

**From:** [REDACTED]  
**To:** [Planning; Andrew Martin](#)  
**Subject:** Att. Andrew Martin  
**Date:** August 23, 2024 11:01:34 AM

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Dear Mr. Martin.

We are writing to you regarding the proposed development at 59 Bergey Court and 12 Shephard Place in New Hamburg. We are residents of [REDACTED] Shephard Place and would like to take this opportunity to voice some concerns over this proposed zoning change and development.

We'd like to begin by saying that we understand the need for a variety of types of housing in New Hamburg to provide affordable housing for everyone. Our concerns are not specifically to do with the building of more housing on these two lots, but we are concerned about the large number of residences proposed for this area.

The addition of 35 residences in this small area will almost double the number of residences and the population of the area. As there is only the single access road to this area, the amount of traffic will be increased significantly. It is our understanding the traffic study for this development was conducted during the summer when the traffic is naturally lower due to resident vacations and school summer break. What will the traffic look like when everyone is back to work and the school buses for elementary and high school for both WRDSB and WCDSB are running twice daily?

We are also concerned about parking. While the proposed townhouses provide a garage and room for a vehicle in the driveway, it's our experience that many people use their garage as storage and park only in their driveways. As many families now have two vehicles, where will the second vehicle park? Will there be room for the residents to park on the street in front of their homes? It seems unlikely that, even if allowed, there will be room for the extra vehicles. Our concern is that overflow parking will happen along Shephard Place. While residents on Shephard Place occasionally park in front of their homes when hosting groups of people, for the most part the street is open and, we believe, makes for a safer environment for both drivers and pedestrians. As it is our understanding that overnight parking is not allowed in Wilmot Township from December 1 to March 31, where will the extra vehicles from the townhouse development park and if they do park on Shephard Place, will the no parking bylaw be enforced?

One of the beautiful parts of the existing subdivision are the trees that line the road in front of the houses. We are disappointed that the removal of some of these trees at the entrance to

the subdivision will be required for the driveways of the development as it is proposed. We would prefer to see no entrance to townhouses from Shephard Place, but have all access from Bergey Court, thereby allowing the entrance to Shephard Place to remain as close to the original as possible.

Another concern would be the environmental impact of a development of this size on the Nith river and surrounding ecosystem. We would hope that a proper environmental study will be conducted to ensure that the size of the development will not have an adverse impact on the area. It is a beautiful area full of wildlife and vegetation with a trail which is accessible to everyone to enjoy and we would hate to see it adversely affected by new development.

After much thought and consideration it is our belief that a smaller sized complex with a few changes to the plan could bring additional housing to New Hamburg while mitigating the changes to our already existing neighbourhood and allow us to enlarge our small area of New Hamburg while keeping the personality of our neighbourhood intact.

We hope that our concerns and those of our neighbours will be taken into consideration so that New Hamburg can continue to grow in a way that benefits all of its residents.

Sincerely,  
Andrea and Dan Fronchak

**From:** [REDACTED]  
**To:** [Andrew Martin](#)  
**Subject:** Proposed Bergey Court development project  
**Date:** August 22, 2024 6:53:23 PM

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Hello Andrew: We are long term residents of Shephard PI having built our home in 1996.

We have the following comment/concerns for your consideration when determining the impact of this project and what should be approved.

- We question the number of units being proposed - 35 townhouse units seems excessive considering the size of area of the 2 properties being replaced.
- The 12 Shephard PI property currently has its driveway access from Bergey Court. The proposed plan shows it will be replaced with 6 + townhouses with driveway access to Shephard PI. We believe this will be a **safety concern** – Vehicles backing out of their townhouses or parking on street will pose problems for vehicle entering the subdivision. **Plus we prefer that there be NO New access to Shephard PI.**
- Bergey Court sees a lot of not only vehicle traffic (and this will certainly increase) but people walking, on bikes and scooters etc. so it is time for it to be rebuilt and include sidewalks or bike lanes added. Will the developer be expected to cover some of those expenses and not just the taxpayers?
- As seniors who will be looking to downsize in a few years, we were hoping at least some of these new homes would be bungalows that we could move in to and allow us to remain living in the same area.
- Adequate visitor parking, space for kids to play, sound barriers, traffic issues etc. are all issues that I am sure your planning department will address.

Regards,  
Bryan & Mary Pfaff

[REDACTED]

[REDACTED]

**From:** [REDACTED]  
**To:** [Planning](#)  
**Subject:** Official plan amendment app 02/24 & Zone change app 03 /24  
**Date:** August 21, 2024 8:25:43 PM

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With respect to the Official plan Amendment Application 02/24 and Zone change application 03/24 at 59 Bergey Court and 12 Shephard Place New Hamburg I would like to present the following concerns ;

- a hydrogeology study has not been completed to show the impact of the project on the surrounding area
  - an environmental assessment has not been completed or is not available for review showing the impact of
    - generated noise
    - garbage handling
    - snow handling
    - removal of mature trees
    - parking
    - lighting spill over
    - water runoff
    - impact to flood plain directly to the west of proposed development
  - driveway access to Shephard Place will lead to increased traffic near a busy intersection
  - driveway size will lead to increased vehicle parking on Shephard Place causing hazards , difficult snow removal and make for a difficult area to turn around to exit Shephard Place
  - will safe ,maintained walkways be available to the local residents for access to the river trails and downtown core area ?
- Will emergency services have the required access to be effective to all residents ?

I do not disagree with the proposal in principal but would like to have all access and parking to the development from Bergey Court and further studies completed to address the above noted concerns .

Kindest Regards

Calvin Gilholm  
[REDACTED] Shephard Place  
New Hamburg

**From:** [REDACTED]  
**To:** [Andrew Martin](#)  
**Cc:** [Planning](#)  
**Subject:** Shephard Place Planning  
**Date:** August 22, 2024 3:12:31 PM

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My husband and I have concerns regarding this proposal.

- We are concerned about driveways and roads coming onto Shephard Place because of the existing mailbox location. With residents picking up their mail, it could likely cause safety concerns.

- We are concerned about the density proposed. While we understand there is a need for housing, you must also consider separation from existing residents.

- We would endorse a substantial reduction of units with more green space and separation. For example perhaps 15 units with no access to Shephard.

Thank you for your consideration of our concerns.

Sincerely

Carole and Phil Hahn

[REDACTED] Shephard Olace

New Hamburg, ON

Sent from my iPhone 14 Pro

23 August 2024

To: Mr. Harold O’Krafka  
Director of Development Services  
The Township of WILMOT  
60 Snyder’s Road West  
Baden, ON N3A 1A1

Copy to: Mr. Andrew Martin  
Manager Planning & Economic Development

From: David and Linda Thomson  
■ Shephard Place, New Hamburg, ON

Re: Applications for Official Plan Amendment 02/24 and Zone Change 03/24  
59 Bergey Court and 12 Shephard Place, New Hamburg

Harold, thank you for taking time on August 15th to help us understand the steps that will occur to process the above applications. As you predicted, the province released the new *Provincial Planning Statement 2024* on August 20<sup>th</sup>. At the start of the Council’s Public Meeting on September 9<sup>th</sup>, it would be helpful if your office could provide some guidance about how these recent changes/clarifications impact the above applications.

I can understand the Province’s policy of stimulating more housing development, and that one of the strategies to keep costs down is to make use of, where suitable, existing underutilized infrastructure. I also understand that the Province is providing financial rewards to Municipalities which exceed new housing targets. I am hopeful that Wilmot Council will act as guardrails to protect the existing homeowners from unnecessary damage.

To summarize my concerns with the current proposal, I would say:  
*Too much. Too fast. Too little transparency and neighbourly consultation. Expect aesthetic and financial collateral damage to the existing home owners.*

**Too Much, Too Fast**

In the posted developer’s submission *Planning Justification Report* there are eight places where the phrases “gentle intensification” and “gentle density” are used as justification for the proposed development. To me, in the context of a mature neighbourhood in Wilmot, “gentle intensification” would translate into a granny flat in the backyard, or a student apartment in a basement of a private owner-occupied home.

The current proposal increases the Bergey/Shephard housing units from 41 to 74 for an +80% increase in overall density. This is like adding a new village. This is not “gentle”.

There is no indication that this development will be built in stages. So, the construction noise, dust, and displacement of wildlife are a concern.

### **Too little transparency and neighbourly consultation**

Section 1.0 (Introduction) of the posted *GRIT Geotechnical Investigation* indicates that work on this project began prior to December 6<sup>th</sup>, 2021. The neighboring residents on Shephard Place had no notice about it until late July 2024. I believe that had the developer sought some preliminary consultation with the Shephard homeowners that many of the problems with the current plan would have been identified and resolved at a much earlier stage.

As of August 21<sup>st</sup>, 2024 the developer has yet to post streetscape renderings of the new structures, or floor plans for the townhomes.

### **Collateral damage to existing home owners.**

In 2000, when my family was looking to relocate, we considered several developments in various towns near to K-W. We purchased on Shephard Place in New Hamburg because it offered spacious lots, quiet streets, many mature trees, considerable privacy, each home was architecturally unique, and had garage parking for 2 or more cars per lot to keep the streets clear of overnight parking. Compared to similar sized homes we considered elsewhere, we willingly paid a premium for these attributes of Shephard Place. The restrictive covenants in the subdivision agreement provided the expectation that these attributes would persist. For the past 24 years, it has been a lovely neighbourhood.

The existing homeowners on Shephard Place will suffer *unnecessary* collateral damage from the proposed development in its current form.

Some of the damage to the existing homeowners will occur in the near term in the form of increased noise levels, less attractive streetscape, extensive street parking, and relatively reduced property values.

We are also concerned that if the proposed Official Plan amendments and Zoning exemptions are approved without some pushback, then going forward we should expect this *non-gentle intensification* process will be repeated randomly along Shephard Place as houses come up for sale. If in 2025 there are 6 townhouse addresses on Shephard Place that are zoned 4a for townhouses plus approved variances for narrower driveways, setbacks, etc, then in 2026 we are on a slippery slope, and that will impact all property owners on Shephard, not just the houses closest to the current planned development.

Some examples of the aesthetic damage to Shephard Place:

1. 5 of 10 trees along the boulevard at 12 Shephard Place are being removed and not replaced
2. All 35 proposed townhomes have the same dimensions. Whereas all existing homes on Shephard are single family detached homes, with a mixture of bungalow and two story. By intent, there are no two existing homes that are architecturally the same.
3. For the proposed 6 townhomes facing Shephard, the setback from the street is 6 metres,. This is half of the 12.2m setback for the 20 nearest homes on Shephard. The townhomes will literally

'stick out' and look entirely out of place. The structure will obstruct the street view from 28 Shephard Place.

