

**Township of Wilmot
Committee of Adjustment Minutes
October 5, 2022**

Present: W. Roth
P. Roe
S. Miller
T. Bowman
L. Lalonde

A. Martin – Manager of Planning and Economic Development
C. Miller – Planner

I. MINOR VARIANCE SUBMISSIONS

1. Submission A-14/22 – Eric Kroetsch

**RE: Lot 51, Plan 58M-220
59 Samuel Foster Court, Baden
Roll No: 301804000631062**

Attendees: Eric Kroetsch

Written Submissions:

1. From the Region of Waterloo stating no comments.
2. From the Grand River Conservation Authority stating no objection.

C. Miller introduced the application to the Committee.

E. Kroetsch spoke in support of the recommendation put forward by Township staff and discussed design considerations to minimize windows facing neighbouring properties.

Motion:

L. Lalonde – P. Roe: That the Wilmot Committee of Adjustment approve Submission A-14/22, by Eric Kroetsch, affecting Lot 51, Plan 58M-220, to increase the maximum allowable interior height of a second level loft of a building not exceeding 4.5 metres in height from 1.8 metres to approximately 2.4 metres.

Carried.

The Wilmot Committee of Adjustment approved Submission A-14/22 for the following reasons:

1. That the variance is minor in nature.
2. That the request maintains the intent of the Zoning By-law.

II. CONSENT SUBMISSIONS

1. Submission B-04/22 – MHBC Planning

**RE: Part of Lot 1, Concession North of Snyder's Road
2372 Snyder's Road East
Roll No.: 301803000419500**

Attendees: Nicolette Van Oyen

Written Submissions:

1. From the Grand River Conservation Authority stating no objections.
2. From the Region of Waterloo stating no objections, subject to conditions.

C. Miller introduced the application to the Committee.

N. Van Oyen requested that Condition #5 relating to the payment of a park fee be removed from the recommendation. W. Roth stated that it is a standard condition. C. Miller echoed the comments of W. Roth stating that the condition is standard when a new lot is created. C. Miller went on to discuss that the amount was suggested to the owner of the property, and if there is a disagreement in the amount, then it could be appraised. A. Martin added by saying that a discussion could occur regarding the amount, but it is standard that payment be included in lieu of parkland. T. Bowman agreed that Condition #5 should remain in place.

Motion:

T. Bowman – S. Miller: That the Wilmot Committee of Adjustment approve Submission B-04/22, by MHBC Planning, affecting Part of Lot 1, Concession North of Snyder's Road, to sever approximately

5429m² as a new residential lot, while retaining approximately 2735m², subject to the following:

1. That, prior to the stamping of the deeds, the applicant shall pay the following:
 - a) any outstanding taxes on any part of the lands
 - b) any outstanding water charges on any part of the lands.
 - c) any outstanding local improvement charges;
2. That, prior to the stamping of the deeds, Zone Change Application 08/22 shall be finally approved;
3. That, prior to the stamping of the deeds, the conditions of the Region of Waterloo with respect to a regional road dedication and the approval of a lot grading and drainage plan all be completed to the satisfaction of the Region of Waterloo;
4. That, prior to the stamping of the deeds, the applicant to enter into an agreement with the Region of Waterloo and/or the Township of Wilmot to ensure that:
 - a) The following noise mitigation and warning clauses be included in all agreements of Offers of Purchase and Sale, lease/rental agreements, and condominium declarations:
 - i. "Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."
 - ii. "This dwelling has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."
 - iii. "Purchasers are advised that due to the proximity of the existing commercial/industrial uses, sound levels from the facilities may at times be audible."
 - b) Prior to issuance of any building permit for a new residential unit, the Township of Wilmot shall ensure that the unit includes plans for the provision of adding central air conditioning at the occupant's discretion and the Township of Wilmot shall ensure that said provision has been incorporated into the building, prior to completing a final inspection".
5. That, prior to the stamping of the deeds, the applicant shall pay a park fee in the amount of 5% of the value of the lands on the day before the granting of the consent, in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended;
6. That, consent of the Committee shall be deemed to be refused if conditions 1-5 are not complete within two years from the date notice of approval was given; and,
7. That the consent of the Committee shall lapse two years from the date of the approval.

Carried.

The Wilmot Committee of Adjustment approved Submission B-04/22 for the following reasons:

1. That the application represents logical and orderly development of the subject lands.
2. That the request maintains the intent of the Official Plan and Zoning By-law.

III. MINUTES

Motion:

L. Lalonde – T. Bowman: That Wilmot Township Committee of Adjustment approve the minutes of the September 7, 2022 meeting.

Carried.

IV. NEXT MEETING

November 2, 2022.