



## Report to the Committee of Adjustment Minor Variance Application Item S

**Date:** January 25, 2025  
**Address:** 176 May Avenue  
**Owner(s):** 1000882855 ONTARIO INC.  
**Applicant:** Shadi Arani, Arani Architecture  
**File Number(s):** MV-24 63  
**Related Application(s):** MV-24-62 and MV-24-64  
**Hearing Date:** January 30, 2025  
**Prepared By:** Francesco Caparelli, Planner I

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### Application Request

The following relief to Zoning By-law 125-85, as amended, is requested:

		<b>Zoning By-law Requirement</b>	<b>Proposed</b>	<b>Deficiency</b>
<b>1.</b>	<b>Minimum Side Yard Setback (East and West)</b>	1.52 m (5.00 ft.)	1.22 m (4.00 ft.)	0.30 m (1.00 ft.)
<b>2.</b>	<b>Maximum Lot Coverage</b>	30.00%	34.90%	4.90%
<b>3.</b>	<b>Maximum Encroachment of Stairs into Front Yard</b>	0.91 m (3.00 ft.)	2.73 m (8.96 ft.)	1.82 m (5.97 ft.)

The applicant is requesting relief from the requirements of the City of Richmond Hill Zoning By-law 125-85, as amended, to facilitate the construction of a new single family detached dwelling.

### Background

#### Subject Property and Area Context

The subject lands, municipally known as 176 May Avenue (59 Lund Street), are generally located south side of Lund Street, east of Bathurst Street, and north of May Avenue. The property has a lot area of approximately 421.52 sq.m (4537.20 sq.ft) and a lot frontage of approximately 11.52 m (37.79 ft). The subject lands are vacant, while surrounding land uses include an existing residential neighbourhood.

#### 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, and the intent of the ‘Neighbourhood’ designation is to enhance and strengthen the character of neighbourhoods and promote connectivity and excellence in design.

### **Zoning**

The subject lands are zoned “Residential Second Density (R2) Zone” pursuant to Zoning By-law 2523, as amended. This zone permits single detached dwellings, subject to specific lot and development standards.

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

N/A

### **Planning Comments**

Planning Staff have evaluated the requested minor variances 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?**

The intent of the Neighbourhood designation is to enhance and strengthen the character of neighbourhoods and promote connectivity and excellence in design. Opportunities for small-scale infill development are encouraged to support a greater mix of housing. Compatible new development should represent a “good fit” within the physical context and character of the surrounding areas.

The subject lands are located within an established residential neighbourhood. The neighbourhood features a single detached dwellings on a variety of lot sizes, some of which have been severed in more recent years. Planning staff have reviewed the subject application and considers the proposed three-storey single-detached dwelling compatible with and in keeping with the overall character of the residential neighbourhood. From a planning perspective, the overall massing of the proposed dwelling is similar to the built form of the surrounding area.

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 intent of the Zoning By-law for maximum lot coverage is to control the maximum amount of building area that is permitted to cover the lot. The intent of the maximum encroachment into the front yard setback provision is to provide sufficient separation from the front yard lot line for maintenance purposes. The proposed front yard setback is not anticipated to adversely impact adjacent properties and the usability of the lands. The intent of the minimum side yard setback provision is to provide sufficient separation from the side yard lot line for lot drainage and maintenance purposes, in addition to addressing shadowing and overlook concerns. The proposed side yard setbacks are not anticipated to

adversely impact adjacent properties and the usability of the lands.

Staff are of the opinion that the proposed variances maintain 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 three-storey single-detached dwelling is compatible with and in keeping with the existing character of the neighbourhood, particularly 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 the opinion of staff, the proposed variances are considered minor in nature as the proposed three-storey single-detached dwelling will not adversely impact the neighbourhood. Furthermore, the proposed dwelling will not result in negative impacts to the streetscape or functionality of the subject lands and abutting properties.

Staff are of the opinion that the requested variances are minor in nature.