4. Each townhome has a building width of 7.12m. The 12 narrowest homes on Shephard have a minimum width of 15.25m
5. Each townhome has a single car garage, which will dominate the front of the unit. All other homes on Shephard have 2 or 3 car garages which are not designed as "garage forward".
6. The proposed townhome driveways are 2.75m wide and 6m long. The premise is this provides off street parking for 2 vehicles per townhome, one in garage and one in driveway. The Regional residential garbage collection system changes to robotic handling in 2026 using large household containers. The reality will be that most garages will hold garbage containers and other storage, which will mean one car will be on the street overnight.

### **Other Issues**

Bergey Sidewalk – If the development project proceeds as proposed, the additional foot traffic should warrant putting in a proper sidewalk all along Bergey to provide a safer experience walking to the GRT pickup point and to Morningside Community entry points.

Playground – For the children living in these townhouses with tiny yards, where are they going to go to play outside? In the flood plain? The new Provincial Planning Statement 2024 indicates that planners should be "*protecting people, property and community resources by directing development away from natural or human-made hazards, such as flood prone areas.*"

Wheelchair accessibility –It appears that of the 84 parking spots included in the plan only one (visitor) parking spot is wheelchair accessible. It also appears none of the townhouses would be wheelchair accessible/livable. Can a proper independent *accessibility review* be done on this project?

Rental Units – Do the proposed zoning changes allow any of the townhouses to be marketed as rental units by their owner?

Condominiums – Is the developer prepared to provide a copy of the proposed condominium agreement including the *Restrictive Covenants* schedule?

### **Closing**

We look forward to attending the Council's Public Meeting on September 9<sup>th</sup> to hear the views of the Wilmot Planners, our neighbours and the developer.

Linda and David Thomson

■ Shephard Place, New Hamburg

**From:** [REDACTED]  
**To:** [Planning](#)  
**Cc:** [andrewmartin@wilmot.ca](mailto:andrewmartin@wilmot.ca)  
**Subject:** Development on Bergey Court/Shephard Place Development concerns  
**Date:** August 20, 2024 2:46:52 PM

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Good Afternoon,

I lived at [REDACTED] Shephard Place New Hamburg. We purchased our lot over 25 years ago; 23 years ago my husband built our home, and where we raised our family. We purchased this lot because we liked the large lots, and the quiet street. We have 2 neighbours on one side and one neighbour on the other. I can sit in my backyard on my deck or by my pool, and it is pretty quiet mainly hearing birds chirping and occasional noise from the highway. We purchased lot 2 because of the large trees for privacy in the summer plus we planted some pine trees for more privacy. This became our little piece of heaven and now, with the proposal of 35 townhouses, upset me because now my privacy and the enjoyment of quietness of my back yard will no longer be able to be enjoyed with 35 families living beside me. Does this lower my property taxes?

Below I have listed my concerns for consideration:

- The wooden fence that separates the farmhouse property from 28 Shephard property was put up by the developer. The wooden fence was put one foot in on our land. If this development happens, we want the developer to put in a new fence on the property line to regain our one foot of land.
- Also, I want an agreement in writing stating that due to the development if my trees get damaged that the development will remove my dying tree and replace it with mature trees! I have been told it can take up to 2-3 years for this to show effects on my trees.
- We would prefer to see the homes facing Shephard PI making them feel that they are consistent with the layout of the street as it and maintaining the present setbacks of the street. Instead of building towns on Shephard maybe put in two bungalows or turn the townhouses around so their backyards are onto Shephard Place. Have the yards fenced in with no gates. This way we can keep the look of the mature tree lined street. Have their road down in between the two rows of townhouses with an entry & exit onto Bergey Court.
- I hope there will be some sort of architectural control to keep consistent with what we have on our street now.
- Parking is always a concern on condo sites (from what I have seen over the years) so will there be sufficient parking for visitors so that our road doesn't become congested? If Shephard becomes a parking lot for the townhouses and condo corp. This will make it an unsafe place for the seniors from Morningside, neighbours and children walking or biking down our street.
- I am hoping that with the build beside us and at the back of our property that you really think about maintaining our PRIVACY! Installation of additional trees for privacy and absorb some of the noise.
- Also, during the stage of development, I want the dust to be controlled. I have a pool and do not want it constantly dirty!
- Will the new townhouses receive door-to door garbage pick up from the township or will the Condo board be responsible for the garbage collection. If the condo board is responsible for the garbage – will they have enough containers for

the number of units. Also, I do not want these containers near my property line. I do not want the mice/rats/ racoons/foxes etc. coming near my property! I drove around this weekend looking at townhouses and noticed the garbage containers overfilled and all kinds of garbage beside the containers. Most townhouses in my opinion do not have an adequate number of containers.

- The road allowances don't appear to be wide enough to accommodate large service trucks like snowplows, garbage trucks, EMS vehicles. Also, the road allowances are not adequate to accommodate on street parking on Bergey and no parking of this condo and townhouses to be allowed in the roundabout . The Driveways proposed are not to township requirements. Driveway doesn't look big enough to fit a vehicle. We do not want townhouse owners parking on the lawn because their driveways are too small!
- Visitor parking should be more central location to the complex and 10 parking spaces doesn't seem adequate for 35 units
- The land for development seems not to be sufficient to accommodate 35 new residential units! The frontage space seems very compressed!
- Concerns with additional traffic noise from 35 units means at least 70 plus vehicles. Traffic study was done in early August when a lot of people are away on holidays and the industries on Bergey Court have summer plant shutdown for holidays. So, this report is useless, it doesn't give you the proper traffic flow in the area. This study needs to be done when school is back in and most people are back to work to get the proper traffic flow. Another thing not taken into account is funerals. Sometimes the street is lined with cars.
- Bergey Court needs a sidewalk down it due to the higher volume of additional 70 + vehicles. We have a lot of seniors that walk down Bergy on the road and they most times do not move over.
- Will this development be properly looked after by a landscape company, so it is well maintained?
- Snow removal: where are they planning to put the snow off the driveway and lanes?
- There is no Environmental Impact Assessment of how 35 units development would impact the river valley. Why was this not done?
- In the reports the ground water wells have toxic levels of water that the development needs to empty. Where is this water going? Not into the river or sewer!!
- Cutting down a lot of trees for this development is not green or meeting the environmental goal of the township!
- Hydrology report only done for 59 Bergey Court. What about the Shephard Place hydrology report?
- Page 31 drawing includes **MY LAND!** Correct this!!
- Noise from 35 properties from approx. 140+ people; their vehicles; pets; air conditioning; etc. How can the noise level be controlled?
- If these townhouses are for families, I see no playground on your property for the children?
- Hydrant distance to the back part of development is a fair distance away ... Is this acceptable to meet standards?
- The development has one entrance point, you should have a 2<sup>nd</sup> entrance in case of emergencies.
- Glass sound wall is not a good idea; it will bounce the highway noise further into Shephard. It will also become a graffiti wall. Instead of a glass wall what about planting large trees?
- What is the region's policy of limiting the number of homes on a single access street? That is why there is a median on Shephard.

Regards,

Davina and Ron Fiedler

■ Shephard Place, New Hamburg

**From:** [REDACTED]  
**To:** [Andrew Martin: Planning](#)  
**Subject:** Comments on official plan amendment and zone change for 59 Bergey Court and 12 Shephard Place (Official plan amendment application 02-24 and Zone change application 03/24)  
**Date:** August 23, 2024 12:03:57 PM

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Attention: Andrew Martin

Good afternoon Andrew, Mayor and Council of Wilmot Township.

We are reaching out to you today as concerned residents of the Shephard Place Neighbourhood regarding the recent application ZCA-03/24, for the re-development of 59 Bergey and 12 Shephard Place.

The homes on Shephard Place were built along the following restricted covenants including (but not limited to):

- No two houses shall be architecturally the same on the street
  
- No garage forward designs
  
- Minimum size requirements (1600 –2400 sft)
  
- Minimum roof pitch of 6/12
  
- Minimum setback requirements from the road to the face of the homes, (Lot 1 had a setback of 25ft, all other lots have setbacks of 35-50 ft)
  
- Minimum number of garage spaces required is two (2)
  
- Minimum width of the driveway to match garage space and depth
  
- Minimum side yard width, no less than 9.8 ft

Residents of Shephard Place have built their homes and upheld the planning standards developed for this neighbourhood, but the proposed development does not.

A neighbourhood like Shephard Place is necessary as it contributes to the diverse portfolio of housing within Wilmot.

The Shephard Place neighbourhood was not identified in the most recent Official Plan for development, and we understood that no further development was possible due to the type of existing residences and the covenants and requirements of the neighbourhood. The proposed development does not meet the covenants and requirements of the neighbourhood and would constitute overbuilding of the site.

For these reasons, and the concerns noted below, we do not support the current application as shown as of August 22, 2024 on the Wilmot website.

#### Other Questions and Concerns:

The cul-de-sac at the end of Bergey Court is currently used daily as a tight turn-around for transport trucks on their way to the industrial buildings along Bergey Court. Removing this feature will force the transport trucks to drive down Shephard Place which is a residential street with young children playing and elderly residents walking. Redesigning Bergey Court could pose a danger to residents on Shephard Place as well as the residents in the proposed development.

The proposed development plans to remove a significant number of trees on the property. These trees provide shade for pedestrians and are a habitat for local wildlife but no environmental impact study was performed. Additionally, these trees help to attenuate the noise from highway 7/8 but this was not considered in the noise study.

The Region of Waterloo states that passive noise attenuation measures are preferred over noise attenuation barriers to support improved community safety and pedestrian access, and to minimize noise barrier maintenance costs. Who will maintain the proposed noise barriers and prevent graffiti? It is also a concern that building a noise barrier will simply displace the zone of impact of the highway noise to the pre-existing properties in the neighbourhood.

This is not an appropriate location for growth and development. Adding this development will nearly double the population of the community. Currently, there are 40 houses on Shephard Place, but this development will introduce an additional 35 dwellings. The existing residences are low-density, whereas the proposed development is higher density and does not integrate with the existing neighbourhood. It would be more responsible to gradually increase the density of housing, therefore fewer townhouses would be more appropriate and contribute to a more balanced growth of the community by supporting the gradual transition of the existing neighbourhood into a 15-minute neighbourhood.

Furthermore, the proposed dwellings do not meet the minimum dwelling lot area requirement of 270 sqm. The proposed dwelling areas are only 199 to 206 sqm which will not allow the residents to experience a good quality of life.

Allowing a front yard setback reduction of 1.6 m is significant and will lead to further disconnect between the development and the existing houses on Shephard Place. Therefore, it would be preferable to match the alignment of the new homes with the current homes on Shephard Place and maintain the tree canopy on Shephard. Also, keeping the front lot line on Bergey Court by implementing an internal laneway would remove the 6 driveways from Shephard Place and improve the community feel for the community as a whole.

