

**Township of Wilmot  
Committee of Adjustment Minutes  
December 7, 2022**

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

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

**I. MINOR VARIANCE SUBMISSIONS**

**1. Submission A-17/22 – Heidi Faul**

**RE: Part of Lots 8 & 9, Smith's Plan  
12 Milton Street, New Hamburg  
Roll No: 301807001418000**

**Attendees:** Kevin & Claudia Weeden, Ian Mckie, Heidi Faul

**Written Submissions:**

1. From the Grand River Conservation Authority stating no objection, subject to conditions.
2. From Kevin Weeden expressing concerns and objecting.
3. From the Region of Waterloo stating no comments.

C. Miller jointly introduced A-17/22 and B-05/22 to the Committee. C. Miller highlighted a minor change in the numbering of conditions that had been corrected from the report.

Kevin and Claudia Weeden began by expressing their concerns with the applications. Specifically, their concerns surrounded lot grading and drainage and they sought clarifying questions to some details in the report. C. Miller and A. Martin explained how a final lot grading and drainage plan would be reviewed and approved before the issuance of a building permit for the dwelling. In response to a question from Mr. Weeden, A. Martin explained that there are measures in place to ensure that impacts to neighbouring properties are minimized and that deposits are held to ensure the required works are carried out. Mr. Weeden finished by stating concerns with the reduction in the side yard setback and the proximity of the driveway of the property line.

I. Mckie asked if GRCA is going to conduct an assessment on the property. C. Miller explained that the property is within GRCA's river slopes and erosion allowance and that a geotechnical assessment has been implemented as a recommend condition of consent at the request of GRCA. I. Mckie finished by asking if GRCA's evaluations would be shared with the public. C. Miller stated that the geotechnical assessment would be reviewed by staff at GRCA and is generally not shared with neighbouring property owners, but that Mr. Mckie was advised to contact GRCA directly to confirm.

In response to an invitation for questions from the Committee, S. Miller questioned if the variances proposed were minor in nature. Both C. Miller and A. Martin explained that while there are several requests, each request represents a minor change to the existing regulations, and that it is their opinion that cumulatively they are minor in nature.

**Motion:**

**T. Bowman – L. Lalonde:** That the Wilmot Committee of Adjustment approve Submission A-17/22, by Heidi Faul, affecting Part of Lots 8 & 9, Smith's Plan, to amend the regulations for a single detached dwelling as follows:

1. Reduce the side yard setback for a two-storey dwelling from 2.0 metres to approximately 1.5 metres
2. Reduce the minimum lot width requirement from 15 metres to 12.75 metres.
3. Increase the maximum allowable driveway width from 50% of the lot width to 54%
4. Increase the maximum allowable garage width from 65% of the width of the residential building to 69%

**Opposed:** S. Miller

**Carried.**

The Wilmot Committee of Adjustment approved Submission A-17/22 for the following reasons:

1. That the variances are minor in nature.
2. That the requests maintain the intent of the Zoning By-law.



## II. CONSENT SUBMISSIONS

### 1. Submission B-05/22 – Heidi Faul

**RE: Part of Lots 8 & 9, Smith's Plan  
12 Milton Street, New Hamburg  
Roll No: 301807001418000**

**Attendees:** Kevin & Claudia Weeden, Ian Mckie, Heidi Faul

#### **Written Submissions:**

1. From the Grand River Conservation Authority stating no objection, subject to conditions.
2. From Kevin Weeden expressing concerns and objecting.
3. From the Region of Waterloo stating no concerns, subject to conditions.

#### **Motion:**

**L. Lalonde – T. Bowman:** That the Wilmot Committee of Adjustment approve Submission B-05/22, by Heidi Faul, affecting Part of Lots 8 & 9, Smith's Plan, to sever approximately 513m<sup>2</sup> as a new residential lot, while retaining approximately 560m<sup>2</sup> and, if required to implement the approved grading plan required by condition 5, retain an easement for drainage purposes over the severed and/or retained parcels, subject to the following conditions:

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, Minor Variance A-17/22 shall be finally approved;
3. That, prior to the stamping of the deeds, the conditions of the Region of Waterloo with respect to payment of the review fee be completed to the satisfaction of the Region of Waterloo;
4. That, prior to the stamping of the deeds, the conditions of the Grand River Conservation Authority with respect to the completion of a geotechnical or engineering assessment be completed to the satisfaction of the Grand River Conservation Authority;
5. That, prior to the stamping of the deeds, a preliminary lot grading, drainage and servicing plan shall be submitted and approved to the satisfaction of the Township of Wilmot and that any associated review fees be paid;
6. That, prior to the stamping of the deeds, the applicant shall verify all connections to the sanitary sewer service and disconnect any inflow and infiltration sources to the satisfaction of the Township;
7. That, prior to the stamping of the deeds, a 3.0m road allowance widening be dedicated to the Township of Wilmot, along the entire frontage of the severed and retained parcels;
8. That, prior to acceptance of the road allowance widening required by condition 6, environmental assessment and mitigation for the lands to be dedicated be undertaken shall be undertaken to the satisfaction of, and at no cost to, the Township of Wilmot;
9. 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;
10. That, consent of the Committee shall be deemed to be refused if conditions 1-9 are not complete within two years from the date notice of approval was given; and,
11. That the consent of the Committee shall lapse two years from the date of the approval.

**Opposed:** S. Miller

**Carried.**

The Wilmot Committee of Adjustment approved Submission B-05/22 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:**

**P. Roe – L. Lalonde:** That Wilmot Township Committee of Adjustment approve the minutes of the November 2, 2022 meeting.

**Abstained:** T. Bowman

**Carried.**

**IV. NEXT MEETING**

January 4, 2023.