

**59 Bergey Court**

**Public Comments and Responses**

**January 17, 2025**

**NOTE TO READERS:**

The enclosed comments and responses address matters identified at the public meeting for the Official Plan Amendment and Zoning By-law Amendment applications.

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## Traffic

Concern/Comment/Question	Response
<p>It is our understanding that 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?</p>	<p>The terms of reference for the traffic study were approved by the Town and the use of Summer 2022 data was found acceptable. For residential developments, the weekday AM and PM peak hours are used since most residential trips occur during these times. This is an industry accepted practice.</p> <p>The study intersections for the traffic study were Bergey Court and Shephard Place and the Site Access at Bergey Court. The intersection of Bleams Road and Bergey Court is not part of the approved study area for this traffic study.</p> <p>The traffic count Bergey Court and Shephard Place captured all traffic using this intersection during the weekday AM peak period (7:00 AM to 9:00 AM) and the weekday PM peak period (4:00 PM to 6:00 PM). No heavy trucks were captured in the traffic counts during the weekday AM and PM peak periods at the Bergey Court and Shephard Place intersection. It is noted that the businesses mentioned are located east of the approved study area for this traffic study.</p> <p>The traffic volumes through the Bergey Court and Shephard Place intersection are low. This is reflected in the traffic analysis results which show that individual movements at this intersection have residual capacity of over</p>

Concern/Comment/Question	Response
	<p>90% and a Level of Service ‘A’ (less than 10 seconds delay) during the weekday AM and PM peak periods.</p> <p>A sensitivity analysis was conducted to double the volumes at the Bergey Court and Shephard Place intersection with the proposed development and the results show movements will still have a Level of Service ‘A’ (less than 10 seconds delay) since the traffic volumes are low at this intersection.</p>
<p>We recommend a stop sign on Bergey when they reach the Shephard entrance or even a stop sign for both us and them.</p>	<p>The existing traffic control was maintained at the Bergey Court and Shephard Place intersection. It would be the Township’s decision to change this to a stop sign.</p>
<p>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.</p>	<p>Site traffic during the weekday AM and weekday PM peak hours were estimated using the Institute of Transportation Engineers Trip Generation Manual, an industry accepted practice.</p> <p>The terms of reference for the traffic study were approved by the Town and the use of Summer 2022 data was found acceptable. For residential developments, the weekday AM and PM peak hours are used since most residential trips occur during these times. This is an industry accepted practice.</p>
<p>The TIS also does NOT take into the account the truck and vehicle traffic to the Businesses that are on 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.</p>	<p>Site traffic during the weekday AM and weekday PM peak hours were estimated using the Institute of Transportation Engineers Trip Generation Manual, an industry accepted practice.</p>

Concern/Comment/Question	Response
<p>The closest business to Shephard Place, McFarlane Trailer Sales &amp; 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?</p> <p>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.</p> <p>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 an 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. The traffic study underestimates the vehicle traffic including the presence of heavy trucks on Bergey that use the turnaround at its terminus.</p> <p>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.</p>	<p>The Township has advised that the design of Bergey Court will include truck turning movements.</p>
<p>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.</p> <p>Another point is how many more left turns will be made from Bleams Road onto Bergey Court. When the leaves are on the trees along Bleams Road, there is very limited sight lines for traffic coming from the 7&amp;8. Sure the posted speed limit is 50 but the reality is</p>	<p>The study intersections for the traffic study were Bergey Court and Shephard Place and the Site Access at Bergey Court. The intersection of Bleams Road and Bergey Court is not part of the approved study area for this traffic study. The Bleams/Bergey intersection is under the jurisdiction of Waterloo Region. The Region did not require the TIS to assess this intersection as the warrants were not met to require the TIS at this intersection.</p>

Concern/Comment/Question	Response
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?	
<p>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?</p> <p>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?</p>	<p>As noted above, the traffic volumes on Bergey Court are low at the Shephard Place intersection and no widening of Bergey Court is required to accommodate the increase in traffic from the proposed development.</p> <p>Bergey Court is currently being designed and the Site plan development is being coordinated with that design. The Township is working on the design of Bergey Court.</p> <p>The current site plan shows the mixed use trail on one side of Bergey Court to connect to the trail.</p>
Visitor parking should be more central location to the complex and 10 parking spaces doesn't seem adequate for 35 units	The visitor parking is located to provide access for visitors to all units.
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.	Please see response to first comment on Traffic.

## Parking

Concern/Comment/Question	Response
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	The required parking spaces are provided as per the Township's Zoning By-law. The proposal exceeds the Zoning By-law requirements for number of parking spaces.

Concern/Comment/Question	Response
<p>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.</p>	<p>The driveway widths along Shepard Place have been revised which has resulted in an additional parking space for each unit. As such, 76 spaces are provided in addition to 14 visitor parking spaces.</p>
<p>In addition 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 Shepard Place, will the no parking bylaw be enforced?</p>	<p>There are 14 visitor parking spaces proposed as part of the development.</p> <p>The revised site plan includes wider and longer driveways on Shepard Place so that additional vehicles could be parked in the driveways.</p> <p>Enforcement of the no parking bylaw would be done by the Township and that question is best answered by the Township.</p>
<p>It would be better if the development had no driveways on Shepard Place. With the mailboxes situated near the corner many residents walk to pick up their mail, less traffic in that area would be safer.</p>	<p>The design was revised to include units facing Shepard to address concerns raised with the previous design which included a number of townhouse rear yards adjoining 28 Shepard. In addition, the previous design included a driveway exiting on Shepard which means all vehicles exiting to Shepard would have headlights shining on the homes of the east side of Shepard. The current design addresses both issues.</p>
<p>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 Shepard 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</p>	<p>The required parking spaces are provided as per the Township's By-law. There are 14 visitor parking spaces proposed as part of the development which are over and above the required spaces in the Township's By-law.</p>