The Traffic Impact Study was conducted Aug 3, 2022, which was during summer holidays at a time when many residents are staying home with their children or are away for extended periods of time. There were no school buses, garbage trucks or landscape company vehicles accounted for in the study. Additionally, this study was conducted when work-from-home and hybrid work was heavily encouraged due to covid restrictions which would explain the lower-than-average car & transport truck traffic. It would be responsible to repeat the traffic study in the present conditions and at a different time of year to get more accurate data.

Reducing the minimum driveway width from 3 to 2.75 m makes these properties inaccessible for people with mobility concerns. These narrow driveways will be difficult to navigate for persons with medical conditions requiring the use of mobility aids, parents with small children or pets, or anyone carrying things like groceries in their arms.

The hydrogeology report states “that extensive subsurface infrastructure may locally influence shallow groundwater flow directions.” How will this affect the Nith river? Will it cause additional flooding for properties on Shephard Place?

How will the development manage rainfall runoff if “high volume subsurface infiltration facilities are not effective at the site” (as per GRIT, Hydrogeology study, p.11), especially considering that extensive tree removal may further reduce the grounds’ ability to absorb water? Will this lead to flooding in the new homes’ basements year-round? Furthermore, will this cause additional water to flow into the Nith river during the rainy season and exacerbate the annual flood?

2 of 3 slug test values for hydraulic conductivity were assumed to be erroneously high and were excluded from consideration. However, is it not more likely that 2 of 3 test values were correct? Perhaps further testing is required to confirm whether the slug reported abnormal values or if they accurately represented the area.

“Dewatering can cause the ground to lose structural integrity, which causes ground settling. If the extent of ground settling is large, it can damage nearby buildings and structures.” (Pure Effects Inc. Environmental Solutions) Dewatering can also introduce the heavy metals detected in the slug tests into the Nith River which could have a detrimental effect on wildlife. Further study into the possible impacts on the neighbouring properties and infrastructure due to dewatering is likely needed as well as an Environmental Impact Study.

Thank you for taking the time to consider our concerns.

Denise and Mark Coffey

Mr Andrew Martin MCIP ,RPP

Official Plan Amendment Application 02/24

Zone Change Application 03/24

58 Bergey Court / 12 Shephard Place , New Hamburg

As a residents at [REDACTED] Shephard Place New Hamburg we object to the planning applications as presented.

Further details and specifics will be addressed by our planner Steve Jefferson, K. Smart Associates limited. As such I included my general observations on the proposal.

The over intensification of the subject lands are uncharacteristic of the abutting land uses and , in the form presented do not recognize the location and its limitations .

We find the studies submitted and the data presented appears to miss the actual events that occur along the Bergey Court and Shephard Place. The traffic study underestimates the vehicle traffic including the presence of heavy trucks on Bergey that use the turnaround at its terminus. During the school year a minimum of five school buses , 2 public, two separate plus at least one assessable school bus, travel on Shephard Place The noise study refers to passing traffic but the majority of the noise originates at the traffic lights at Hamilton Road and 7&8 as well as Peel Street and 7&8 from engine brakes, deceleration, and acceleration noises.

We are concerned that very little has been asked for or included as far as environmental issues , ground water impacts, archeological studies and impacts of those issues.

We are disturbed by the number and scope of the proposed minor variances that will ultimately lead to difficulties for the residents of the site in relation to parking and vehicular safety in the area. While the reductions may allow a greater number of units they will exacerbate the potential for conflict while reducing the open space available for outdoor living. These variances are typically only the beginning of accommodations the builders will ask for as construction begins.

The proposal refers to the easy access to the downtown by way of the highway underpass walking trail. This trail is walk able in daylight but has seasonal limitations subject to the river flow and general condition of the connecting paths. While other paths to the downtown are available, at this time they can hardly be considered safe; no sidewalks on Bergey or Bleams Road to reach the north side of Highway 7&8 for instance.

The application refers to a condominium component but appears to lack any reasoning or rational for its existence. The area has no common areas or amenities for the potential residents and visitors and

appears to create narrow laneways for access to the homes. The ability of emergency and service vehicles to gain access is impaired by this design.

The general design of these houses as presented with several stories and stairs is deterrent to any individual with mobility issues. The short front yards, narrow frontage, and reduced drives make a code compliant ramp to the front door near impossible, for instance.

We are concerned with number of plans with this design of housing as the approved or pending applications in New Hamburg indicate some 350 similar styles of homes contemplated.

There is still a market and a desire for the single bungalow style of home especially for those of us who wish to age in place. We selected our home on that ability and ensured its accessibility. We note the market conditions that apply to our style of home and sense that the current building preferences will have a inflationary influence on the bungalow housing market

Donald Woolcott

Ferne Woolcott

■ Shephard Place New Hamburg

■

## Bergey Court

In regards to the rezoning of 59 Bergey Court and 12 Shephard Place, New Hamburg On, I have many concerns I wish to address.

I find the Transportation Impact Study to be very inadequate for the proposed Town house development at 59 Bergey Court and 12 Shephard Place. I strongly feel that TraffMobility did not carry out due diligence in preparing this report.

The count was done on August 3, 2022. This is a slow time of the year as many families are on holidays. In the last 2 years there has been an increase in traffic. I foresee a much larger volume of traffic coming from the development than the study indicates, after all there is a potential of at least a total of 70 vehicles, if not more. If these vehicles are coming and going plus vehicles such as visitors, maintenance and delivery, I would contend that there would be 150 to 200 vehicles a day moving to and from the complex, not the 13 to 15 that they estimate. Since Bergey Court is a dead end street there is only one way in and out.

It does **NOT** take into the account the truck and vehicle traffic to the Businesses that are on Bergey Court. Also during the school year there are 3 School buses entering and exiting Shephard Place as well as picking up students from 59 Bergey Court. Also there are anywhere from 8 to 12 vehicles coming

and going to the gym at 128 Shephard Place, most days of the week, including weekends.

The closest business to Shephard Place, McFarlane Trailer Sales & Service and Bumper to Bumper get customer traffic and regular deliveries and shipments adding to the traffic count. How much more traffic will there be once Arcadian Projects Inc. get working out of their building?

The Transport Trucks making deliveries and pickups from Wal-Dor Industries and Ontario Drive and Gear as well as the smaller trucks and their Customers make up a large part of Bergey Court traffic. This aspect was totally ignored in the study.

Most of the Tractor Trailers turn around at the end of the street and come back in an East direction in order to be able to easier back into Wal-Dor Industries or the Bergey Court dock at Ontario Drive and Gear. According to Quora website a 80–100 foot diameter circle is needed for this to happen. Will this area still be available with the realignment of Bergey Court? You might have to get land from 59 Bergey Court to make this happen. You have no choice but to come up with a solution for this size of a turn around.

Backing into Wal-Dor and Ontario Drive and Gear blocks off the entire street and can take 5 to 10 minutes, especially if the Driver has less experience. Are the new residences going to be patient while this happens?

The outside construction vehicles, dump trucks with 40' trailers, for their equipment when working at Morningside and the landscapers for Wal-Dor industries, Bumper to Bumper and McFarland Trailers all park on Bergey Court, again taking at least 1/3 of the street and they use the turnaround

Also the trucks often park on Bergey Court before or after deliveries. This again takes up over 1/3 of the road, meaning you have to yield to oncoming traffic. With the extra traffic and again the new residences, will they be considerate of this reality? Just last week an oncoming car drove around a parked tractor trailer, forcing me to drive on the shoulder of Bergey Court.

Since August 2022 the Garage on the corner of Bleams and Bergey Court has changed ownership. They have a much larger customer base and continue to use Bergey Court to test drive their vehicles before, and after repairs are made. Also the Businesses employees again were not mentioned in the traffic report. There are many vehicles added in this category.

Also Bergey Court has Pedestrians. They are known to be walking 3 and 4 abreast, taking up one lane of the street.

Another point is how many more left turns will be made from Bleams road unto Bergey Court. When the leaves are on the trees along Bleams road, there is very limited sight lines for traffic coming from the 7&8. Sure the posted speed limit is 50

but the reality is 60 and 70 is more common. It is only a matter of time until a collision occurs. That could easily block off the entire access to Bergey Court?

Where is the Environmental Impact study? There does not seem to be one done. What guaranties are in place that the water being pumped to lower the water table during construction will be treated properly at ALL times? What happens to the footings, foundations and basement floors when they stop pumping? Will they be damaged?

I guess that I have to trust the engineer's report that there is adequate water and sewage capacity for all the new buildings. I hope that they are right.

What about electricity? Even now we have the lights flicker on a daily basis. How much extra power is required for this development?

How many trees are going to be cut down on the property? I have not found any count of this. What is the plan to replace them?

I am going to add this last comment, Shephard Place and Morning Side are all single family homes. A complex of 35 Townhouses packed into a 1.19 hectare property is totally different from what has been here for many years. A scaled down project, leaving 12 Shepard Place in intact (it matches the street scape already in existence) and building 3 single family homes on 59 Bergey Court would leave the

neighbourhood in a manageable state. Consideration of a smaller footprint is required!

Glen and Ruth Cressman

■ Shephard Place New Hamburg

**From:** [REDACTED]  
**To:** [Planning](#)  
**Subject:** proposed Bergey subdivision  
**Date:** August 22, 2024 11:21:11 AM

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Hello Planning Department

I'm writing to you about the concerns we have about the proposed subdivision at the corner of Bergey Drive and Shephard Place.

First I'd like to say that we feel this plan of 35 townhouses does not fit in with the homes on Shephard Place. It almost doubles the homes we have and is not an extension of the type of homes that are already here. That being said, if the Township does permit them to go ahead then here are a few things that we would like to see to make it fit in a little better with our neighbourhood.

1. no driveways onto Shephard Place as this would add too much traffic and congestion at the entrance of Shephard and surely lose our nice boulevard. Also a stop sign on Bergey when they reach the Shephard entrance or even a stop sign for both us and them.
2. an upgrade to Bergey Drive which at the moment is in terrible condition and with the extra traffic really should have sidewalks. Many people from Morningside and Shephard already walk on Bergey and do so on the actual pavement. This with the extra people living in the units it will only make it more dangerous.
3. not sure if this a Township concern but we would like to see the 35 added postal boxes to be installed in the new subdivision and not added on to current ones on Shephard as it's already a busy location for cars stopping to pick up their mail.
4. safe access to the river sidewalk during construction as many of us use that way to walk and bike into New Hamburg

Thank you

Helmut & Mary Trimmel

[REDACTED] Shephard Place

**Concerns Regarding:**

**August 22, 2024**

Official Plan Amendment Application 02/24

Zone Change Application 03/24

2748629 Ontario Inc./ NPG Planning Solutions

59 Bergey Court/ 12 Shephard Place, New Hamburg

The following are concerns we have as long-time resident of Shephard Place:

**1. Street Parking- Safety Issues**

- With the boulevard at entrance to Shephard Place, would be difficult to have safe street parking along the current property of 12 Shephard Place. That would apply to both sides of the road. would create hazard for cars to get by and even more concerning would be buses, garbage trucks and large delivery trucks.
- Turn around at the end of Bergey Court would need to be expanded if parking was to be allowed. There still are transports/buses/garbage trucks that use that turn around as it is a dead end. Would need several parking spots for the community to park and access the walking trail along the river and trail under the 7/8 bridge to downtown. This is a very well-used path and needs to be kept open through any construction and ideally improved if development on this property is approved.
- Difficult for street parking along Bergey Court in both directions with transport traffic servicing industrial businesses on one side of the road and cemetery on other side of the road.
- Having driveways for new units coming off Shephard Place will create a log jam of vehicles in that area and will be a safety hazard as vehicles are turning off Bergey onto Shephard Place.

