



Staff Report for Council Public Meeting

Date of Meeting: May 16, 2023

Report Number: SRPI.23.052

Department: Planning and Infrastructure

Division: Development Planning

Subject: SRPI.23.052 – Request for Comments – Minor Zoning By-law Amendment Application – Danial Abediniabyaneh and Shakib Bahareh – City File D02-22014

Owner:

Danial Abediniabyaneh and Shakib Bahareh
229 Rumble Avenue
Richmond Hill, ON L4C 4G5

Agent:

Jonathan Benczkowski
Sol-Arch
301 Keewatin Avenue
Toronto, Ontario M4P-2A4

Location:

Legal Description: Part of Lot 23, Plan 2299
Municipal Address: 229 Rumble Avenue

Purpose:

A request for comments concerning a proposed Minor Zoning By-law Amendment application to permit a second floor addition to an existing single detached dwelling on the subject lands.

Recommendation:

- a) That Staff Report SRPI.23.052 with respect to the Minor Zoning By-law Amendment application submitted by Danial Abediniabyaneh and Shakib Bahareh for lands known as Part of Lot 23, Plan 2299 (Municipal Address: 229 Rumble Avenue), City File D02-22014, be received for information purposes only and that all comments be referred back to staff.

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Contact Person:

Julie Mallany, Planner I – Site Plans, phone number 905-771-2459 and/or
Sandra DeMaria, Manager of Development – Site Plans, phone number 905-747-6312

Report Approval:

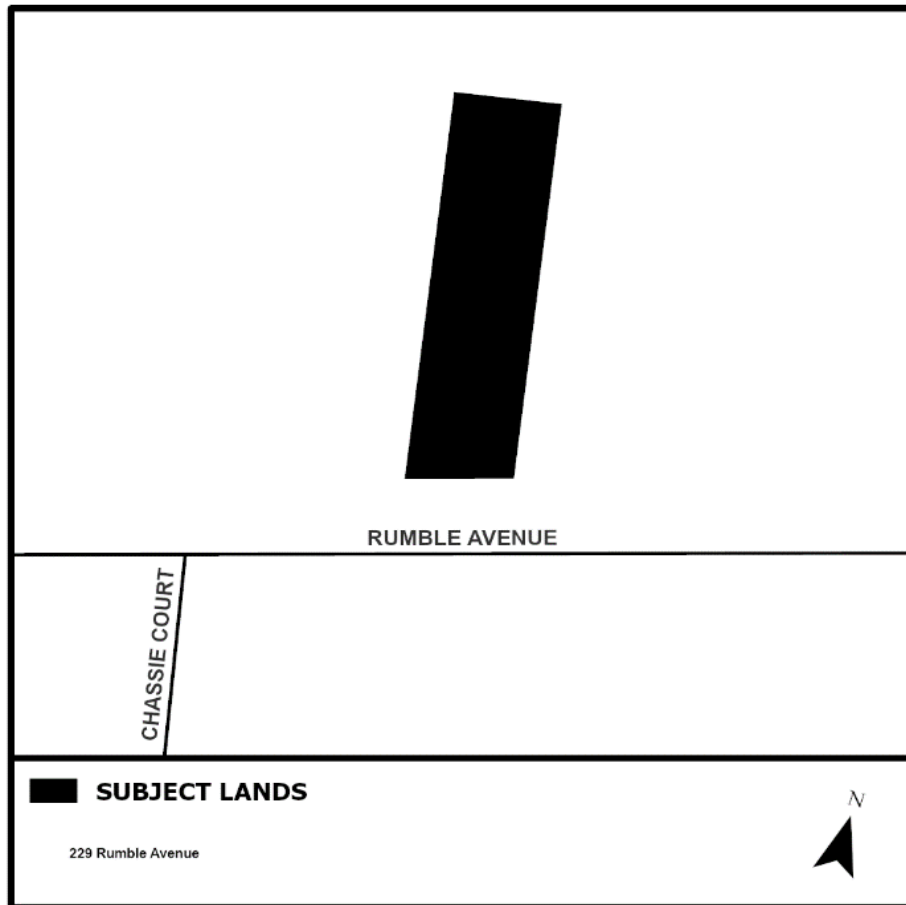
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

Approved by: Darlene Joslin, City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

Location Map:

Below is a map displaying the property location. Should you require an alternative format call the person listed under the “Contact Person” above.



