



DEVELOPMENT SERVICES *Staff Report*

REPORT NO: DS-2026-07
TO: Council on April 27, 2026
SUBMITTED BY: Andrew Martin, MCIP RPP, Director of Development Services
PREPARED BY: Cameron Miller, MA, MCIP RPP, Senior Development Planner
REVIEWED BY: Jeff Willmer, Chief Administrative Officer
DATE: April 15, 2026
SUBJECT: Zone Change Application 01/26 - 53-75 Brubacher Street, Baden

RECOMMENDATION:

THAT Report DS-2026-07, Zone Change Application 01/26 - 53-75 Brubacher Street, Baden, be received for information; and,

THAT Council approve Zone Change Application 01/26 made by Concept Development Group affecting Part of Lot 14, Concession North of Snyder's Road, being Part 1 on 58R-19065 and Parts 1 and 4 on 58R-21900, to rezone the portion of the lands which are zoned Zone 4a (Residential) to Zone 4 (Residential), and,

1. Reduce the minimum lot area requirement from 5616m² to 4892m²; and,
2. To reduce the exterior side yard setback requirement from 6.0m to 3.9m for an entrance canopy.

AND THAT Council direct staff to present a by-law to amend Zoning By-Law No. 83-38.

SUMMARY:

The Township of Wilmot is in receipt of an application to change the zoning of the subject property. The subject lands are designated Urban Residential in the Township Official Plan, and are zoned Zone 4a (Residential) and Zone 11 (Open Space) within the Township Zoning By-law 83-38, as amended. The application seeks to rezone the portion of the lands which are zoned Zone 4a (Residential) to Zone 4 (Residential) to allow for an apartment building.

The proposed building would be 3-storeys and contain 54 units requiring the following site-specific amendments:

1. Reduce the minimum lot area requirement from 5616m² to 4892m²; and,
2. To reduce the exterior side yard setback requirement from 6.0m to 3.9m for an entrance canopy.

BACKGROUND:

Notice of a Public Meeting was given to property owners within 120 metres of the subject lands on March 9, 2026. The following is a summary of comments received prior to, and at the Public Meeting on April 13, 2026.

Public

(complete comments included as Attachment B)

Emily Staebler, Brubacher Street – expressing concerns with character of existing neighbourhood, traffic and safety, impact on private water supply wells, and the appropriateness given the current water constraints.

Pat Boucher, Foell Street – expressing concerns with ongoing road construction and having to endure more construction along with available water capacity.

Agencies

Region of Waterloo – no objections

Six Nations of the Grand River Elected Council (SNGREC) – environmental comments related to adequacy of wetland setbacks and opportunities to improve the natural environment.

GRCA – recommending approval of the application

Enova – no concerns

REPORT:

The subject lands are designated Urban Residential in the Township Official Plan, and are zoned Zone 4a (Residential) and Zone 11 (Open Space) within the Township Zoning By-law 83-38, as amended.

This property was subject to a previous zoning amendment which was approved by Council in 2015 which allowed for a 12-unit townhome development. Since the previous approvals have been in place, the property has remained vacant, but services have been extended in preparation of development and as part of the site plan approval process for the previous development concepts.

The current zoning, which was approved by Council in 2022, permits a 22-unit townhome development with a reduced exterior side yard setback of 3.3m, and a reduced front yard setback of 6.6 metres. The applicant recently completed a 32-unit apartment building at the corner of Brubacher Street and Snyder's Road East and now proposes to repeal the previous zoning and rezone the lands from Zone 4a (Residential) to Zone 4 (Residential) to allow for an apartment building. The apartment building would be 3-storeys and contain 54 units requiring the following site-specific amendments:

1. Reduce the minimum lot area requirement from 5616m² to 4892m²; and,
2. To reduce the exterior side yard setback requirement from 6.0m to 3.9m for an entrance canopy

The development includes 81 surface level parking spaces as well as an outdoor patio / rooftop amenity space provided on the rooftop level.

The following paragraphs speak to the technical aspects of the application, and address comments raised through circulation.

Height and location of proposed building

The current zoning of Zone 4a (Residential) permits a building with a maximum height of 10.5 metres, but does not explicitly list a maximum number of storeys. In contrast, the proposed Zone 4 (Residential) does not establish a maximum height, and instead allows for up to 3 storeys. As proposed, the building includes one lower/basement level (which does not constitute a storey) along with three above grade levels. The concept notes a height of 3 storeys or an average height of approximately 11.5 metres from the portion facing Brubacher Street. By comparison, in abutting residential zones, the maximum height of the building is 10.5 metres. Additionally, preliminary concepts for the 22-unit townhome development, which is already approved for the site, showed three storeys at the maximum allowable height of 10.5 metres.

In the concept proposed, the building complies with all the required regulations as it relates to lot coverage and setbacks. The only relief being sought to the exterior side yard setback is to accommodate a covered entrance canopy at the building's main entrance, requiring a reduction from 6 metres to approximately 3.9 metres.