**2. Current state of Bergey Court**

- The current state of Bergey Court road is very rough. With additional construction traffic and vehicles, it will deteriorate more. Is it being planned to resurface Bergey Court and Shephard Place if new development is approved?

**3. Sufficient infrastructure in place? Appropriate Location?**

- Does the current proposed development site have access to sufficient hydro, water, natural gas, telecoms, etc? Will there be disruptions or issues with Shephard Place residents' services as a result?
- Did Wilmot Township plan on this size of development in this location? Has the Township done sufficient planning to make sure a development of this size is appropriate in this location? Understand there are mandates for increasing housing, but the small size of the units, and large number of them, on what is a relatively small parcel of land seems misplaced.
- On one hand Wilmot has a long-term plan for development between Baden and New Hamburg which will be well thought out and being planned properly. On the other you have the current proposal which is a development to solely take financial advantage of

current Government regulations. No thoughts of advanced planning or care about it. Its how many doors can we build to fill our pockets regardless of appropriate planning.

- We believe Shephard Place residents would welcome a development that was better thought out, with housing more in scale and size as our current neighbourhood.

#### **4. Trees, Greenspace, Wildlife**

- How many mature trees will be cut down for this development? How will they be replaced? Is there a plan to retain green space for residents of the new development and as well residents of Shephard Place? Is a common greenspace/park area part of this development?
- If wildlife is present on properties now, what problems does that create for their displacement?

#### **5. Flood Plain Issue**

- The Bergey Court property is adjacent to the flood plain. Many times over the past 25 years, the Nith has flooded and the entire flood plain becomes a lake for several days. Is the new development far enough away from the flood plain area to guarantee there will be no flooding or water issues for a new development in this location?
- We understand there needs to be significant water pumping out of the properties that are being proposed for the new development. Will that create any problems for current Shephard Place residents, especially neighboring properties?

#### **6. Noise concerns**

- Long term construction of such a large-scale project will elevate noise levels throughout the neighborhood. Early morning, late evening and weekends?
- When completed, doubling the number of people in our neighborhood in such a small area will create an ongoing noise issue.

Thanks for the opportunity to express these concerns.

Joanne and Dave Randerson

■ Shephard Place, New Hamburg

**From:** [REDACTED]  
**To:** [Planning; andrewmartin@wilmot.ca](mailto:andrewmartin@wilmot.ca)  
**Subject:** Comments on Proposed Official Plan Amendment and Zoning By-Law Amendment Application (ZCA-03/24) for 59 Bergey and 12 Shephard Place, New Hamburg  
**Date:** August 21, 2024 4:46:39 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open any attachments unless you recognize the sender and know the content is safe.

We'd like to take this opportunity to forward a number of comments on the proposed Official Plan Amendment and the Zoning By-Law Amendment Application submitted for the properties located at 59 Bergey Court and 12 Shephard Place in New Hamburg.

After a review of the Planning Justification Report and other information provided on the Township's website, we have a number of concerns as follows:

1. The proposed setback on properties fronting Shephard Place - Regulation 10.2.5 Front Yard Setback - the required setback for Zone 4a is 7.6 metres but the application proposes a setback of only 6 metres on Shephard Place. The proposed setback should be consistent with the existing residences on Shephard Place, or at a minimum, meet the requirement of the Regulation.
2. Ontario Ministry of Tourism, Culture and Sport's *Criteria for Evaluating Archeological Potential* states that if a property is within 300 metres of present or past water sources (ie. the Nith River), than an archeological assessment is required. We did not see an archeological assessment as part of the available documents on the Township's website. Has an archeological assessment been completed? If not, one should be completed prior to approval of the application.
3. Existing trees - the Township and previous property owners planted a large number of trees along the Shephard Place and Bergey Court properties, many of which are quite large. The trees on the Shephard Place property match the trees along the entirety of Shephard Place. The proposed application involves the removal of many trees fronting Shephard Place and Bergey Court. The Township should minimize the number of trees removed for this development, or at a minimum, require the replacement of all trees removed with similar trees.
4. We did not see any mention of upgrading Bergey Court to accommodate the increased traffic flow to the proposed development. Is the Township or Region planning to upgrade Bergey Court and construct sidewalks for the increased vehicular and pedestrian traffic?
5. Lighting - have provisions been made to reduce light pollution from the proposed development? Lighting should be installed to reduce light extending past the proposed development onto neighbouring properties and streets. Minimizing light pollution must be considered to reduce impact to wildlife in adjacent areas.
6. The proposed driveway widths do not conform to the required width of 3.0 metres, but are proposed at a width of 2.75 metres. The Township should require the minimum width for each driveway.

7. Drinking water supply - the application proposes to connect the development to the existing drinking water supply system. Have any studies been completed to determine whether this connection has the potential to reduce supply to downgradient users, especially during peak usage times?

8. If this Official Plan Amendment and Zoning By-Law Amendment Application is approved, are future zoning change applications more likely to be approved to change the current single-family home lots on Shephard Place to multi-family dwellings or multiple dwellings on each lot?

We appreciate the opportunity to submit these comments and appreciate your attention to this matter. Please contact us if you would like to discuss these issues further.

Best regards,  
Joanne and Robert Toth  
[REDACTED] Shephard Place  
New Hamburg  
[REDACTED]

**From:** [REDACTED]  
**To:** [Planning; andrewmartin@wilmot.ca](mailto:andrewmartin@wilmot.ca)  
**Subject:** Application ZCA-03/24, for the re-development of 59 Bergey and 12 Shephard Place  
**Date:** August 23, 2024 12:21:59 PM

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"Good afternoon Andrew, and Mayor and Council of Wilmot Township

We are writing to you today as a concerned residents of the Shephard Place neighbourhood.

Our concerns are specific to the recent application ZCA-03/24, for the re-development of 59 Bergey and 12 Shephard Place.

WE do not support the current application as shown on the Wilmot website August 22, 2024 which as proposed will:

- dramatically change the beauty and aesthetics of the walking pathway/trail used by residents of Shephard Place, Morningside, employees of local businesses and many others who walk or drive to the trail to enjoy the beauty of the area, the Nith River and the tunnel.
- nearly double the number of residences impacting traffic, parking on the road, the yield at Shephard/Bergey and the stop at Bergey/Bleams.

WE welcome further conversation with the developer and/or township staff to work on amendments that would align with the values of our neighbourhood.

John and Pauline Potzold  
[REDACTED] Shephard Place  
New Hamburg

**From:** [REDACTED]  
**To:** [Planning; Andrew Martin](#)  
**Subject:** Re: Official Plan Amendment Application 02/24 and Zone Change Application 03/24 59 Bergey Court / 12 Shephard Place, New Hamburg  
**Date:** August 22, 2024 8:47:41 PM

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Attention:  
Wilmot Planning Department and  
Andrew Martin

We are opposed to the proposal of 59 Bergey Court and 12 Shephard Place, New Hamburg, to be redeveloped with 35 homes.

Our Concerns:

12 Shephard Place is part of the original development plan that was approved by Wilmot Township.

This neighbourhood has been established for over 25 years and as such, the existing single family home should remain on this lot. The original development plan also addressed safety and streetscape of Shephard Place, which does not appear to be upheld in this proposed development.

What environmental impact will the building and development of 35 townhouses, including the removal of numerous existing trees on these two original lots , create?

Was there an Environmental Impact Assessment of how the development of 35 units would impact the river valley?

The report concerning the ground water wells indicates toxic levels of water which the development will have to remove. How will this be done and where will the water be disposed?

How will the habitat of wild life by the Nith River be affected by this development?

Is there a designated recreational/ playground area for the children living in this development?

The proposal of the high density change to 35 townhomes, where 2 single family homes existed before, will impact the traffic on Bergey Court and Shephard Place.

Why was the traffic study conducted in August, when schools are out and many residents are on holidays?

Due to the parking proposed for the development and request to reduce the required driveway widths, there is a valid concern of overflow of residential and visitor parking onto Shephard Place or front lawn parking on the townhouse lots. What about the safety concern for residents, children and elderly who walk on the road, as there are no sidewalks.

Also, the overflow parking on the street would impede the safe clearing of ice and snow in the winter and access for Emergency vehicles.

Due to the narrower streets in the proposed development, will emergency vehicles, garbage trucks and snow ploughs be able to access and maneuver the streets?

Who will be responsible for garbage pick up? Will it be weekly collection by the Township or private collection by using large garbage bins? If private collection, where would the bins be located, number of bins and how often would they be collected?

Who will be responsible for maintaining the common areas of the development?

Are there elevation drawings, are neighbouring properties privacy going to be impacted?

Requests:

No townhouses abutting Shephard Place

Reduction of units

Wider lots

Double garages

Bungalow style units

Regards,

Karen and Rob Langver

█ Shephard Place,

New Hamburg

Resident since 1999

**From:** [REDACTED]  
**To:** [Planning; Andrew Martin](#)  
**Subject:** Bergey Court and Shephard Place Development Application ZCA-03/24  
**Date:** August 22, 2024 10:34:49 PM

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We have spent some time reviewing the planning application forms which were obtained by some residents of Shephard Place.

We welcome new development which will increase the supply of housing in Wilmot.

The main concerns we have relative to this application as submitted are:

Too many driveways opening on to Shephard Place in such a short distance - 6 driveways, or 3 double driveways within 32 meters of roadway. Throughout the rest of the street our homes average close to that distance for each driveway. Certainly, this development as proposed would be completely out of character for this established neighbourhood. The current residence at 12 Shephard Place does not have a driveway on Shephard Place. It would be better if the development had no driveways on Shephard Place. With the mailboxes situated near the corner many residents walk to pick up their mail, less traffic in that area would be safer.

The setback from Shephard Place for the proposed development is significantly less than any other home on the street. The development should maintain the current, established setback of the neighbouring homes, whether that setback from Shephard Place is for the front, side or back of the homes.

