



**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: July 11, 2024
Hearing Date: July 16, 2024
Planner: Penelope Horn
Official Plan Designation: Outer Urban Transect, Neighbourhood Designation
Zoning: R1AA

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has concerns with** the application.

DISCUSSION AND RATIONALE

At its June 4th, 2025, hearing, the Committee adjourned the application so it could be heard after the Tree Information Report was amended to address comments from Forestry Staff. The updated Tree Information Report was submitted and Forestry Staff now have no concerns.

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. Planning staff have concerns with the proposed application.

The proposed driveway would exceed the maximum driveway width permitted on the lot by 4.96 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, its introduction 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.

Planning Forestry

- A revised TIR and site plan were provided by the applicant since the adjournment, showing the locations of protected trees and the expansion of the driveway only on private property. These plans would minimize the impacts to the Critical Root Zones of nearby trees, provided that tree protection fencing is installed and maintained during construction.



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