
Alectra Utilities	See Appendix 'D'
Enbridge	Not applicable
Bell Canada	Not applicable
York Region: Transportation & Community Planning Department	No objections.
Toronto & Region Conservation Authority	No objections.
CN Rail	Not applicable
TransCanada Pipeline	Not applicable
Abutting Municipality	Not applicable
Ministry of Transportation	No objections.
Ministry of Housing	No objections.
Infrastructure Ontario	Not applicable

## Conclusion

Planning Staff have reviewed the requested variances pursuant to Section 45 (1) of the *Planning Act*, R.S.O, 1990, c.P.13, as amended, and are of the opinion that the requested variance(s) meet the four tests of the *Planning Act* for granting of minor variances. Staff recommend approval of the requested variance(s), subject to the conditions outlined in Appendix 'B'.

## Attachments

Appendix 'A' — Location Map  
Appendix 'B' — Recommended Conditions of Approval  
Appendix 'C' — Site Plan  
Appendix 'D' — Alectra Comments

## Appendix 'A' – Location Map



## **Appendix 'B' – Recommended Conditions of Approval**

The following conditions are recommended should application MV-24-88 be approved by the Committee of Adjustment:

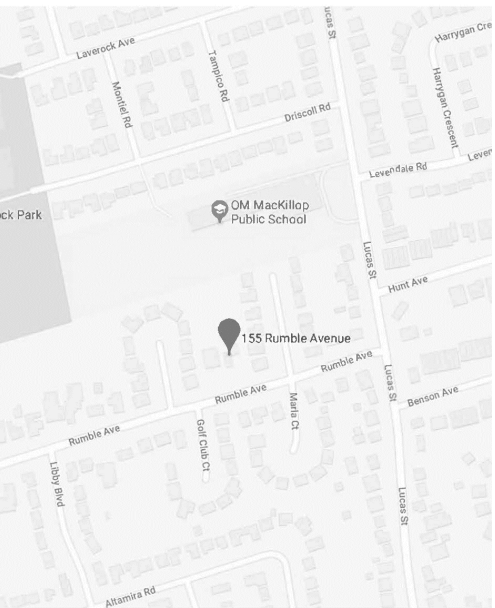
- 1) That the variances pertain only to the request as submitted with the application.
- 2) That development be substantially in accordance with the sketch submitted with the application as required by Ontario Regulation 200/96, as amended, Section 5.25.



PART OF LOT 30  
REGISTERED PLAN 2299  
CITY OF RICHMOND HILL  
(REGIONAL MUNICIPALITY OF YORK)

SCALE 1:200

Distance note – Metric  
Distances and coordinates are in metres and can  
be converted to feet by dividing by 0.3048.