The other concerns we have with this development:

- whether it would affect the boulevard/divided section of Shephard Place, at the entrance from Bergey, we'd certainly like it to remain
- with the doubling of residential traffic, perhaps more than double is likely with younger families expected, the entire length of Bergey and most notably the truck turnaround will make the condition of the road worse. Currently there are no curbs or sidewalks, a lot of broken pavement, and potholes every spring and along the edges of the roadway. This will be a much greater impact on residents with the increased traffic expected.
- Shephard Place, Morningside and other Wilmot residents use the sides of Bergey for walking, biking and the occasional golf cart. With the additional traffic expected from this development a sidewalk running the full length of Bergey would be necessary. Perhaps a wide, asphalt multi-use "trail" as is becoming very common in Waterloo region, rather than a narrow concrete walkway.

- with 35 residential units and only room for 14 visitor vehicles, we can expect significant on-street parking by both the residents and their visitors. Unless the paved parts of Bergey are also widened, most of that on-street parking will occur on Shephard Place, without sidewalks to get from the parking spots to the new development. Certainly that provides more reason to widen Bergey to allow on street parking, considering the amount and nature of the industrial, commercial and residential traffic expected. Tractor trailers often take up both of the existing lanes to pull into, or out of, the commercial and industrial businesses on Bergey.

Thank you for taking the time to listen to the concerns from us and our neighbours about this proposed development.

Please feel free to contact us if you have any questions.

**Mike & Natalie Burrell**

█ Shephard Place

█

**From:** [REDACTED]  
**To:** [Planning; andrewmartin@wilmot.ca](mailto:andrewmartin@wilmot.ca)  
**Subject:** Re: Shephard Place and Bergy Ct. Development. Attention Andrew Martin  
**Date:** August 19, 2024 7:18:03 PM

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>

> My name is Mike Weber. I live at [REDACTED] Shephard Place, New Hamburg On N3A2E4. I have many concerns about the development proposal across the street and slightly north west of my property. I'm sure you have heard some of the same concerns from the other neighbours in our subdivision. I purchased our lot in 1999 and built our house to conform to all requirements necessary to be in our beautiful subdivision. I feel this project will as proposed change both the look and the feel of our street. I wonder about parking for new residents and also visitors. Loss of trees along our street which are consistent all throughout our neighborhood. Environmental issues like flood plain and ground water changes. Garbage removal, will it be large smelly bins or curb pickup. Do they require a retention pond for storm water runoff? I feel townhouses facing Shephard Place will change our great subdivision more than should be allowed. Thank you for listening to some of my concerns. Mike Weber.

>

> Sent from my iPhone

**From:** [REDACTED]  
**To:** [Andrew Martin: Planning](#)  
**Subject:** Attention Andrew Martin: Concerns Regarding Shephard Place and Bergy Court Townhouse Development  
**Date:** August 21, 2024 2:26:44 PM

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Hello Andrew Martin,

My name is Pat Weber, and I am writing to you as a resident of [REDACTED] Shephard Place regarding the new construction development on Shephard Place and Bergy Court. I have a few concerns about the project, and I would appreciate your attention to these matters. While I have more concerns, I would like to focus on my top six:

1. **\*\*Environmental Impact:\*\*** Could you please clarify how the boundary between the floodplain and the proposed building site was determined? Was a study conducted to establish this line? Given the proximity to the floodplain, should we be concerned about potential flooding and excess water drainage?
2. **\*\*Parking Concerns:\*\*** We have heard that the planned driveways may not accommodate all the vehicles of the new residents. If this is true, will there be an overflow of cars onto Shephard Place? If so, this is unacceptable. Where are the residents of the new townhomes supposed to park if their driveways cannot fit their vehicles? I would like to know what provisions will be made to ensure that parking remains manageable for both the existing residents and the new occupants.
3. **\*\*Garbage, Recycling, and Snow Removal:\*\*** With more residents comes the potential for increased strain on garbage collection and snow removal. Where will the bins for garbage and recycling be placed? We hope they will not be facing Shephard Place. Additionally, what is the plan for snow removal? Where will the piles of snow be placed?
4. **\*\*Increased Traffic:\*\*** We are concerned about the potential increase in traffic on our street due to the new development, and that the additional vehicles from the new development could create safety concerns, particularly for children and pedestrians. Could you please provide details on how traffic flow and congestion will be managed to minimize disruption to Shephard Place?
5. **\*\*Standards and. Expectations:\*\*** When the current residents built their homes, we had to meet certain expectations, such as building back a certain distance from the road, maintaining the appearance of the homes, and preserving a tree line along the road. These were standards current residents adhered to - will the new townhomes be held to the same standard?
6. **\*\*Neighborhood Integrity:\*\*** Shephard Place is a tight-knit and wonderful community, and we want to ensure that it remains that way. There is a fear that the new development could disrupt the cohesion and charm that we currently enjoy. What measures will be taken to preserve the character of our neighbourhood during and after the construction?

Thank you for taking the time to read my letter. I look forward to a speedy reply with your

answers and any compromises you can offer to address our concerns.

Sincerely,

Pat Weber

Resident of [REDACTED] Shephard Place

Sent from my iPhone

**From:** [REDACTED]  
**To:** [Andrew Martin](#)  
**Subject:** Resident's comments re Official Plan Amendment Application 02/24. Bergey Court / Shephard Place  
**Date:** August 22, 2024 10:03:23 AM

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Regarding:

Official Plan Amendment Application 02/24  
Zone Change Application 03/24  
2748629 Ontario Inc. / NPG Planning Solutions  
59 Bergey Court / 12 Shephard Place, New Hamburg

Dear Mr. Martin

If you are not the appropriate person for my comments below, would you please be good enough to inform me of the person (with email address) to whom I should address them. Or alternatively, forward them directly with a CC: to me.

Thank you in advance.

I have concerns and questions regarding this application for development as described below.

Apparent lack of an Environmental Impact Study considering:

- Proximity to the nearby flood plane and the possible effect of a concentration of 35 residential units.
- Consideration that the flood level a few years ago appears to have been somewhat higher than the high water mark indicated on the map of the proposed development
- The number of mature trees that will have to be cut down for this development.
- The extensive excavation that will be necessary and its potential for affecting neighbouring properties and the protected flood plane, both short and long term.

Traffic flow and parking

- Several of the proposed townhouse units would have driveways exiting onto Shephard Place at the entry from Bergey Court, which has a narrowed roadway through this section. This would cause congestion and risk for pedestrian and vehicle traffic through this bottleneck section. What options are being considered to eliminate or at least reduce this risk?
- Do the apparently narrow laneways serving the townhouse units in the development plan allow sufficient access for fire, ambulance and police? Or for Utilities service trucks? Or would they have to park on Shephard Place &/or Bergey Court?
- Are the dozen or so visitor parking spaces in the plan sufficient for 35 housing units? I commonly see more vehicles than that parked on Shephard Place with a similar number of dwellings, and these with much larger driveways to accommodate visitors. Where then would any overflow parking from the development be directed? I fear around Shephard Place / Bergey Court entry corner exacerbating the issue mentioned in a prior point.
- The plan apparently allows for 2 parking spaces for each unit; one in a garage and the other on a driveway. Many families now have 3 or even 4 cars. How will townhouse residents' manage parking for any additional cars? Or, will they inevitably overflow onto Shephard Pl. or Bergey Ct.?
- Surely a traffic survey of a single summer day (which I understand was done on a holiday long weekend) is insufficient for an accurate prediction of future weekday traffic, which would include commercial traffic along Bergey Court, through all four seasons. Especially considering almost double the number of residents would be using the Shephard Place and Bergey Court corner.

Effects on the neighbourhood

- Are any interruptions to services (water, sanitary or storm sewerage, electricity, telecommunications, etc.) expected or anticipated during construction? If so, how long might those be? What steps will be taken to minimize the duration(s)?
- I've read of and heard from friends and acquaintances that development such as these are often bought by investors rather than owner/occupiers. The investment units are then sometimes not well maintained. And some commonly let out as Airbnb rentals as daily party venues causing parking, noise and litter problems for neighbours. Are any regulations in place or possible to eliminate this risk?
- Nearby properties would have 2 story townhouses overlooking yards now quite private (other than next door neighbours.) Surely there are options that would eliminate or alleviate this intrusion to existing residents' privacy.
- What steps will be taken to reduce disruption during construction: noise, dust, heavy vehicle traffic, worker parking, etc.?
- The development plan includes a sound barrier between the proposed townhouses and Highway 7. I understand that depending on local topography, these barriers can deflect such noise over the adjacent property only to increase noise behind it. Has this possibility been considered? If such a result is found, what steps will be taken to protect existing Shephard Place residents from the effect?
- Further, the sound wall would likely become a blackboard for graffiti – as is now found in the nearby pedestrian tunnel under Hwy 7. What steps are possible to eliminate or at least cope with this likelihood?

Thankyou for your consideraton of these points and questions.

Regards,

Randall Little  
[REDACTED] Shephard Place  
New Hamburg, ON  
N3A 2E4

Cell [REDACTED]

Email [REDACTED]

**From:** [REDACTED]  
**To:** [Planning; Andrew Martin](#)  
**Cc:** [REDACTED]  
**Subject:** RE: Proposed development on Bergey Court and Shephard Place  
**Date:** August 22, 2024 7:49:51 PM

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22 August 2024

To whom it may concern,

As original residents of the subdivision formally known as " Riverside Estates" we would like to express our concerns regarding the current application for development of the land located at the corner of Bergey Court and Shephard Place. First and foremost, we would like to state that we are not opposed to responsible development, however we believe that the proposal is for a much greater density of housing than the location warrants. As such, we ask that council consider the following:

- That no amendment be made to the current front and side yard setbacks as this will significantly alter the character of the existing neighbourhood.
- That an arborist's report fully addresses past, current and proposed removal and potential replacement of trees on the property.
- That a complete groundwater geochemical report fully address the potential impact of de-watering during construction.
- That spring flooding has neared the 100 year flood line at least 4 times in the past 20 years and will likely occur more frequently in the future.
- That, given the proposed density of housing, a second exit onto Bergey Court, such as the boulevard located on Shephard Place, be added to facilitate traffic flow and more importantly emergency access.
- That the apparent lack of adequate parking will lead to parking on the street, ultimately impacting pedestrian safety, garbage collection and snow removal.
- That an expanded sound study be conducted, taking into account the impact of a barrier on the deflection of noise over the proposed development, and potential impact on existing homes.

We hope for more clarity in the coming weeks.

Our suggestions for specific changes to the proposed development include:

- That the developer consider altering the proposed plan so that bylaws (Bylaws 10.2.4, 10.2.5, 6.22) need not be changed.
- That an additional single family home fronting on Bergey court, rather than town homes, would maintain the current character of the street and negate the need for removal of trees on the court.
- That the developer consider reducing the total number of dwellings, and considers

semidetached units, thereby addressing many of the concerns listed above.