## **Additional Comments**

The subject minor variance application was circulated to Municipal Departments and external agencies for review and comment, as outlined below:

<b>Department or Agency</b>	<b>Comments</b>
Zoning Section	The requested variance(s) are correct. No other areas of non-compliance were identified.
Development Engineering/Transportation	No objections.
Parks & Natural Heritage	No objections.
Heritage	No objections.
Corporate & Financial Services	Not applicable.
Alectra Utilities	No objections.
Enbridge	Not applicable.
Bell Canada	Not applicable.
York Region: Transportation & Community Planning Department	No objections.
Toronto & Region Conservation Authority	No comment received.

CN Rail	No comment received.
TransCanada Pipeline	No comments.
Abutting Municipality	No comments.
Ministry of Transportation	No objections.
Ministry of Housing	No comments.
Infrastructure Ontario	No comments.

## 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

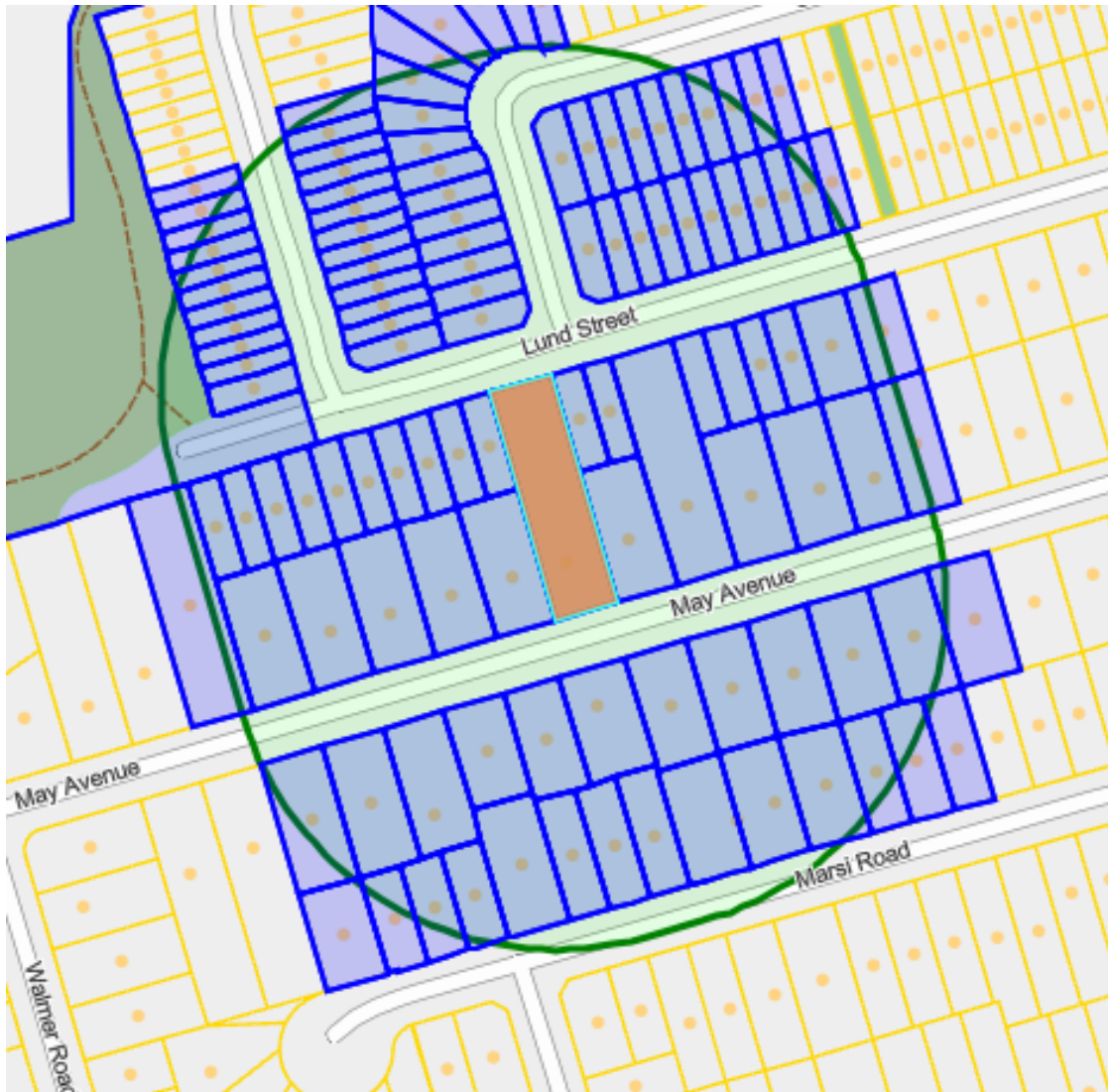
Appendix 'A' — Location Map

Appendix 'B' — Recommended Conditions of Approval

Appendix 'C' — Site Plan

Appendix 'D' — Alectra Comments

## Appendix 'A' – Location Map



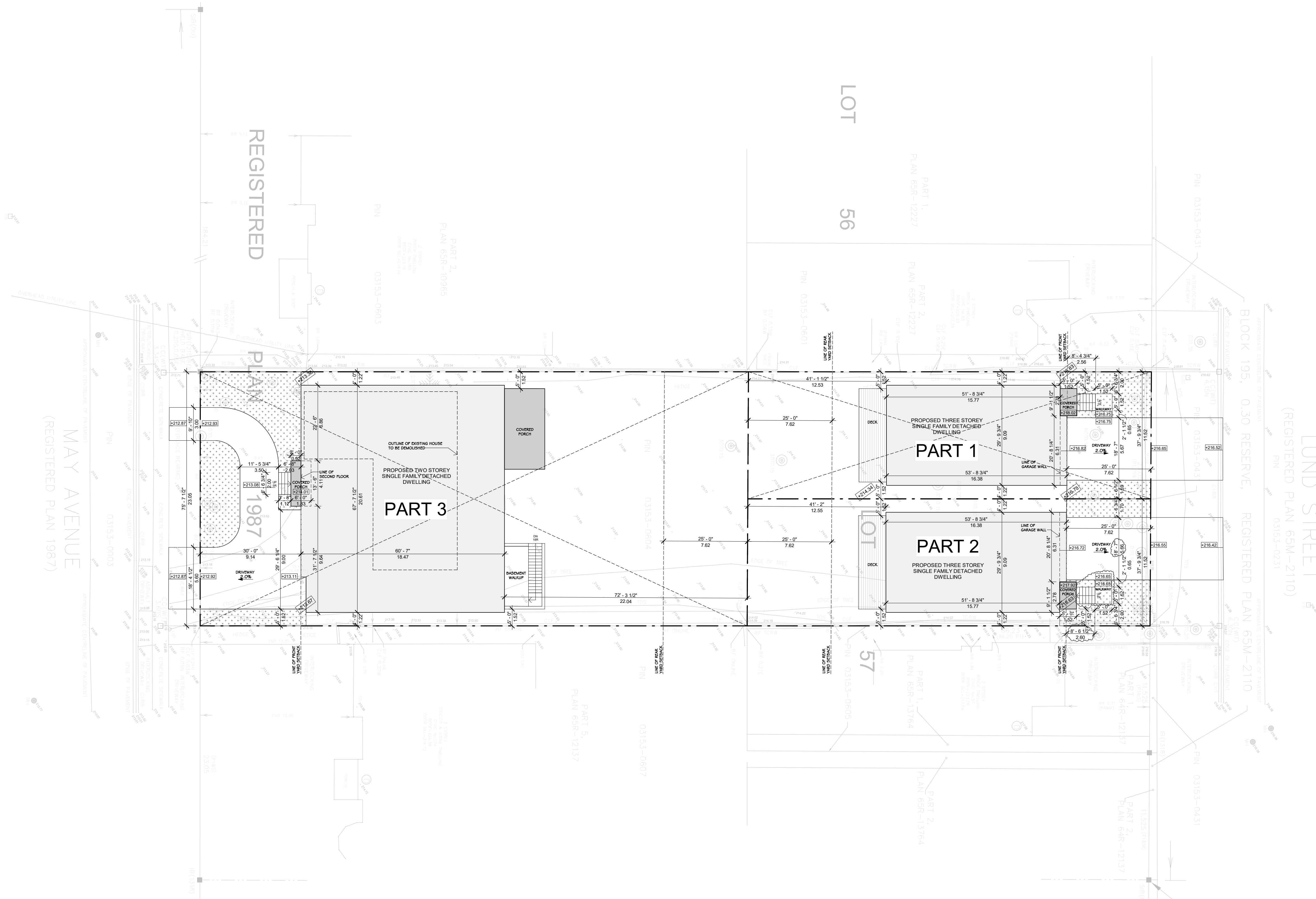
## **Appendix 'B' – Recommended Conditions of Approval**

The following conditions are recommended should application MV-24-63 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.

