



Planning Report

To: Municipality of Kincardine Committee of Adjustment

From: Julie Steeper, Intermediate Planner

Date: August 14, 2024

Re: Minor Variance Application - A-2024-025 (BWDSB)

Recommendation:

Subject to a review of submissions arising from the public meeting:

That Committee approve Minor Variance A-2024-025 as attached subject to the conditions on the decision sheet.

Summary:

This application seeks relief from parking requirements. The proposed parking is 4.86 per classroom, whereas the required parking ratio in the Zoning By-law is 8 spaces per classroom. If approved, the application would facilitate the placement of 3 new portables at 885 and 896 River Lane.

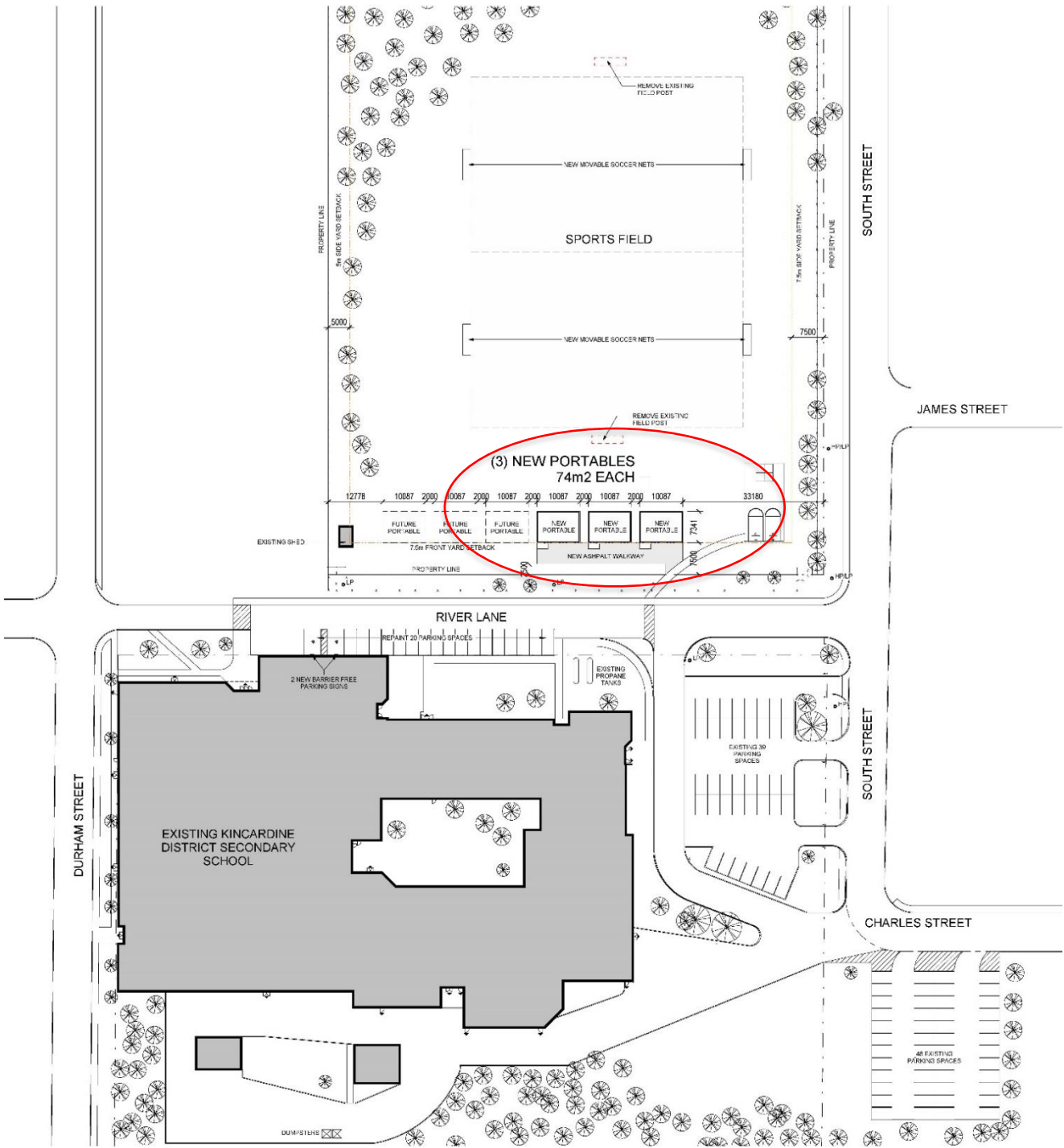
The property is located west of Highway 21, south of Broadway Street, and east of Princes Street. The subject site is occupied by the Kincardine District Senior School and is surrounded by residential uses and environmental features.

