



DEVELOPMENT SERVICES

Staff Report

REPORT NO: DS 2022-020

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

REVIEWED BY: Sharon Chambers, CAO

DATE: September 12, 2022

SUBJECT: Zone Change Application 09/22, Lincoln Simmons, 24 Laschinger
Boulevard, New Hamburg

RECOMMENDATION:

THAT Council approve Zone Change Application 09/22 by Lincoln Simmons to reduce the minimum rear yard setback from 15 metres to approximately 7 metres to allow for the installation of an in-ground pool.

SUMMARY:

This application proposes to amend the zoning of the subject property by reducing the existing 15m rear yard setback to allow for the installation of an in-ground pool.

This report outlines the comments received and ultimately recommends approval.

BACKGROUND:

Notice of a Public Meeting was given to property owners within 120 metres of the subject lands on August 10, 2022. The following is a summary of comments received prior to the Public Meeting.

Public: (complete comments included as Attachment B)

Debbie Shilling, Victoria Street – concerned about the protection of the marsh and impacts to neighbouring properties.

Agencies:

Region of Waterloo – no objections

GRCA – no objections

WCDSB – no concerns

REPORT:

The subject lands are designated Urban Residential in the Township Official Plan, and are zoned Zone 2b (Residential) within the Township Zoning By-law 83-38, as amended.

The subject property is currently developed with a single detached dwelling and backs onto a Township owned woodlot. Properties on Laschinger Boulevard backing onto the woodlot are subject to a 15m rear yard setback established as a buffer based on the former limit of the woodlot on these properties at the time of subdivision approval in the early 2000's. The setback was to discourage removal of trees and provide a buffer to the abutting woodland.

This application proposes to reduce the current 15m rear yard setback to 7m to allow for the installation of an in-ground pool as illustrated on the site plan included as Attachment A.

In the last several years, there has been a significant impact on trees within the rear yards on Laschinger Boulevard and the abutting woodland largely as a result of the emerald ash borer. There are few lots with mature trees remaining within the rear 15m. Tree coverage in the rear yard of the subject property has gradually thinned, and to this date, no trees remain. For these reasons, maintaining a 15m setback no longer serves a purpose. The Region of Waterloo, who oversees the Woodland Conservation By-law, has stated that they have no objections to a reduction to 7m, which is consistent with previous requests in the area.

Comments were received from one individual expressing concerns with the impact of this reduction on the protection of the marsh and also potential flood damage to neighbouring properties. While there is a wetland on the Township owned lands behind the subject property, that wetland and the Grand River Conservation Authority regulation limit surround the wetland is not behind and does not abut the subject property. The proposed reduction is not anticipated to have any impacts on adjacent properties.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Holding public meetings to gain input on planning matters promotes an engaged community.

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:

Attachment A	Property location sketch
Attachment B	Public comments