NO.	DESCRIPTION	DATE
3	ISSUED FOR COA	OCT 09, 2024
2	ISSUED FOR COA	AUG 20, 2024
1	ISSUED FOR REVIEW	AUG 12, 2024

## A0.01



	AREA	%
FRONT YARD AREA	90.36 m <sup>2</sup>	-
FRONT YARD LANDSCAPING (45%)	40.80 m <sup>2</sup>	45.15%

**Date:** October 3<sup>rd</sup> 2024

**Attention:** **Linda Asikis**

**RE:** Request for Comments

**File No.:**

**Related Files:** **MV-24-62, NV-24-63 and MV-24-64**

**Applicant:** 1000882855 Ontario Inc

**Location** 176 May Avenue (Part 1,2 & 3)





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## COMMENTS:

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

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

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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)

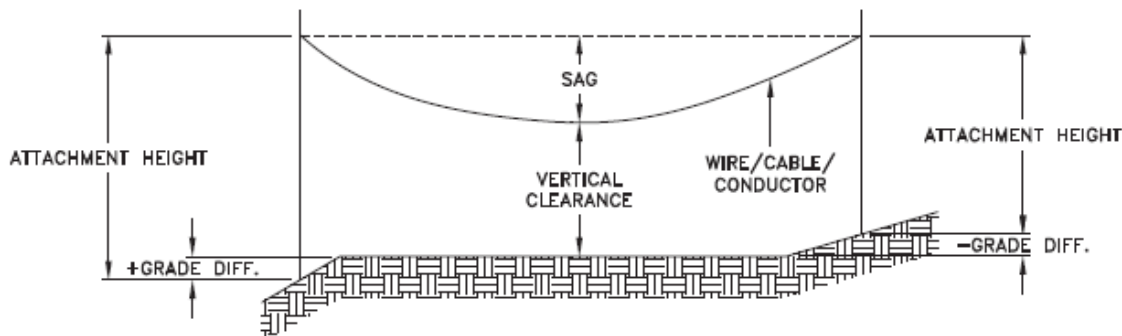
Mitchell Penner

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

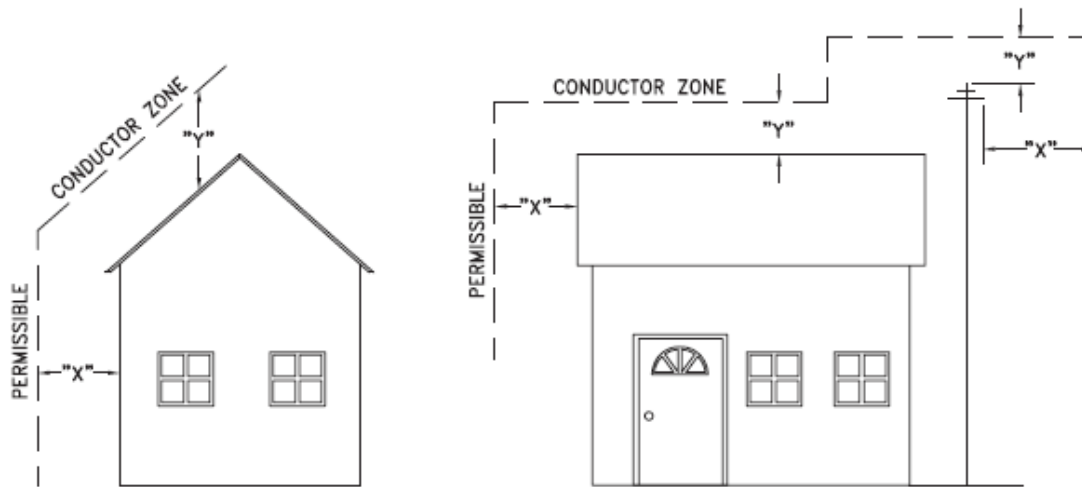
ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

### 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 23-4\WG 03-4 R0 May 5, 2010.dwg, 5/5/2010 9:27:03 AM, Adobe PDF