Airphoto



885 and 896 RIVER LN - PT LOTS 16 TO 23 DURHAM N/S; LOTS 9 TO 22 SOUTH S/S RP; 3R1202 PART 3 RP 3R4656; PARTS 1 & 2 RP 3R4659 PART 1, Municipality of Kincardine (Kincardine Town), Roll Number 410822000308700

Site Plan



Planning Analysis:

The following section provides an overview of the planning considerations that were factored into the staff recommendation for this application, including relevant agency comments (attached), and planning policy sections.

Four Tests of a Minor Variance

Section 45(1) of the Planning Act provides for the granting of minor relief from the provisions of the Zoning By-law to the Committee of Adjustment. Relief may only be granted if the Variance passes four tests (“Four Tests of a Minor Variance”). The Committee must be satisfied that the application has satisfied all four tests to approve the Minor Variance.

Does the variance maintain the intent and purpose of the Official Plans?

The Bruce County Official Plan designates the property Primary Urban Communities. The Kincardine Official Plan designates the lands Institutional, and Natural Environment. The proposed portables are a Institutional use and permitted within the designations of both the County and local Official Plans. Both Official Plans contain policies stating that institutional uses, such as high schools, shall provide adequate parking to serve the use thus reducing impacts to nearby vehicle and pedestrian traffic. There are currently 19 classrooms and 107 parking spaces at the Kincardine District Senior School. The existing parking is accessed from River Lane, South Street and Charles Street. The Bluewater District School Board is proposing 3 new portables on the site. No additional parking spaces are proposed. No impacts are anticipated through the addition of three additional portable classrooms as further described under the Zoning By-law section below. The application does maintain the intent and purpose of the Official Plans.

Does the variance maintain the intent and purpose of the Zoning By-law?

As noted above, the existing school currently has a total of 107 spots, but with the proposed three new portable classrooms will not meet the required parking ratio in the Zoning By-law. The parking ratio would require an additional 24 parking spots to accommodate the proposed development. The Institutional Zone requires a parking ratio of 8 spaces per classroom. The applicant is proposing to utilize the current parking infrastructure which would be 4.86 per classroom and is requesting relief. The proposed parking ratio is aligned with the parking regulations outlined in other municipalities such as Meaford, Owen Sound, Stratford and Goderich. Through Kincardine’s comprehensive Zoning By-law update, staff are also considering reducing the parking standards for institutional uses which would align with these and other comparable municipalities.

In addition, the Bluewater District School Board is actively pursuing constructing a new Kincardine high school to meet the needs of the growing enrollment levels. The new portables are intended to be a temporary accommodation until the new school is provided and may not be required long term. The applicant is meeting all the required setbacks and will be situating the portables to the west of the principal building on site. There is sufficient lot area and parking to accommodate the intended uses. Staff are satisfied that

there would be adequate parking for the proposed use and the proposal would maintain the intent and purpose of the Zoning By-law.

Is the application desirable for the appropriate development of the land, building or structure?

Over time, it can be expected that an education institution will need to grow and replace, add to, or build new structures to meet community needs. This will allow them to maximize the benefit, value and use of their property. The variance will enable the education institution to place 3 new portables to meet their current needs. The variance represents an appropriate form of development for the use of the land.

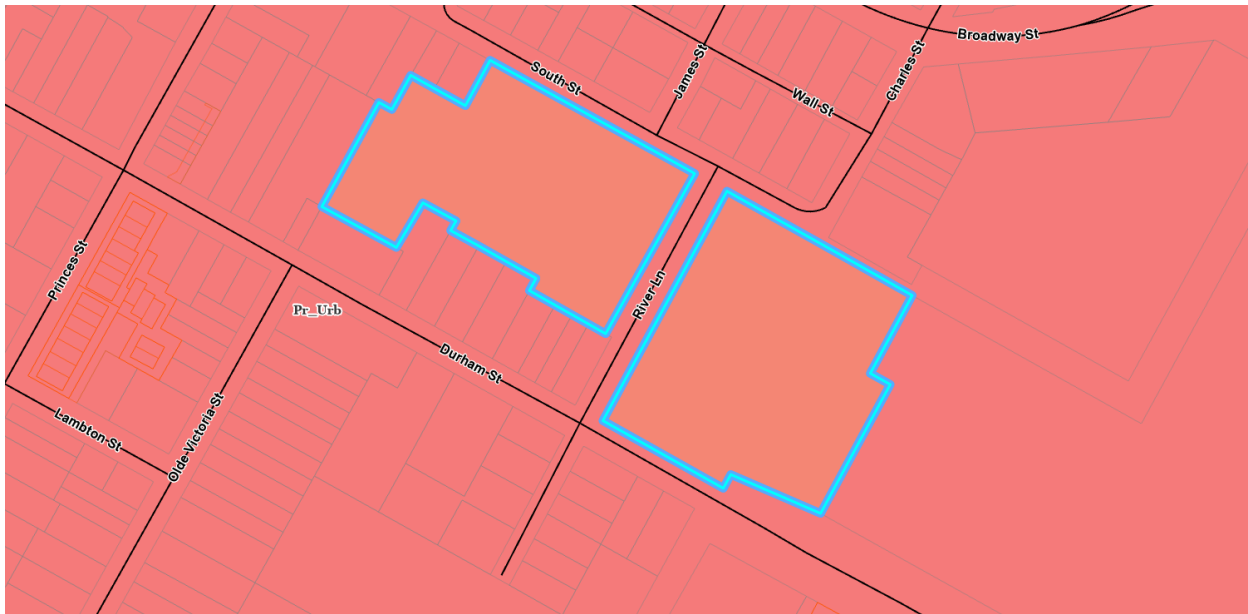
Is the application minor in nature?

