



The Corporation of the Town of LaSalle

To: Members of the Committee of Adjustment

Prepared by: Ryan Tufts, Planning Technician

Department: Planning, Building and Property

Date of Report: June 13, 2022

Report Number: PBP-20-22

Attachments: Figure 1, Location

Subject: A-04-22 File #4140

Application for Minor Variance: A-04-22 File #4140

Application on Behalf of: Maple Petroleum Inc.

Location of Application: 5879 Malden Road

Purpose & Effect of Application

The subject lands are zoned Town Centre One Zone (TC1), according to Zoning By-Law No. 8600.

The Applicant is seeking relief from the provisions of Subsection 4.7 a) of By-Law No. 8600, to allow oil changes to be added to the permitted uses at this location.

Report

When evaluating the merits of individual Minor Variance applications, the Committee of Adjustment should apply each of the following four (4) tests:

1. Does the application conform to the general intent and purpose of the applicable Official Plan policies?
2. Does the application maintain the general intent and purpose of the applicable Zoning By-law? (This test requires an understanding as to the nature and purpose of the regulations in effect as adopted by Council).

3. Will the relief that is being applied for result in an appropriate development of the subject property?
4. Is this application minor in nature? (Minor does not mean a mathematical calculation- ex. A 10% variance, but rather should be assessed on the basis of the impact that the requested change would have on abutting lands. Will an adverse impact be created as a result of this application being approved? If it will have an adverse impact, it should not be viewed as being minor in nature).

As the Committee is aware, before granting approval to a minor variance application, the Committee must be satisfied that all four of these tests have been met.

The following comments are offered with respect to this application:

- Section 45(2)(ii) of the Planning Act gives the committee the power where any land, building or structure, on the day the by-law was passed, was lawfully used for a purpose prohibited by the by-law, may permit,
 - (ii) the use of such land, building or structure for a purpose that, in the opinion of the committee, is similar to the purpose for which it was used on the day the by-law was passed or is more compatible with the uses permitted by the by-law than the purpose for which it was used on the day the by-law was passed, if the use for a purpose prohibited by the by-law or another use for a purpose previously permitted by the committee continued until the date of the application to the committee.
- The proposed conversion of the automated car wash to a quick lube oil-change single bay with no changes being proposed to the size of the existing car wash is in our opinion in keeping with the auto related uses currently “grandfathered” on the site;
- No comments or concerns have been received from the abutting commercial properties;
- There is an existing site plan control agreement in place for this site. It is not anticipated that any amendments or changes to the site plan control agreement will be required.

Consultations

The subject application was circulated to the Essex Regional Conservation Authority (ERCA), the County of Essex, to the local school boards, and to several utility companies.

Recommendation

That whereas the Minor Variance, is consistent with the general intent and purpose of the Official Plan and the implementing Zoning By-law, as amended from time to time, and having heard all comments and concerns from the public, agencies, and Town Staff, be it therefore resolved that Application A-04/22 File # 4140 be approved with no conditions.

Prepared By:



Planning Technician

Ryan Tufts, Planning Technician

I Concur



Allen Burgess, MCIP, RPP
Supervisor of Planning & Development Services
Town of LaSalle

Link to Strategic Goals

1. Enhancing organizational excellence - Not Applicable
2. Strengthen the community's engagement with the Town - Not Applicable
3. Grow and diversify the local economy - Not Applicable
4. Build on our high-quality of life - Not Applicable
5. Sustaining strong public services and infrastructure - Not Applicable

Communications

Notices given by local newspaper and notifications pursuant to the Planning Act Notifications.

Notifications

Name	Address
Alwassi Al-Latif.	n/a

Report Approval Details

Document Title:	A-04-22.docx
Attachments:	- Figure 1 Maple.pdf
Final Approval Date:	Jun 17, 2022

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



Director of Planning and Development

Gudrin Beggs