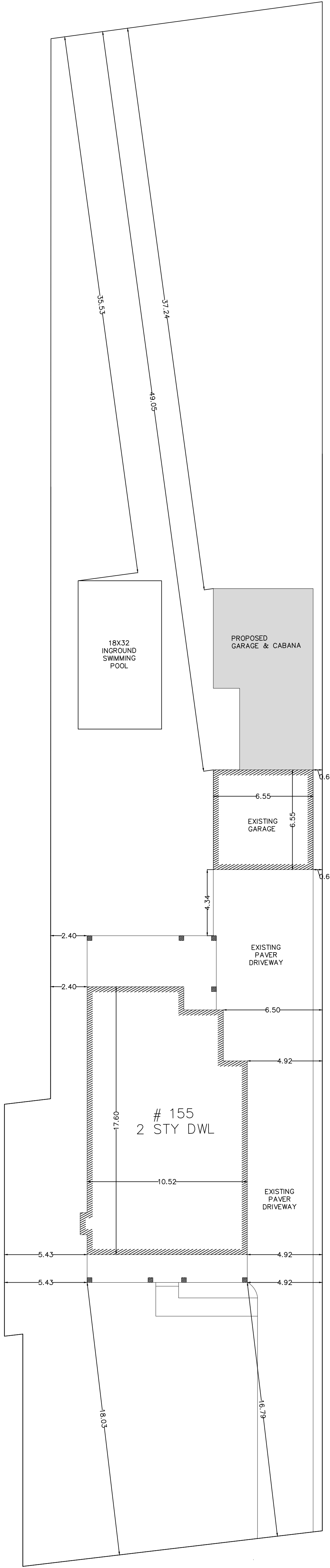
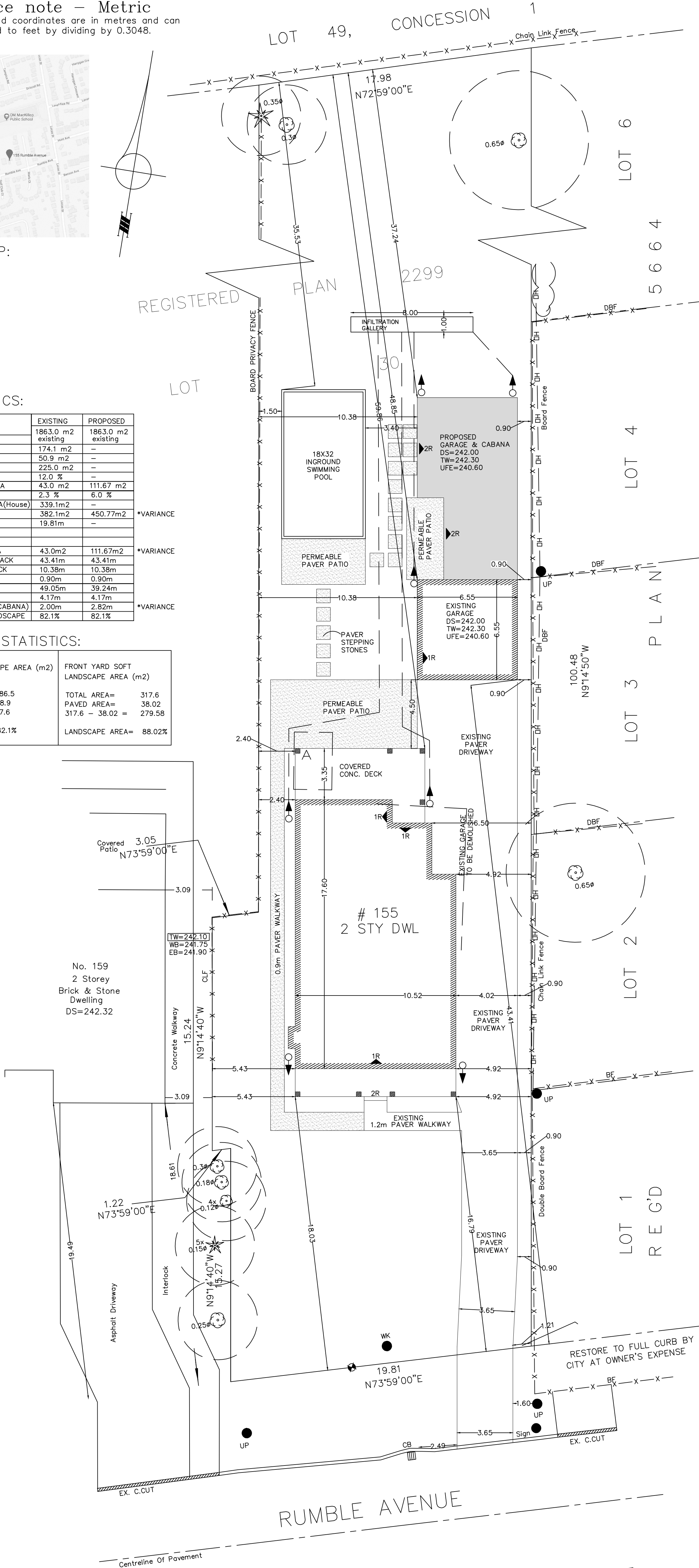
KEY MAP:

LOT STATISTICS:

LOT STATISTICS:	EXISTING	PROPOSED
ZONE =	1863.0 m2 existing	1863.0 m2 existing
LOT AREA:	174.1 m2	—
BUILDING AREA	50.9 m2	—
PORCH AREA	225.0 m2	—
TOTAL BUILDING AREA	12.0 %	—
DETACHED GARAGE AREA	43.0 m2	111.67 m2
GARAGE LOT COVERAGE	2.3 %	6.0 %
MAX.GROSS FLOOR AREA(House)	339.1m2	—
w/ Garage	382.1m2	450.77m2
LOT FRONTAGE	19.81m	—
DETACHED GARAGE	—	—
MAX. FLOOR AREA	43.0m2	111.67m2
(S) FRONT YARD SET BACK	43.41m	43.41m
(W) SIDE YARD SET BACK	10.38m	10.38m
(E) SIDE YARD	0.90m	0.90m
(N) REAR YARD	49.05m	39.24m
BUILDING HEIGHT	4.17m	4.17m
BUILDING WALL HGT (CABANA)	2.00m	2.82m
MAX. FRONT YARD LANDSCAPE	82.1%	82.1%