Unfortunately, we are unable to attend the open meeting scheduled for Sept 9th but are assured a number of our neighbours will be there.

Thank you for taking the time to review our concerns.

Richard Elgood and Adria "Cory" Veenhof  
[REDACTED] Shephard Place

[REDACTED]

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**From:** [REDACTED]  
**To:** [Andrew Martin; Planning](#)  
**Subject:** RE - ZCA-03/24 - Shephard Place Resident Concern  
**Date:** August 23, 2024 10:58:15 AM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open any attachments unless you recognize the sender and know the content is safe.

Good morning Andrew, and Mayor and Council of Wilmot Township

We are writing to you today as a concerned residents of the Shephard Place Neighbourhood.

Our concern is specific to the recent application ZCA-03/24, for the re-development of 59 Bergey and 12 Shephard Place.

#### Background on Shephard Place

This neighbourhood was approved by Council in the early 90's and was built out between 1994 and 2001.

It consists of 40 custom built single detached homes that followed strict requirements, known as "restricted covenants" of the subdivision agreement that all owners had to adhere to.

Examples of these restricted covenants included:

- Individual custom design for each house, and finishes (brick/stone), ie no two houses shall be architecturally the same on the street, garage forward designs were not approved
- Minimum size of the homes that had to be built on the lots (1,600-2,400+ sqft based on lot size), minimum roof pitch of 6/12
- Minimum setback requirements from the road to the face of the homes, (Lot 1 had a setback of 25ft, all other lots have setbacks of 35-50ft )
- Minimum number of garage spaces required, Two (2)
- Minimum width of the driveway to match garage space and depth
- Minimum side yard width, no less than 9.8ft

A neighbourhood like Shephard Place will never be replicated with current planning acts and desires for intensification.

A neighbourhood like this is a **necessary requirement that contributes to the diverse portfolio of housing within Wilmot.**

Residents that built these homes bought into and upheld the **planning standards** that were developed for this neighbourhood and have adhered to these requirements right through to present day.

We are unified in the covenants that govern development in the neighbourhood we call home, and we have upheld them as the values to maintain the look, fit and finish of our street.

These are what we perceive to be the minimum requirements for the neighbourhood and this is what we chose to buy into , support and uphold.

#### Concern with Application ZCA-03/24

We understood that the neighbourhood location as a whole, was not identified for development in the most recent Official Plan.

We understood that no further development would be possible due to the type of residences and the covenants and requirements of the neighbourhood.

The application before you does not align with the character and covenants of the neighborhood.

The application showcases;

- **Overbuilding** of the site;
- Immense scale/density of the site compared to the properties located around it
- No/Minimal consideration for streetscape within existing neighborhood (12 Shephard Pl)
- No/Minimal consideration for housing type, character, finish and fit, within existing neighborhood (12 Shephard Pl)
- Non-alignment with restricted covenants of the neighbourhood (12 Shephard Pl) (custom home design, minimum lot size, minimum set backs , minimum garage size requirements and driveway, etc)
- No/Minimal consideration for parking. Currently proposed, 1 in garage, 1 on driveway for small/medium cars (below standard township size requirements).
  - New Hamburg is a commuter community, every family has 2 or more vehicles.
  - Example: Captain McCallum Drive Townhouses were approved for 1 garage spot and 2 driveway spots. Even with this additional spot, the street is littered with vehicles.
- Removal of established township trees along the boulevard (which contributes to the established feel of the neighbourhood, by those that live here, and those that visit)

WE do not support the current application as shown on the Wilmot website August 22, 2024.

WE would welcome further conversation with the developer and/or township staff to work on amendments that would align with the values and covenants of the neighbourhood.

Ryan and Mandie Scott

Proposed Development at the time of this application within New Hamburg Only:

- Over a thousand units in various stages of approval
- Estimated over 350 are townhouses
  - Between 526 and 747 mixed use units in Wilmot Woods
  - 97 unit residential building on Neville
  - 62 townhome units – 62 Hincks St
  - 14 units approved at 362 fairway street
  - Ground has not been broken on any



**K. SMART ASSOCIATES LIMITED**  
CONSULTING ENGINEERS & PLANNERS

85 McIntyre Drive  
Kitchener, ON N2R 1H6

Tel: 519-748-1199  
Fax: 519-748-6100

August 23, 2024

Ref. Num.: 24-184

Mr. Andrew Martin, MCIP, RPP  
Township of Wilmot  
Development Services, Planning Division  
60 Snyder's Road West,  
Baden, ON.,  
N3A 1A1

**Regarding: OPA 02/24 and ZCA 03/24, Township of Wilmot**

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Dear Mr. Martin,

K. Smart Associates has been retained by Mr. Donald Woolcott of [REDACTED] Shephard Place, New Hamburg to assist with his review and comments for the applications OPA 02/24 and ZCA 03/24. The proposed townhouse development is located at 59 Bergey Court and 12 Shephard Place, New Hamburg (the "Subject Lands"). This submission is being provided in advance of the September 9, 2024 public meeting on behalf of Mr. Woolcott.

At the invitation of Mr. Woolcott, I attended a neighbourhood meeting on August 10, 2024 to discuss the development proposal, hear the area resident concerns, and provide information about the land use planning process and policies. A number of those other residents are submitting their own comments to the Township independent of this document.

Following that meeting, I viewed the Subject Lands from the public roads and took photographs of the existing conditions including the Shephard Place streetscape and boulevard trees. My observations of the rear of the Subject Lands were limited to publicly available aerial photography from sources such as Google Maps, GRCA online GIS resources, and FirstBase Solutions subscription service (VuMap).

In preparation of this letter, I have reviewed the supporting documents that are posted on the Township of Wilmot website. To assist with my understanding of the supporting documents, I have spoken with other professionals including:

- A telephone call on August 20, 2024 with Mr. Andrew Martin / Wilmot Township Planning;
- A Professional Engineer co-worker at K. Smart Associates experienced in the preparation and review of Functional Servicing Reports;
- A third party field ecologist who is qualified to complete Environmental Impact Studies including a recent project along the Nith River just downstream from the Subject Lands; and
- A project estimator for a local Construction firm with experience installing site servicing at properties with a high water table requiring dewatering.

The following photograph of the Shephard Place streetscape was taken on August 10, 2024. This shows the view looking south from Bergey Court with the center entrance feature and the existing treed boulevards:



*S Jefferson photo*

This second photo shows the view facing northerly towards Bergey Court with the boulevard trees and other existing trees on the Subject Lands, five of which (at minimum) would be removed if the 6 unit townhouse block is approved facing Shephard Place.



*S Jefferson photo*

This final photo shows the proximity of the house at 28 Shephard Place to the property line, and also proximity to the area where groundwater dewatering would require monitoring for settling and potential foundation impacts. (Source – Hydrogeological Investigation Report (24-Jan-2023), Sect. 7.6, page 20).



*S. Jefferson Photo*

Mr. Woolcott has expressed concern with the proposed development plans, including many issues that are similar to those raised by other area residents. Mr. Woolcott's concerns include the following:

- Completely changing the entrance streetscape of Shephard Place across from his home due to the 6 units fronting onto the street and requiring the removal of at least five Township owned trees on the boulevard plus trees on the Subject Lands;
- Potential traffic impacts on the local streets from the addition of vehicles;
- Appropriateness of allowing new homes in proximity to Highway 8 where extensive noise attenuation measures are required;
- The proposal to construct the new homes within 2.81 m (9 feet) of the flood elevation without more detailed consideration of a buffer within the GRCA Regulation Limit;
- The overall number of units being proposed despite the site conditions and high groundwater table elevations;
- Safety concerns due to the lack of a secondary access for emergency responders; and
- Similar safety concerns due to the reduced width of the internal roadway.

In discussions with Mr. Woolcott, he does have previous experience with municipal governance and recognizes that a decision to permit needed housing will result in changes to the immediate neighbourhood. We both also recognize the policy evaluation included within the Planning Justification Report, and that in many ways this proposal delivers the type of housing that all levels of government wish to see within existing urban areas. However, at the end of the day we should also require a new development to be appropriate for the site conditions and which provides a suitable transition between the housing and the existing natural heritage features such as a floodplain.

The following comments are provided based on my 35 years of consulting planning experience based in Waterloo Region. At the time of writing this letter, any municipal or agency review comments for this project have not been made available for public reading. I wish to request to Township staff that any municipal / agency comments that have been completed be circulated to me in advance of the public meeting so that I can add to my knowledge of the project.

Of greatest interest to me is the rationale for not requiring the completion of an Environmental Impact Study (EIS) due to the development within the GRCA Regulation Limit. In discussion with Mr. Martin, he indicated that Township, Region of Waterloo and GRCA staff had extensive consideration of this proposal, and it was determined that an EIS would not be required.

My research included sections of the “A Place to Grow”, Growth Plan for the Greater Golden Horseshoe 2020 (the “Growth Plan”) such as Section 4.2.2 and the definitions of *Natural Heritage Features and Areas* and *Natural Heritage System*. There are provisions within the Growth Plan such as Section 4.2.2.2 that requires municipalities to “apply appropriate policies to maintain, restore, or enhance the diversity and connectivity of the (Natural Heritage) system and the long-term ecological or hydrologic functions of the features and area”. This type of policy is consistent throughout applicable policies such as the Provincial Policy Statement, Regional Official Plan, Township Official Plan, and the GRCA Policies for the Administration of ... Ontario Regulation 150/06.

Section 7.1.1 of the GRCA Policy document states that:

“Development, interference or alteration within a Regulated Area may be permitted where it can be demonstrated through appropriate technical studies and/or assessments, site plans, or other plans as required by the GRCA that:” and the section goes on to list 13 factors to be considered. Typically, an EIS is required for the evaluation of development within the Regulated Area.

If the Township planning applications are approved, it is expected that the proponent will be required to apply to the GRCA for a Permit for the portion of development within the ‘Regulation Limit’. It is my request that the Township in consultation with the GRCA determine the appropriate setback from the Floodplain limit and the design of the transition from the treed floodplain to the residential units before a recommendation is made to Township Council on these applications.

At this point, the position being taken by the proponent in the supporting studies appears to be that the new development will be above the floodline elevation and therefore no additional consideration of the buffer / transition is required at this time. In my view, this evaluation should not be left to the Permit application stage later in the process after the principle of development is established through the Official Plan and Zoning amendments.

Also of interest to me are the property investigation results and recommendations in the Hydrogeological Investigation (HCS 24-Jan-2023). That report also includes Table 3 which summarizes the groundwater chemistry results and the number of identified parameters which exceed the Provincial Water Quality Objectives. Those details were part of my consultation with other professionals as listed on the first page of this letter. Due to the documented site conditions, this report has many recommendations to be followed at the construction phase including:

- Excavation requirements;
- Dewatering requirements;
- Construction techniques;
- Geotechnical monitoring of area infrastructure and adjacent foundations, settlement risks;
- Permit requirements for dewatering discharge; and

- Discharge water chemistry.

