



DEVELOPMENT SERVICES

Staff Report

REPORT NO: DS 2022-019

TO: Council

SUBMITTED BY: Harold O'Krafka, MCIP RPP
Director of Development Services

PREPARED BY: Andrew Martin, MCIP RPP
Manager of Planning and Economic Development

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Planner

REVIEWED BY: Sharon Chambers, CAO

DATE: September 12, 2022

SUBJECT: Zone Change Application 08/22, MHBC Planning, 2372 Snyder's Road East

RECOMMENDATION:

THAT Council approve Zone Change Application 08/22 by MHBC Planning to reduce the minimum lot area and frontage requirements for a lot within Zone 1 (Agricultural) from 40 hectares and 230 metres to 0.26 hectares and 26 metres, respectively.

SUMMARY:

This application proposes to reduce the minimum lot area and frontage requirements for a lot within Zone 1 (Agricultural). Approval of this application would facilitate a future severance application to create a new lot for a single-detached dwelling and establish minimum lot area and frontage regulations for the severed and retained lot. This report outlines the comments received and materials submitted in support of the application, and ultimately recommends approval.

BACKGROUND:

Notice of a Public Meeting was given to property owners within 120 metres of the subject lands on July 25, 2022. The following is a summary of comments received prior to the Public Meeting.

Public: (complete comments included as Attachment B)

Bob Hoch, Snyder's Road East – concerned with impacts on re-sale value of their home, concerns with grading, and the impacts of a new well.

Agencies:

Region of Waterloo – no objections

GRCA – no comments

WRDSB – no concerns

WCDSB – no concerns

REPORT:

The property is zoned Zone 1 (Agricultural), designated as Rural Areas in the Township Official Plan and is currently developed with a single detached dwelling and two detached garages. The property has a total area of 0.81 hectares and 53.3 metres of frontage on Snyder's Road East.

The applicant wishes to divide the property's frontage in half, retain a parcel of approximately 0.27ha containing the existing home, and sever a new lot with an area of approximately 0.54ha. The proposed severed lot would utilize an existing secondary access off Snyder's Road East. No new access is proposed to be created at this time. This application therefore proposes to reduce the minimum lot area and frontage requirements to facilitate the severance.

Zone 1 (Agricultural) sets out that any new lot created possess a minimum lot area of 40 hectares and a lot frontage of at least 230 metres. Notwithstanding these requirements, both the Township and Regional Official Plan policies allow for the creation of a new non-farm lot for the purposes of infilling within existing rural residential lots on Rural lands. Specifically, Section 3.2.10 of the Township Official Plan states that the Township may permit the creation of one or more new rural residential lots for the purposes of infilling within an existing grouping of rural residential lots. Therefore, a zoning amendment application is required to implement these policies in the Official Plan and facilitate a future severance application.

In support of the application, the Region of Waterloo requested a hydrogeological study and an Environmental Noise Study.

The hydrogeological study was required to assess any potential impacts of a new septic system on ground water. The study was accepted by the Region of Waterloo having adequately demonstrated that there would be no impacts. The proposed lot configurations and areas being supported by the results of the study.

The noise study analyzed the noise impacts of the nearby industrial uses as well as the traffic on the Regional Road. As a condition of future consent approval, the owner/applicant would be required to enter into an agreement with the Region of Waterloo for all units on the severed/retained lands to implement any required noise mitigation and warning clauses in all agreements of offers of purchase and sale, lease/rental agreements.

In circulating the application, staff received comments from a neighbouring resident with concerns relating to the re-sale value of their home, grading, their ability to continue to raise non-commercial livestock, and the impacts of a new well. Their comments are attached to the report. Staff are of the opinion that the studies prepared in support of the application and the requirement of a future lot grading and drainage plan will ensure that there are no negative impacts on neighbouring properties. The ability for neighbouring properties to keep livestock for non-commercial purposes is already limited by the proximity of homes in the area along with the urban boundary of Kitchener. The proposed new lot would create no further limitations.

Should Council approve the application, a future consent application would be required to create the new lot at which time standard conditions of consent would be implemented including lot grading and drainage approval, and in this case, Regional conditions including noise study implementation and a road widening dedication along the Snyder's Road East.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

The approval of infilling residential uses maximizes the use of existing infrastructure and reduces the demand for additional greenfield lands to accommodate all residential development which are both strategies in achieving the Township's goal to protect the natural environment.

ACTIONS TOWARDS UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS:

GOAL 17: Partnerships to achieve the Goal – holding public meetings to gather community input on planning matters acts as a partnership between residents and government to achieve goals.

FINANCIAL CONSIDERATIONS:

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

ATTACHMENTS:

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| Attachment A | Property location sketch |
| Attachment B | Public comments |