LANDSCAPE STATISTICS:

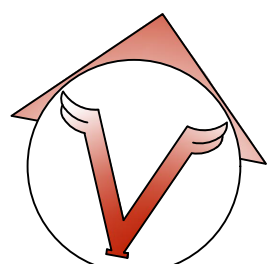
FRONT YARD LANDSCAPE AREA (m2)	FRONT YARD SOFT LANDSCAPE AREA (m2)
TOTAL AREA= 386.5	TOTAL AREA= 317.6
PAVED AREA= 68.9	PAVED AREA= 38.02
386.5 - 68.9 = 317.6	317.6 - 38.02 = 279.58
LANDSCAPE AREA= 82.1%	LANDSCAPE AREA= 88.02%



N.T.S. FULL LOT ILLUSTRATION

SITE PLAN

PAGE: S1



VULCAN DESIGN INC.

PROJECT LOCATION:  
155 RUMBLE AVE.  
RICHMOND HILL, ON

SCALE: 1:150

CLIENT:

Private  
Residence

DATE: NOV 15/24 DWN BY: dcb

DATE: DWN BY:

DATE: DWN BY:

DATE: DWN BY:

DATE: DWN BY:

DATE: DWN BY:

NOTE:

1.DRAWINGS NOT TO BE USED  
FOR CONSTRUCTION OR BY  
OTHER PARTIES W/O WRITTEN  
PERMISSION FROM DESIGNER  
2.PRELIMINARY DESIGN, SUBJECT  
TO CHANGE UPON VERIFICATION  
W/ SITE SURVEY TO BE PROVIDED  
BY CLIENT.

**Date:** January 21<sup>st</sup> 2025

**Attention:** **Courtney Cullum**

**RE:** Request for Comments

**File No.:**

**Related Files:** **MV-24-90**

**Applicant:** Anthony Provenzano & Julie Siwiec

**Location** 155 Rumble Avenue





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## COMMENTS:

☐

We have reviewed the proposed Variance Application and have no comments or objections to its approval.

☒

We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).

☐

We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

### References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Stephen Cranley, C.E.T

Supervisor, Distribution Design, ICI & Layouts (North)

**Phone:** 1-877-963-6900 ext. 31297

**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

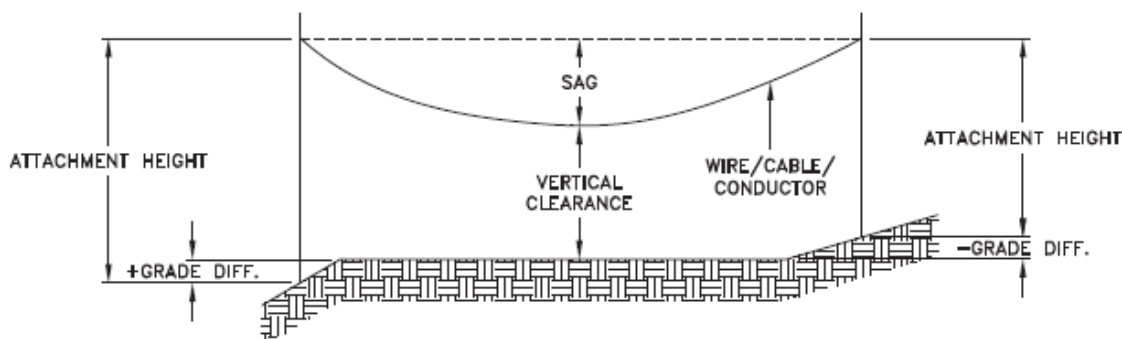
Mitchell Penner

Supervisor, Distribution Design-Subdivisions

**Phone:** 416-302-6215

**Email:** [Mitchell.Penner@alectrautilities.com](mailto:Mitchell.Penner@alectrautilities.com)

LOCATION OF WIRES, CABLES OR CONDUCTORS	SYSTEM VOLTAGE			
	SPAN GUYS AND COMMUNICATIONS WIRES	UP TO 600V AND NEUTRAL	4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV
	MINIMUM VERTICAL CLEARANCES (SEE NOTE 2)			
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO <u>VEHICLES</u>	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO <u>PEDESTRIANS</u> AND <u>BICYCLES</u> ONLY	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT <u>RAILWAY CROSSINGS</u>	730cm	730cm	760cm	810cm