We are interested to see the review comments from Township and Regional staff specifically regarding the contents of the HCS report. Please forward any review comments on this report to me as soon as publicly available so that my qualified colleagues can assess the findings.

The final area of interest is for the trees on site and within the Township road allowance. While the consideration of trees may be left to the site plan stage in some circumstances, it is my request that the Township require the following prior to a Council decision on the OPA and ZC applications:

- Are the trees a candidate habitat for common wildlife and Species at Risk (SAR) wildlife;
- Arborist report to assess the private trees to be removed, propose suitable compensation plans with replacement trees, and a tree management (tree saving) plan; and
- Arborist report to assess the publicly owned trees on the boulevards to be removed, propose suitable compensation plans with replacement trees, and a tree management (tree saving) plan.

I considered what revisions could be made to the current site plan that would provide greater setback from the floodplain and preserve the Shephard Place streetscape. My working sketch resulted in a design that:

- Provides 12 m setback from the floodplain with room to design an ecological buffer and more room to transition from the existing ground elevations to the final built out elevations
- Shift the internal road further to the east to accommodate the increased floodplain setback
- Eliminate the units fronting onto Shephard Place

My sketch resulted in 27 units within the development, with more flexibility for the roadway width and size / location of visitor parking. I am willing to share this with the Township and the proponent if there is any interest in redesigning the overall project with consideration of these factors. This redesign is also based on the assumption that the site dewatering volumes / Geotech risks / discharge water chemistry can be undertaken in a manner acceptable to the Township, Region and / or Province.

Thank you for the opportunity to submit these comments for consideration. As noted, please share any municipal / agency review comments as they become available in advance of the public meeting.

Regards,



Steven Jefferson, RPP, MCIP  
K. Smart Associates Limited

Copy to: Donald Woolcott

**From:** [REDACTED]  
**To:** [Planning](#)  
**Subject:** Shephard Place/Bergey Court-Official Plan Amendments-Zone Changes-Ont Inc/NPG Planning Solutions  
**Date:** August 22, 2024 9:18:34 AM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open any attachments unless you recognize the sender and know the content is safe.

Notice to Andrew Martin, Manager of Planning & Economic Development

The Kellers have received your Notice of Public Meeting document dated July 30th '24.

Ultimately Andrew, we feel you and Council and all Township parties should be and need to be firstly focused and concerned for our interests as current residents.

If there are requests for Official Plan Amendments AND Zone Changes, Surely one option (nowhere mentioned in your notice to us) is to say NO. I am also quite disappointed that you have not offered what specific items we should be considering to appeal this. The applicant has taken "years" to formulate this negatively transformational proposal to Shephard Place & Bergey Court, and we are the directly impacted current residents are given a couple weeks with no specific direction as to how best to challenge said application.

Personally, this has become pretty much a full-time distraction to our otherwise peaceful, tranquil residency this past month. Every interaction with neighbours is only about this negatively transformational notice. It came without warning, totally out of the blue. Surely, you and others at the Township were aware of the applicant's desire to radically transform our neighbourhood these past few years and surely we as residents deserved some notice & involvement much earlier in the process?

We remain hopeful that you and other staff/council/authorities "will" reflect on how the applicant's asks for official plan amendment and zone changes are best serving any of the current residents of Shephard Place, while considering any/all potential negative impacts to our neighbourhood.

-Traffic volumes, all happening at the very entrance to Shephard Place - 6 proposed driveways, again all at the entrance to Shephard Place raises countless safety concerns/congestion/parking for vehicles - negative transformation of the neighbourhood/only negatively impacting property values - zero positive impacts or take aways for any of our current residents - water table impacts - density craziness for our neighbourhood - parking/safety - construction zone for years? - garbage/recycling/compost collection for entrance to Shephard Place - Post Office Boxes - what now is 2 residence to become 35 residences virtually doubling the size of our neighbourhood with virtually all aspects of day to day experiences being negatively impacted - please hold firm on set backs from roads/walkways/floodplain/line - hydrological implications and sure to be more as we reflect.

We are not suggesting zero changes is the only tolerable/acceptable option for us, but 35 townhouses/residences?

Is our only realistic option to challenge so many aspects of the applicant's asks, to hire consultants, planning engineers/planners, lawyers, spokespersons/etc? Or could you & others at the township better support our neighbourhood and advise accordingly. It almost seems like this is already progressed to a no turning back point already?

May this note serve as our desire to most definitely appeal the applicant's request for both the Official Plan Amendment and Zone Change Applications.

Also, may this note also serve as our formal written request to be notified of the decisions of the Township of Wilmot.

Terry Keller  
[REDACTED] Shephard Place  
New Hamburg, Ontario  
[REDACTED]

**From:** [REDACTED]  
**To:** [Planning](#)  
**Subject:** 59 Bergey Court / 12 Shepard Place - Zone Change Application concerns - ZCA 03/24  
**Date:** August 25, 2024 2:53:38 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open any attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

I writing today to voice my concerns over the zone change plan provided to the area in question and the materials provided for the area known as 59 Bergey and 12 Shepard.

I plan to attend the township meeting and listening to feed back that will hopefully shed some light into how this gross application has gotten this far through council.

On a high level I support the community growth plan within reason and careful consideration of current environmental, humanitarian and safety concerns.

With that being said I feel this application is in bad faith and clearly pushing the limits of reality in the hopes of finding a middle ground. It is not the duty of the affected community or the township to find that middle ground, rather on the applicant to offer a reasonable plan that takes into consideration all living life forms in the effected areas.

In order to keep my input brief I will just add topics I hope to have answered during the council meeting.

### **Concerns**

- **Transportation study**
  - Time frame of the study - 4 hours on Aug 3 (no school bus traffic)
  - Only on the corner and entrance into the current residence, did not take into consideration the only entrance into Morningside West / Shepard Pl and business park
  - Call it what it is... Incomplete
- **Environment Noise Study**
  - Only takes into consideration the zoning area and does not consider the Shepard Pl community once the mature trees are removed
- **Geotechnical**
  - Report mentions the entirety of the site be stripped of topsoil and graded, meaning all current environmental and ecological (trees) will be removed.
  - Mentions "high density condominium development", inconsistent with transportation report

- Extensive ground water pumping will be required.... How will that effect the current residents and environment?
- Only one parking lot provided to residential development (6.4 pavement structure) - what about the individual driveways and drainage plan?
- **Hydrogeological**
  - Sections 3 & 4 do not take into consideration the long term effects of the massive change to the area considering it is one of the highest points in the current subdivision.
  - Section 3 focuses on the "water users" or well based services - not how the water table will change
  - Section 4 focuses on the construction requirements - not how the water table will be effected after construction.
- **Functional Servicing**
  - Section 6 - only calculated to the site and not considering the fall out of the current subdivision.
- **Planning Justification report**
  - In my opinion this report is biased and incomplete considering the residential survey was never completed and does not consider long term effects.
  - Does not take into consideration currently approved low income housing initiatives in Wilmot
  - Leans heavily on that growth initiative without providing honest repercussions
- **Concept Plan**
  - Grossly over packed for financial gain
  - No emergency service turn around points
  - Parking insufficient for plan - also not in compliance to standards
  - Access to walkway during construction and safety concerns after construction - low income housing?

What factors are being considered for the zone change, is this in fact low income housing? If so would that not decrease the value of my property and therefore my property tax?

I feel that there can be a reasonable plan in place when negotiated with the Shepard PI community.

I would welcome those talks, and urge council to not head towards another land grab in this Township.

A more reasonable 12 - 18 unit plan can be presented with a more thorough study for long term (transportation/ environmental / safety can be put in place.

**On a personal note** - I looked to acquire 59 Bergy Crt in 2014 - I talked to the township planning department in regards to severing the property into 3 additional units... This was rejected due to serviceability (water and emergency services) so I am very interested to hear what has changed in 10 years. Is it that money really talks?

Sincerely,

Tim Hall & family - [REDACTED] Shepard Pl

**From:** [REDACTED]  
**To:** [Planning; andrewmartin@wilmot.ca](mailto:andrewmartin@wilmot.ca)  
**Subject:** ZCA-03/24: 59 Bergey Court and 12 Shephard Place, New Hamburg  
**Date:** August 21, 2024 8:58:48 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open any attachments unless you recognize the sender and know the content is safe.

Hi Andrew,

We are submitting our questions and concerns regarding the ZCA-03/24: 59 Bergey Court and 12 Shephard Place, New Hamburg proposed redevelopment.

1. Why is this an ideal location to put 35 townhouses?
2. What is preventing additional people in the neighbourhood from re-zoning and doing similar developments?
3. Where will the children go to school?
4. I am concerned about the safety of my children walking to and from our sub-division. The safest way for them to enter and exit Shephard place is via the walking path beside 59 Bergey Court that leads under the highway. Currently they pass 2 single family homes at the end of the street (12 Shephard and 59 Bergey), now there will be 35 homes, a much higher volume of people and higher risk of misconduct.
5. What are the anticipated impacts on local infrastructure, such as water/drainage/flood prevention, sewer, and roads?
6. Who is the developer, and what is their track record? Are you aware of the developer's history, and the quality and reliability of their projects?
7. What is the timeline for the project? Are there going to be multiple phases?
8. Where do you expect the visitors of the development to park?
9. Where do you expect the owners of the townhouses with more than 1 car, or who utilize the garage for other purposes to park with only a single car driveway?
10. Will the existing trees be protected?
11. Is there an anticipated environmental impact on the river/trail behind the houses?
12. Will there be any measures to mitigate negative environmental or traffic impacts?
13. Will there be any public amenities or community benefits included in the development (parks, etc)? Where will the kids play?
14. How does this development add value to existing residents on Shephard place?
15. How will the development affect the character of the neighborhood?
16. How will we be able to access the walking path safely during construction?
17. Will services, such as water, hydro, gas, etc, be disrupted for Shephard place residents during the development?

Thank you,  
Todd and Kristin Diebel  
[REDACTED] Shephard Place

February 18 2025



Mayor, Council and Staff,  
Township of Wilmot  
60 Snyder’s Road  
West Baden, ON  
N3A 1A1

cc. Kaitlin Bos, Municipal Clerk  
cc. Lillianne Dunstall, Steve Martin  
cc. Harold O’Krafka, Andrew Martin

**Subject: Request for Further Delay in Consideration of OPA/ZBA Applications (ZCA-03/24) for 59 Bergey Court and 12 Shephard Place.**

Dear Mayor, Members of Council, Mr. O’Krafka and Mr. Martin.