Whether a variance is minor is evaluated in terms of the impact the proposed development is expected to have on the surrounding neighbourhood. It is not expected that permitting the variance will have any impact on the character of the area or impact the ability of adjacent property owners to use their property for permitted uses. The variance is considered minor.

Appendices

- County Official Plan Map
- Local Official Plan Map
- Local Zoning Map
- List of Supporting Documents and Studies
- Agency Comments
- Public Comments
- Public Notice

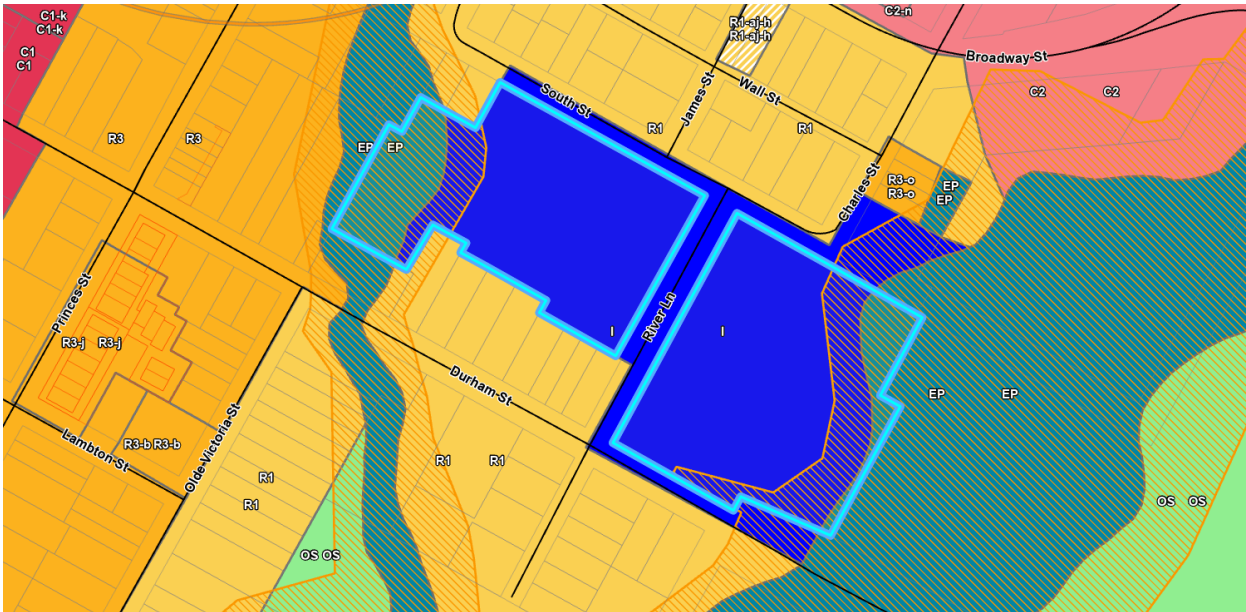
County Official Plan Map (Designated Primary Urban Communities)



Local Official Plan Map (Designated Institutional, Natural Environment)



Local Zoning Map (Zoned Institutional 'I', Environmental Protection 'EP', and Flood & Fill Regulated Area)



List of Supporting Documents and Studies

The following documents can be viewed in full at [Planning Kincardine | Bruce County](#).

- Parking Letter submitted by SRM Architects+ Urban Designers Dated June 26, 2024

Agency Comments

Municipality of Kincardine:

1. Verify with the applicant if they are looking for the variance to account for a total of 6 portables to be installed on site. If so the relief should be from parking that accounts for 6 portables in accordance with 6.20.1.

Note: The applicant has confirmed they are seeking the placement of 3 portables

Historic Saugeen Metis (HSM): The Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed Minor Variance as presented.

Public Comments

No comments were received from the public at the time of writing this report.