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Background Information:

In February of 2002 Council passed By-law 23-02 which amended By-law 66-71 to specifically allow for the creation of two (2) building lots to have a minimum lot frontage of 13.7 metres (44.9 feet) in order to facilitate the construction of a one storey single detached dwelling on each lot.

The by-law includes site specific development standards that limits the maximum building height to 6 metres (19.6 feet), caps the maximum gross floor area to 186 square metres (2,000 square feet) and requires a minimum front yard setback of 12.49 metres (40.9 feet). The purpose of By-law 23-02 was to ensure that the proposed development was consistent with the established large lot character of Rumble Avenue and the surrounding neighbourhood and maintained the intent of the Official Plan and the Zoning By-law at the time of its enactment.

The subject Minor Zoning By-law Amendment application was received by the City on June 15, 2022 and deemed complete on February 27, 2023 following the submission of additional information (i.e. pertinent studies and plans). The application seeks Council's approval to permit a second storey addition for the existing single detached dwelling located on the subject lands and to establish site specific development standards to facilitate the addition. The application and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment.

Accordingly, the purpose of this report is to seek comments from Council and the public with respect to the subject application pursuant to the statutory Public Meeting and associated notice requirements of the *Planning Act*.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the north side of Rumble Avenue, east of Chassie Court in the City's Mill Pond Park area (refer to Map 1). The lands have a lot frontage of approximately 13.72 metres (45.01 feet) on Rumble Avenue, a total site area of 0.07 hectares (0.17 acres) and presently support an existing one storey single detached dwelling. Abutting land uses include single detached dwellings of varying ages and architectural styles to the north, east and west (refer to Map 2).

Development Proposal

The applicant is seeking Council's approval of its Minor Zoning By-law Amendment application to permit the addition of a second storey to the existing single detached dwelling located on its land holdings and to establish site specific development standards to facilitate the proposed addition (refer to Map 5).

The following is a summary of the pertinent statistics as proposed by the applicant based on the plans and drawings submitted to the City:

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• Total Lot Area:	0.07 hectares (0.17 acres)
• Total Proposed Gross Floor Area (including garage):	408.68 sq. metres (4398.99 sq. feet)
• Proposed Gross Floor Area - Second Floor:	184.32 sq. metres (1984 sq. feet)
• Proposed Number of Storeys:	2
• Proposed Height:	8.95 metres (29.36 feet)
• Minimum Side Yard Setback Second Storey - West Side:	1.51 metres (4.95 feet)
• Minimum Side Yard Setback Second Storey - East Side:	1.50 metres (4.92 feet)

Supporting Documentation/Reports

The applicant has submitted the following documents/information to the City in support of the proposed development:

- Development Application Summary;
- Survey;
- Draft Zoning By-law;
- Planning Justification Report;
- Site Plan;
- Elevations;
- Floor Plans;
- Arborist Report;
- Tree Inventory Data; and,
- Tree Preservation Plan.

Minor Zoning By-law Amendment Application

The subject lands are currently zoned **Residential Second Density (R2) Zone** under Zoning By-law 66-71, as amended by 23-02 (refer to Map 4). Permitted uses in the **R2 Zone** include single detached dwellings, parks, playgrounds, churches, schools and day nurseries licensed under the *Day Nurseries Act*.

The addition of a second story to the existing one storey single detached dwelling as proposed by the applicant is not currently permitted by the zoning provisions applicable to the lands. As such, the applicant is seeking Council's approval to amend Zoning By-law 66-71, as amended, to add further site specific development standards and an exemption to permit the proposed addition.

The table below outlines the existing development standards applicable to the lands and standards proposed by the applicant.

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Development Standard	By-law 66-71, as amended	Proposed Standards
Lot Frontage	13.7 metres (44.9 feet)	COMPLIES
Minimum Lot Area	464.52 sq. metres (5000 square feet)	COMPLIES
Maximum Gross Floor Area	186 sq. metres (2,000 sq. feet) including private garage	408.68 sq. metres (4398.99 sq. feet), including private garage
Maximum Height	6 metres (19.6 feet)	8.95 metres (29.36 feet)
Maximum # of Storeys	1	2
Minimum Front Yard Setback	12.49 metres (40.90 feet), including to the private garage	COMPLIES
Minimum Side Yard Setback to Second Storey (West)	1.2 metres (4 feet) for a one storey dwelling and 3 metres (9.8 feet) at the top of the second storey	1.51 metres (4.95 feet)
Minimum Side Yard Setback to Second Storey (East)	1.2 metres (4 feet) for a one storey dwelling and 3 metres (9.8 feet) at the top of the second storey	1.50 metres (4.92 feet)
Minimum Rear Yard Setback	7.62 metres (25.00 feet)	COMPLIES

The appropriateness of the proposed second storey addition will continue to be evaluated through the review of the subject application with regard to policy conformity, compatibility, design and function.

Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** on Schedule A2 - Land Use of the City's Official Plan (the "Plan") (refer to Map 3). The **Neighbourhood** designation permits a range of uses including, but not limited to, low to medium density residential uses, Neighbourhood Commercial Uses in accordance with **Section 4.9.1.3** and Community Uses in accordance with **Section 4.1** of the Plan. Opportunities for small-scale infill development are contemplated within the **Neighbourhood** designation, provided that proposed development is compatible with the character of the adjacent and surrounding area. Development in the **Neighbourhood** designation is restricted to a maximum building height of three storeys, except where located on an arterial street where a maximum building height of four storeys is permitted.

City Department and External Agency Comments:

The subject Minor Zoning By-law Amendment application and the associated background studies and reports submitted in support of same have been circulated to various City departments and external agencies for their review and comment. The following is a summary of the comments received as of the time of writing of this report.

Development Planning Division

Development Planning staff has undertaken a preliminary review of the applicant's development proposal, including plans and materials submitted in support of its development

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proposal. In consideration of the policies of the Plan which are relevant to the review and assessment of the proposed development, staff provides the following preliminary comments:

- the proposed second storey addition is permitted within the **Neighbourhood** designation of the Plan;
- the proposal is in keeping with the current character of the **Neighbourhood** policies of the Plan;
- additional review is required with respect to the appropriateness of the site specific development standards as proposed;
- staff will continue to work with the applicant with respect to the form and content of the draft Zoning By-law Amendment required to facilitate the proposal; and,
- the applicant will be required to address outstanding comments from commenting departments and agencies.

Further to the above, a comprehensive review of the subject Minor Zoning By-law Amendment application will be conducted following the receipt of comments and feedback from City departments, external agencies, Council and the public.

Other City Department and External Agency Comments

Comments have been received from the City's Financial Services Division, Park and Natural Heritage Planning Section and Urban Design and Heritage Section, in addition to Alectra Utilities and Enbridge Gas Distribution. These City departments and external agencies have no objections to the application and/or have provided comments to be considered by the applicant during the more detailed implementation stage of the approval process. All of the comments have been forwarded to the applicant for consideration but have not been appended to this report.

The development proposal is still under review by the City's Building Services Division, Engineering Division, Waste Management Section and the Zoning Section, in addition to Bell Canada, Canada Post, the York Catholic District School Board, the Conseil Scolaire Viamonde and the York Region District School Board.

Financial/Staffing/Other Implications:

The recommendation of this report does not have any financial, staffing or other implications.

Relationship to Council's Strategic Priorities 2020-2022:

The recommendation of this report does not have any direct implications with respect to Council's Strategic Priorities. An overview of how the subject application is aligned with the Strategic Priorities will be included in a future recommendation report to Council following a comprehensive review and evaluation of the applicant's development proposal.

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Conclusion:

The applicant is seeking Council's approval of its Minor Zoning By-law Amendment application to permit the addition of a second storey to the existing single detached dwelling located on its land holdings. The purpose of this report is to provide Council and the public with an overview of the development proposal and to discuss the regulatory regime governing the evaluation of this planning application. This report has been structured for information purposes only, with a recommendation that all comments be referred back to staff for consideration.

Appendix Contents and Maps:

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Map 1, Aerial Photograph
- Map 2, Neighbourhood Context
- Map 3, Existing Zoning
- Map 4, Official Plan Designation
- Map 5, Site Plan
- Map 6, Elevations

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Report Approval Details

Document Title:	SRPI.23.052 - Request for Comments ZBLA 229 Rumble Ave.docx
Attachments:	- SRPI.23.052 Map 1 - Aerial Photograph.docx - SRPI.23.052 Map 2 - Neighbourhood Context.docx - SRPI.23.052 Map 3 - Existing Zoning.docx - SRPI.23.052 Map 4 - Official Plan Designation.docx - SRPI.23.052 Map 5 - Site Plan.docx - SRPI.23.052 Map 6 - Elevations.docx
Final Approval Date:	May 7, 2023

This report and all of its attachments were approved and signed as outlined below:

Gus Galanis - Apr 26, 2023 - 10:56 AM

Kelvin Kwan - May 4, 2023 - 9:35 AM

Darlene Joslin - May 7, 2023 - 9:52 AM