

2024-05-30



**MINOR VARIANCE APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 2**

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 9 Mayo Avenue  
 Legal Description: Lot 55, Registered Plan 378959  
 File No.: D08-02-24/A-00098  
 Report Date: May 30, 2024  
 Hearing Date: June 4, 2024  
 Planner: Penelope Horn  
 Official Plan Designation: Outer Urban Transect, Neighbourhood Designation  
 Zoning: R1AA

**DEPARTMENT COMMENTS**

The Planning, Building and Development Services Department **has concerns with** the application.

**DISCUSSION AND RATIONALE**

Staff have reviewed the subject minor variance application against the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended. Staff are not satisfied that the requested minor variance(s) meet(s) the “four tests”. The requested variance does not align with the intent of the Zoning By-law, which determines the permitted width of the driveway based on the minimum lot width or street frontage required within the Greenbelt.

The proposed driveway would exceed the maximum driveway width permitted on the lot by 4 metres. Provisions that restrict the driveway width are in place to reduce visual impact of vehicles on the streetscape, reduce the potential for conflict between active transportation users and automobiles, and promote soft landscaping. Staff recognize that the proposed lots comply with the minimum front yard landscaping requirement, which equates to 40% of the front yard area. However, The Zoning By-law does not contemplate triple-wide driveways and in Staff’s opinion, the introduction of a triple-wide driveway would not be considered minor.

**ADDITIONAL COMMENTS**

**Infrastructure Engineering**

- The surface storm water runoff including the roof water must be self-contained and directed to the City Right-of-Way, not onto abutting private properties as approved by Planning, Development and Building Services Department.
- A private approach permit is required for any access off of the City street.
- Existing grading and drainage patterns must not be altered.
- Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).

### Planning Forestry

- There is no plan with tree locations included in the TIR, so it is not possible to assess whether the requested variance for the driveway or the proposed addition will impact the Critical Root Zones of any of the existing trees. This plan must be provided prior to the hearing to allow for accurate review.



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Penelope Horn  
Planner I, Development Review All Wards  
Planning, Development and Building  
Services Department



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Erin O'Connell  
Planner III, Development Review All Wards  
Planning, Development and Building  
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