Within Zone 4 (Residential), the minimum lot area requirement is 740 square metres for the first unit, plus an additional 92 metres for each additional unit. With a 54-unit building proposed and a lot area of 4892m², a reduction from 5616m² is required. By contrast, the 32-unit apartment building located at 162 Snyder's Road East has a lot area of 2255m² resulting in a lot area of 70m² per unit whereas this development would provide roughly 90m² of lot area per unit.

As it relates to the density of the development, Brubacher Street contains a range of housing types, primarily in forms other than single detached dwellings. The street includes several multi-unit residential buildings, as well as a 16-unit townhome development (Schoolhouse Villas), Vesper Springs Manor retirement home, and a 32-unit residential building located at the corner of Snyder's Road and Brubacher Street.

Increasing the potential density of this proposed development is supported by Township Official Plan policies that encourage residential infilling and intensification and support a range and mix of housing forms and densities.

Staff are of the opinion that the building's location and height is consistent with the intent of the existing zoning regulations and is appropriate for the property.

Parking

The Township's Zoning By-law requires 1.5 spaces per unit for an apartment building. With 54 units proposed, the development is proposing 81 surface level parking spaces, which fully complies with the parking requirements of the Township's Zoning By-law. The developer has worked to achieve a concept which maximizes parking, while ensuring hard surfacing is located outside of environmental features and the regulatory floodplain, satisfying Grand River Conservation Authority's regulations. The current concept provides an additional four tandem spaces, meaning in practice the development provides a total of 85 spaces (1.57 spaces/unit), but the four tandem spaces do not count towards the required parking spaces. The developer has stated that these spaces will be offered to tenants of the two- and three-bedroom units, providing greater control of the timing of vehicles entering these spaces.

The subject lands are serviced by the existing Grand River Transit (GRT) bus stops on Snyder's Road East and connected via sidewalk. The nearest stop is located in front of 142 Snyder's Road East, roughly 2-minute walk or 150 metres away.

At the request of Township staff, the owner has incorporated bike racks in the proposed development to encourage active modes of transportation, utilizing nearby bike lanes on Snyder's Road East and the existing and planned trail networks within the Township.

Site plan control

Concurrent with the zone change application, the applicant has been advancing an amendment to the previously approved site plan for the 22-unit townhome development. The detailed site plan review process evaluates the overall functionality of the site, including parking layout, snow storage areas, site design, and appropriate mitigation measures to address potential impacts on surrounding properties. This includes an additional review of lot grading and drainage, as well as stormwater management for the site. The development currently proposes fencing along the limits of the south parking areas to mitigate visual impacts from vehicle headlights on the adjacent property to the south.

Proximity to the CN Railway

The noise study prepared in support of the application identified standard recommendations for a development located in close proximity to a railway – as is common for various developments within both Baden and New Hamburg. One of these standard recommendations is the inclusion of central air conditioning. This is not to say that windows need to stay closed, but rather that the option exists to leave windows closed if noise is of concern to the building's occupants. Additional recommendations of the noise study included the requirement of brick veneer or masonry and the inclusion of standard noise warning clauses for all tenants of the building, which is standard for any property within 300 metres of the railway right-of-way.

CN requires an assessment of ground-borne vibration through measurement if the building foundation is located within 75 metres of the right-of-way. Vibration mitigation measures are required for a small portion of the building closest to the railway. The proposed mitigation consists of an upgraded foundation wall and is limited to a small portion of the building since the middle and westerly portions of the building are further set back and, according to the noise study, benefit from increased distance from the railway right of way.

As it relates to the existing rail crossing north of the development, Brubacher Street terminates prior to the railway crossing. As such, this is a private railway crossing and not within the road network managed or maintained by the Township. It is for that reason that the recently completed road improvements on Brubacher Street did not extend to, or over the railway crossing. Any future changes to the railway crossing would be at the sole discretion of CN and completed by CN and/or the users of the crossing.

Outdoor amenity areas

As it relates to amenity areas in the development, the proposal includes an outdoor patio / rooftop amenity space as well as an indoor gym on the lower level. The property is also in close proximity to Sir Adam Beck Park which provides multiple recreational opportunities to residents of the area. As well as Route 77 and the growing Township trail network provide connections to the Wilmot Recreation Complex.

Servicing

With respect to municipal water supply, Baden and New Hamburg are not within the Mannheim Service Area and as such the water capacity constraint currently being experienced in some areas of the Region of Waterloo do not impact this property. The Region of Waterloo did not raise water constraints as a potential issue in their comments returned to Township staff on this application. Servicing was extended to the property as part of the recent reconstruction of Brubacher Street.

Six Nations of the Grand River Elected Council (SNGREC)

SNGREC provided comments related to adequacy of setbacks to the adjacent wetland feature and its permanent protection. The comments have been addressed through the review and support of an Environmental Impact Studies (EIS) by the Grand River Conservation Authority. Additionally, the property containing the wetland is in municipal ownership, securing its long-term preservation.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Prosperous Businesses & Balanced Growth

FINANCIAL CONSIDERATIONS:

The application fees, established by the Township of Wilmot Fees and Charges By-law, were collected at the time of application.

ATTACHMENTS:

Attachment A	Site Plan
Attachment B	Public Comments