

Decision of the Committee of Adjustment With Reasons

(Section 45(1), Planning Act, 1990)

Municipality	Municipality of Kincardine
File Number	A-2024-025
Related File(s)	None
Date of Hearing	August 14, 2024
Owner / Applicant / Agent	BLUEWATER DISTRICT SCHOOL
Legal Description	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
Municipal Address	885 and 896 River Lane
Purpose of Application	The purpose of the application is to decrease the required number of parking spaces
Variances Granted	4.86 parking spaces per classroom
Effect of Submissions	Any submissions relating to this application were considered by the Approval Authority in making its decision on this matter.

The application for Minor Variance from Comprehensive Zoning By-law 2003-25 is hereby **granted** subject to the following conditions:

1. That any future development on the property conforms to the provisions of the Zoning By-law.
2. That the decision applies only to the proposed development as indicated on Schedule 'A' attached to and forming part of this decision.

Reasons:

1. The variance maintains the intent and purpose of the Official Plan.
2. The variance maintains the intent and purpose of the Zoning By-law.
3. The variance requested is desirable for the appropriate and orderly development and use of the lands and buildings.
4. The variance is minor in nature.

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Municipal Address	885 and 896 River Lane
Purpose of Application	The purpose of the application is to decrease the required number of parking spaces
Effect of Submissions	Any submissions relating to this application were considered by the Approval Authority in making its decision on this matter.

The application for Minor Variance from Comprehensive Zoning By-law 2003-25 is hereby **refused**.

Reasons (check all that apply):

- The variance does not maintain the intent and purpose of the Official Plan.
- The variance does not maintain the intent and purpose of the Zoning By-law.
- The variance requested is not desirable for the appropriate and orderly development and use of the lands and buildings.
- The variance is not minor in nature.
- The variance does not conform to the Provincial Policy Statement.

Concurrence of Committee Members for Minor Variance A-2024-025 BWDSB

We, the undersigned, **concur in the Decision and reasons** given for the Decision of the Committee of Adjustment for the Municipality on August 14, 2024

Signature	Title & Name	Absent	Present
_____	Committee Member, (Amanda Steinhoff-Gray)	()	()
_____	Committee Member, (Bill Stewart)	()	()
_____	Committee Member, (Doug Kennedy)	()	()
_____	Committee Member, (Beth Blackwell)	()	()
_____	Committee Member, (Jennifer Prenger)	()	()
_____	Committee Member, (Mike Hinchberger)	()	()
_____	Committee Member, (Rory Cavanagh)	()	()
_____	Committee Member, (Andrea Clarke)	()	()
_____	Committee Chair, (Kenneth Craig)	()	()

Certification of Committee's Decision

I, **Jennifer Lawrie**, being the Secretary-Treasurer of the Committee of Adjustment for the Corporation of the **Municipality of Kincardine**, certify that this is a true copy of the Committee's Decision of **August 14, 2024**.

Date

Secretary-Treasurer

Notice of Last Date of Appeal

Notice is hereby given that the last date for appealing this decision to the Ontario Land Tribunal is **September 3, 2024**.
See appeal information on reverse of this form.

Notice That No Appeals Have Been Received

When signed, this certifies that no appeals have been received

Date

Secretary-Treasurer

Appeal Information

Not later than 20 days from the Date of Decision, only the applicant, the Minister, a specified person (being a utility and transportation company) or public body that has an interest in the matter may appeal to the Ontario Land Tribunal (OLT) against the decision of the Committee. If no notice of appeal is given within 20 days, the decision of the Committee is final and binding.

Anyone wishing to appeal the decision is required to submit a notice of appeal (in accordance with the OLT guidelines and Appeal Form A1, available at <https://olt.gov.on.ca/appeals-process/> setting out the objection to the decision and the reasons in support of the objection.

Appeals must include a certified cheque or money order in the amount specified by the OLT payable to the Minister of Finance.

Appeals are filed with the **Secretary-Treasurer of the Committee** at:

Municipality of Kincardine
1475 Concession 5
RR 5
Kincardine, ON N2Z 2X6

The OLT may dismiss all or part of an appeal after holding a hearing or without holding a hearing on the motion under Section 45(17) [Dismissal without hearing], as it considers appropriate.

For more information about this application **phone 226-909-5515**, from 8:30 a.m. to 4:30 p.m. Monday to Friday; or visit on-line at **www.brucecounty.on.ca** under 'Living Here', 'Housing and Property', 'Land Use Planning' by Municipality and File Number; or e-mail **bcplpe@brucecounty.on.ca**.

Schedule 'A'