On behalf of current residents of Shephard Place, I am writing to formally express several planning concerns related to the proposed 35-unit townhouse development at 59 Bergey Court and 12 Shephard Place, which is currently under review for an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA).

While the applicant has made minor revisions (driveway widths on a few units fronting Shephard Place and increased height of sound barrier wall along highway) following public consultation, upon greater review, several critical functional and planning issues remain unresolved. Given these outstanding concerns, I respectfully request that the Township further delay the decision on this application to ensure appropriate revisions with engagement with the neighbours are made that enhance the quality and long-term functionality of the project. Outstanding concerns that require further revision are noted below:

**1. Lack of Internal Sidewalks & Safe Pedestrian Access**

- o The updated site plan includes a multi-use trail along Bergey Court; however, there are no dedicated internal sidewalks within the development. This forces pedestrians, including children and seniors, to navigate driveways and internal roadways, increasing safety risks which is located along a garbage laneway as well.
- o The Township should require a clear 1.2 m pedestrian circulation network (sidewalk) that connects visitor parking, mailboxes, amenity space, waste collection areas (if any), and units.

**2. Insufficient Snow Storage Areas**

- o The revised site plan does not designate dedicated snow storage locations. Given the layout, it is likely that visitor parking spaces will be used for snow storage, significantly reducing winter parking availability which is important

during winter events and holidays. Where will visitor park during the winter months?

- A revised plan should incorporate dedicated snow storage areas that do not impede parking or pedestrian access. Additional revisions are required which may impact unit yield. This relates to the OPA-ZBA application.

### **3. Lack of On-Site Amenity Space for Residents**

- The proposal does not include a communal amenity area for residents. Families with children will lack recreational opportunities, and there are no seating or gathering spaces or play equipment for residents or visitors.
- As an amenity, the central mailbox facility should be identified through the OPA-ZBA circulation stage to ensure safe access is provided to this amenity.
- While the floodplain area remains undeveloped, it does not function as a dedicated play or social space. The Township should require at least a small playground, seating area, or communal green space which may impact unit yield.

### **4. Lack of Neighbourhood Transition**

- There is an abrupt change in housing along Sheppard Place.
- Introduce landscape buffer between development and existing homes (show as landscape buffer).
- Consider single detached homes along Sheppard Place for on-street parking and improved transition along street.

## **Recommended Revisions Before Consideration of OPA/ZBA**

To ensure this development provides a functional, livable, and responsible land use solution, the following modifications should be required before advancing the approvals process:

1. Incorporate internal sidewalks to improve pedestrian safety and connectivity.
2. Clearly designate snow storage areas that do not interfere with parking spaces.
3. Introduce an on-site amenity space (e.g., a small playground, seating area, or landscaped green space).
4. Consider a lower-density alternative (e.g., reducing the number of units) if the site cannot adequately accommodate these critical elements.

## **Request to Further Delay the Meeting**

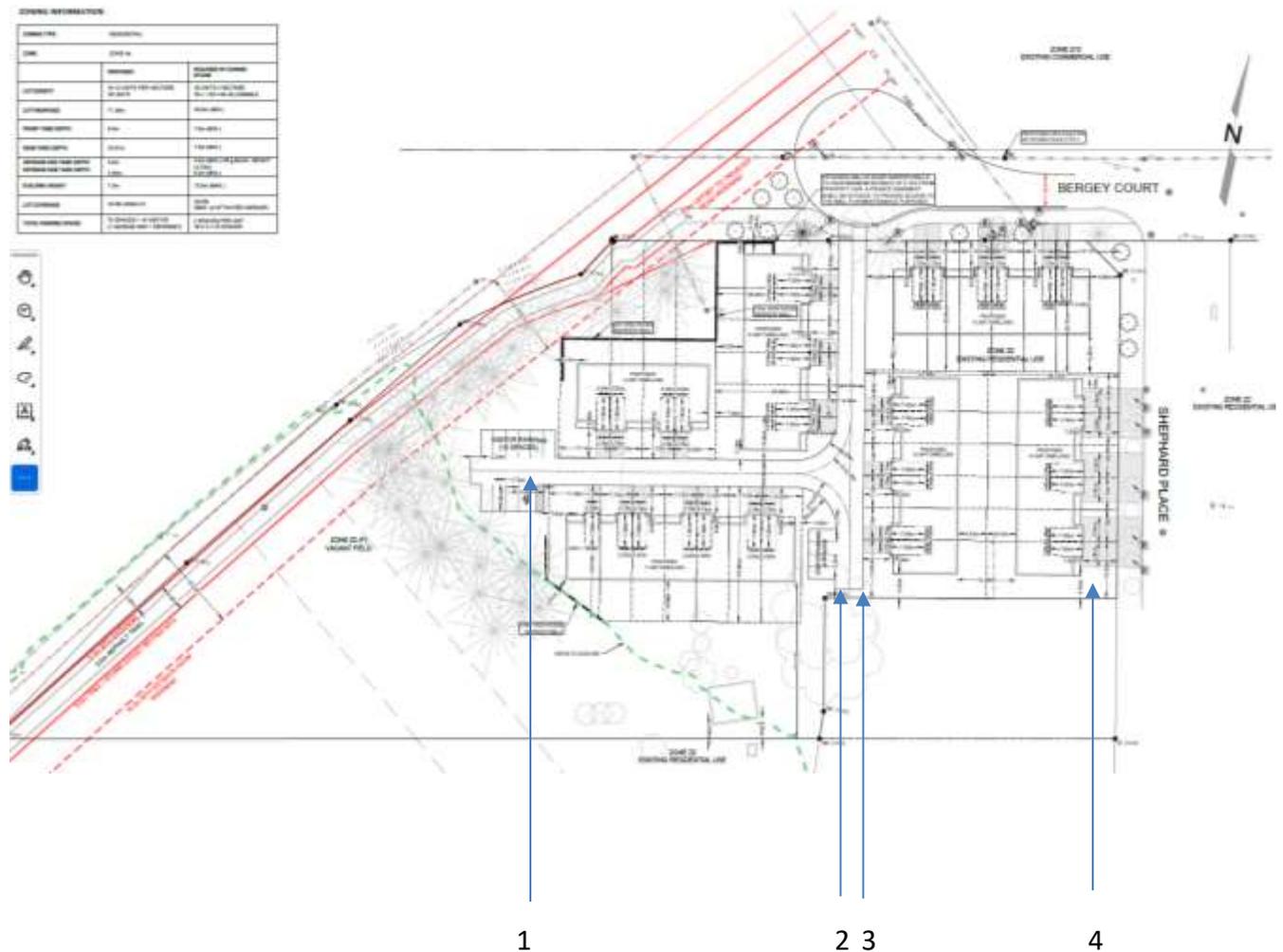
Given these unresolved concerns (which extend beyond site plan control), and opportunities, I respectfully request that the Township further delay the OPA/ZBA decision-making process set March 3<sup>rd</sup> to allow the applicant to incorporate these necessary revisions which impact the OPA-ZBA stage. If the current density and site constraints do not permit these improvements, the Township should consider requiring a lower unit count to accommodate these critical elements properly. This development represents an opportunity to introduce much-needed housing in Wilmot, but it should not proceed at the expense of livability, safety, and functionality. On behalf of my client, we appreciate your consideration of these concerns and look forward to seeing meaningful revisions before any approvals are granted. Respectfully,

Ryan O. Mounsey, CEO, BES.MUDS.MCIP.RPP  
519-591-6076

40 King Street South, Suite 301  
Waterloo, N2J 1N8

File 59-NH-57-2025

cc. Client (Shephard Place Neighbourhood Committee)



1. No snow storage area. Snow will be stored on visitor spaces.
2. No snow storage area. Snow will be stored on visitor spaces.
3. No internal sidewalk for dedicated safe pedestrian access.
4. Limited neighbourhood transition along street.
5. Other: No amenity space for children, no mailbox area, no amenity space for residents.



## Waterloo Federation of Agriculture

Monday September 23, 2024

Dear Wilmot Council,

The Waterloo Federation of Agriculture represents family farms and businesses in Waterloo Region. The issue of intensification and the need to provide a variety of housing options for Wilmot residents is important to us as higher urban densities protect farmland. The Federation has been active for over 40 years in encouraging a good planning regime that provides a variety of housing options, employment opportunities, helps shape urban form, enables complete communities and preserves farmland and the rural landscape.

We wish to support the proposed development on Bergey Court in New Hamburg. In our opinion, this proposal is an good example of gentle intensification that provides a housing option that is in great demand in Wilmot. The compact form and design of the dwellings enables a price point that is far more affordable than less dense options. The proposal's location, in close proximity to a major highway and green open space, fits well with the desires of potential residents and the need to provide new housing options within walking distance of desired amenities.

It is also compliant with the Official Plan and the Provincial Planning Statement and it compliments the small town character of New Hamburg. It does concern us that the density is so low. If the municipality and its residents really want to enable more affordable and appropriate housing for both young families and our increasing population of seniors, higher densities are required especially in or near the urban core. Furthermore, higher densities are required to prevent sprawl and protect farmland.. In conclusion we support the application in its entirety as an example of very gentle density and as a step toward future higher density developments that will provide even more affordable and desirable living space for residents of Wilmot and at the same time protect the farmland that feeds us.

Nic Weber

President, WFA

80 Gatewood Rd.  
Kitchener, ON  
N2M 4E4  
[coordinator.wfa@outlook.com](mailto:coordinator.wfa@outlook.com)

## Excerpt from September 9, 2024 Council Minutes

### 7. PUBLIC MEETING

#### 7.1 DS-2024-11 - Official Plan Amendment Application 02/24 and Zone Change Application 03/24, 59 Bergey Court / 12 Shephard Place, New Hamburg

Manager of Planning and Economic Development, A. Martin presented the report.

Delegates D. Woolcott, S. Jefferson, K. Smart Associates Limited and R. Scott addressed Council.

Council asked and received response from the delegates regarding the following:

- The covenants that existed during the development of Shephard Place.

M. L. Tanner, NPG Planning Solutions on behalf the applicant addressed Council.

Council asked and received response from the agent of the applicant regarding the following:

- Willingness to reduce the number of housing units in the development;
- Height of the sound barrier;
- Applicants experience with development projects;
- The implications of the noise study on the proposed development;
- Timeline on the peer review of the noise study;
- Parking requirements.

Council asked and received response from staff regarding the following:

- Provincial Policy Statement in respect to higher-density housing;
- If there would be another Public Meeting if the designs changes; and,

- Potential for road improvements to Bergey Court.

Director of Development Services, H. O'Krafka provided comments on the role of Council in the planning process in respect to applications.

**Moved by:** Councillor H. Sidhu

**Seconded by:** Councillor K. Wilkinson

THAT Report DS 2024-11 be received for information.

**Motion Carried Unanimously**