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D20-20/23 KIT

VIA EMAIL

February 6, 2023

Marilyn Mills
Secretary-Treasurer
Committee of Adjustment
City of Kitchener
P.O. Box 1118
200 King Street East
Kitchener, ON N2G 4G7

Dear Ms. Mills:

**Re: Comments for Consent Applications B2023-005 and B2023-006
Committee of Adjustment Hearing February 21, 2023
CITY OF KITCHENER**

B2023-005

**Fairway Road N and Woolner Trail
Waterloo Catholic District School Board (Applicant)**

The owner/applicant is requesting consent to grant an easement for storm water management having an approximate width of 22m, depth of 143 and area of 3,146 m². over all of Parts 4 and 7 on Reference Plan 58R-21318 submitted with the application in favour of the Waterloo Catholic District School Board. The School Board lands were previously created under consent application B2021-011 (February 2021)

Corridor Planning

- There are no concerns with the current application. For information, easement(s) also exist in this area for servicing in favour of the Region.
- Staff notes that Part 7 on Reference Plan 58R-21318 abuts the Regional Road (Reg. Rd. #53) right-of-way. Therefore, any services/works within the Regional road right-of-way would require approval through a separate process of Municipal Consent, and a Regional Work Permit must be obtained prior to start of any work within the Regional road right-of-way.

For any further information regarding Municipal Consent and Work Permit please visit:

[Apply For A Permit - Regional Municipality of Waterloo Online Application \(permitcentral.ca\)](http://permitcentral.ca)

Regional Fee

The owner/applicant is required to submit the Regional consent review fee of \$350.00 prior to final approval of the consent.

Notice of Source Protection Plan Compliance (Section 59 Notice)

For information, the property is designated a Wellhead Protection Sensitivity Area 2 (Map 6a) and Intake Protection Zone 2 (Map 6g) in the Regional Official Plan (ROP), and a WHPA B-10 and IPZ-2 in the Grand River Source Protection Plan.

As the subject lands are located in a Source Protection Area where Grand River Source Protection Plan policies implemented by the Region of Waterloo apply. Per s. 59 of the *Clean Water Act, 2006* a Notice of Source Protection Plan Compliance is required as part of a complete application submission.

To apply for a Notice of Source Protection Plan Compliance (Section 59 Notice) the owner/applicant must complete the questionnaire at <https://taps.regionofwaterloo.ca/> listing all applicable activities prescribed under the Clean Water Act related to the application. A Notice will only be considered valid if the following criteria are met;

- Applicant has signed the Notice;
- Address and application type on the Notice match the rest of the application; and
- All activities related to the proposed application are listed in Schedule 1.

Invalid Notices will not be accepted, and may result in delayed approvals.

The Region has no objection to the proposed application, subject to the following conditions:

- 1) That prior to final approval, the owner/applicant submit the Regional consent review fee of \$350.00.
- 2) That prior to final approval, the owner/applicant must submit a valid Notice of Source Protection Plan Compliance (section 59 notice) as per the *Clean Water Act, 2006*.

B2023-006

21 Nelson Avenue

Donna Sutter and Chris Hammond (Sam Head, DSH Planning Consultants)

The owner/applicant is requesting consent to sever a parcel of land having a width on Nelson Avenue of 15.0m, a depth of 38.1m and an area of 570 sq.m., to facilitate the

construction of a new single detached dwelling. The retained lands will have a width of 23.7m, a depth of 38.1m and an area of 874.0 m² and contains an existing single detached dwelling, municipally addressed as 21 Nelson Avenue.

Road Traffic Noise

The subject property is located along a quiet municipal street and approximately 114m from Bloomingdale Road North (Regional Road 20) with intervening land uses. Road traffic noise is not expected to be a concern for both the severed and the retained lots.

Accordingly, there are no Corridor Planning related concerns or requirements for this application.

Regional Fee

The Region acknowledges receipt of the required application fee (\$350.00) December 21, 2022.

The Region has no objection to the proposed application.

General Comments

Any future development on the lands subject to the above-noted consent application will be subject to the provisions of Regional Development Charge By-law 19-037 or any successor thereof. Please accept this letter as our request for a copy of the staff reports, decisions and minutes pertaining to each of the consent applications noted above. Should you require Regional Staff to be in attendance at the meeting or have any questions, please do not hesitate to contact the undersigned.

Yours truly,



Shilling Yip, MCIP, RPP
Senior Planner