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG  
 + MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)  
 ± GRADE DIFFERENCE  
 + 0.3m (VEHICLE OR RAILWAY LOCATION)  
 + SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

## NOTES:

1. THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V SYSTEM.
2. THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER MAXIMUM SAG CONDITIONS.
3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH VALUES.
4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

## CONVERSION TABLE

METRIC	IMPERIAL (APPROX)
810cm	27'-0"
760cm	25'-4"
730cm	24'-4"
520cm	17'-4"
480cm	16'-0"
442cm	15'-5"
370cm	12'-4"
340cm	11'-4"
310cm	10'-4"
250cm	8'-4"

## REFERENCES

SAGS AND TENSIONS | SECTION 02

## MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS

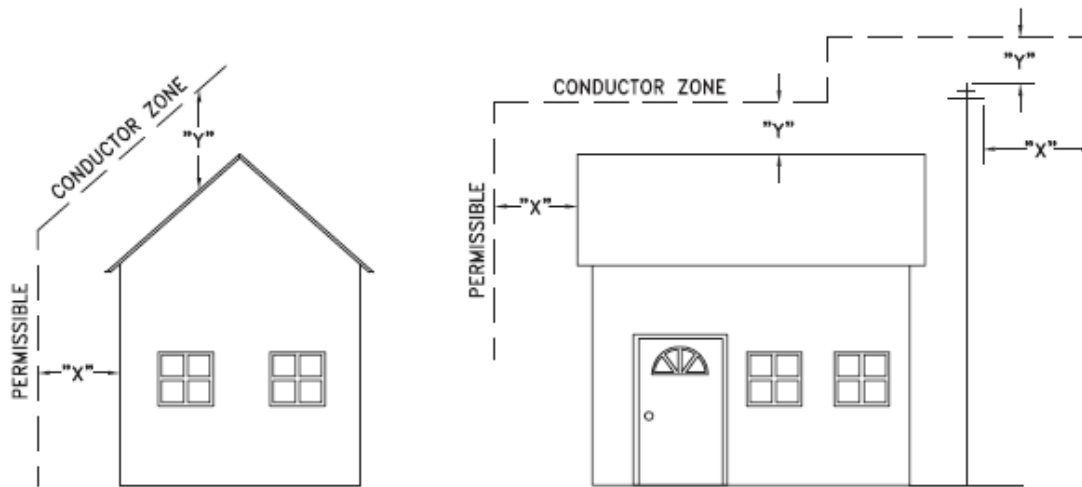
ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

## Certificate of Approval

This construction Standard meets the safety requirements of Section 4 of Regulation 22/04

Joe Crozier, P.Eng. 2012-JAN-09  
 Name Date

P.Eng. Approval By: Joe Crozier



VOLTAGE	MINIMUM HORIZONTAL CLEARNACE UNDER MAXIMUM SWING CONDITIONS DIMENSION "X" (SEE NOTES 1, 3 & 4)	MINIMUM VERTICAL CLEARANCE UNDER MAXIMUM DESIGN SAG CONDITIONS DIMENSION "Y" (SEE NOTES 1, 2, 4 & 5)
0-600V AND NEUTRAL	100cm	250cm
4.16/2.4 TO 44kV	300cm	480cm

### NOTES

- UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
- THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
- THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
- BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
- IN SITUATIONS SUCH AS MULTI-LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03-1 SHALL APPLY.
- DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUNCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE POSSIBLE.
- ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1-06 (TABLE-9).

CONVERSION TABLE	
METRIC	IMPERIAL (APPROX)
480cm	16'-0"
300cm	10'-0"
250cm	8'-4"
100cm	3'-4"

## MINIMUM VERTICAL & HORIZONTAL CLEARANCES OF CONDUCTORS FROM BUILDINGS OR OTHER PERMANENT STRUCTURES (CONDUCTORS NOT ATTACHED TO BUILDINGS)

Certificate of Approval	
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Debbie Dadwani, P.Eng.	2010-MAY-05
Name	Date
P.Eng. Approval By: <u>D. Dadwani</u>	

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:  
P:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working folder\Section 2\3-4\WG 03-4 R0 May 5, 2010.dwg, 5/5/2010 9:27:03 AM, Adobe PDF