Concern/Comment/Question	Response
take up both of the existing lanes to pull into, or out of, the commercial and industrial businesses on Bergey.	Please see earlier response regarding additional parking in the driveways on Shephard Place.
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.	The 35 units require 70 parking spaces according to the Township's Zoning By-law. Seventy six (76) parking spaces are provided, in addition to 14 visitor parking spaces.
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.	<p>The required parking spaces are provided as per the Township's By-law in terms of size (width and length). There are 14 visitor parking spaces proposed as part of the development which are over and above the required spaces in the Township's By-law.</p> <p>Please see earlier response regarding additional parking in the driveways on Shephard Place.</p>

## Trees

Concern/Comment/Question	Response
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. 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.	<p>The site has been designed to maintain the floodplain as open space where no development will occur. This means that it would not be possible to match the alignment of the homes on Shephard Place.</p> <p>The earlier design option included one driveway off Shephard with units facing that internal driveway. There is a driveway off</p>

Concern/Comment/Question	Response
<p>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</p>	<p>Bergey for the interior townhouse blocks. If all units were to access the development through the internal driveway, the units on Shephard would have their rear yards and fence facing the existing houses on Shephard which is not the preferred approach for reasons of pedestrian safety. Experience in other communities with this type of lot arrangement shows that over time the fences deteriorate and the view of the development is less desirable.</p>
<p>How many mature trees will be cut down for this development? How will they be replaced?</p> <p>Is there a plan to retain green space for residents of the new development and as well residents of Shephard Place?</p> <p>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?</p>	<p>A landscaped plan including additional tree planting will be part of the future applications if the development is approved. The landscape plan will be prepared based on guidance from the Township and the GRCA.</p> <p>The lands that are designated Open Space will remain as open space and available to the residents of the development. As this is private property, it will not be available to non-residents of the development.</p> <p>The Open Space lands will not be a park but will remain as open space available to wildlife.</p>
<p>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.</p>	<p>A Tree Preservation Plan will be prepared as part of the future Site Plan Agreement process with the Township to address tree protection during construction.</p>

## Environmental Impact Study

Concern/Comment/Question	Response
<p>An environmental assessment has not been completed or is not available for review showing the impact of</p> <ul style="list-style-type: none"> <li>- generated noise</li> <li>- garbage handling</li> <li>- snow handling</li> <li>- removal of mature trees</li> <li>- parking - lighting spill over</li> <li>- water runoff</li> <li>- impact to flood plain directly to the west of proposed development</li> <li>-ground water impacts</li> </ul>	<p>This would be best asked of the Conservation Authority and/or Waterloo Region. Neither agency requested an environmental impact study.</p> <p>Please see above for commentary on trees.</p> <p>Stormwater was addressed in the Functional Servicing Report prepared by GRIT Engineering.</p> <p>Groundwater impacts were addressed in the report from HydroG Consulting.</p> <p>Lighting, snow removal, and garbage will be addressed through a future Site Plan application.</p> <p>All studies are available from the Township.</p>
<p>Why was an Environmental study not required when the development is within the GRCA Regulation Limit? 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?</p>	<p>This would be best asked of the Conservation Authority and/or Waterloo Region. Neither agency requested this study.</p>
<p>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?</p>	<p>The new development is outside the floodplain.</p>
<p>Cutting down a lot of trees for this development is not green or meeting the environmental goal of the township!</p>	<p>A Tree Preservation Plan will be prepared as part of the future Site Plan Agreement</p>

Concern/Comment/Question	Response
	process with the Township to address tree protection during construction.
There is no Environmental Impact Assessment of how 35 units development would impact the river valley. Why was this not done?	Neither Waterloo Region nor the Grand River Conservation Authority (agencies responsible) required an Environmental Impact Assessment as there is no development of lands within the valley.
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?	The boundary was determined based on a survey completed by an Ontario Land Surveyor and the elevation established by the Conservation Authority.

### Hydrogeological Impact Study

Concern/Comment/Question	Response
A hydrogeology study has not been completed to show the impact of the project on the surrounding area	A hydrogeology study was completed and is available from the Township.
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?	Comment about extensive subsurface infrastructure does not reflect the concept being discussed in the report. The report is discussing estimated groundwater flow direction, and notes that flow direction may be impacted by the subsurface infrastructure. No impact to the Nith River or to Shephard Place is suggested, or anticipated.
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?	GRIT Engineering has identified the stormwater management requirements and coordinated with the Bergey Court reconstruction.
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	The soil grain size analysis results demonstrate the variability in hydraulic

Concern/Comment/Question	Response
values were correct? Perhaps further testing is required to confirm whether the slug reported abnormal values or if they accurately represented the area.	conductivity values between the granular soils and the low permeability soils. No further testing is warranted.
“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 neighboring properties and infrastructure due to dewatering is likely needed as well as an Environmental Impact Study.	Comments pertaining to concerns about dewatering are already addressed in Sections 4-6 of the hydrogeology report. No dewatering discharge can exceed the PWQO (Provincial requirements) or Sewer Use By-Law.
Does the proposed development require a retention pond for storm water runoff?	GRIT has identified the stormwater management requirements and coordinated with the Bergey Court reconstruction. Stormwater retention is not proposed for the development. Quality control is proposed. Stormwater is proposed to outlet to the river.
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.	Section 8 of the hydrogeological impact study is where the water balance targets are demonstrated to be met and exceeded under post-development conditions.
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?	No dewatering discharge can exceed the PWQO or Sewer Use By-Law.
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 wildlife by the Nith River be affected by this development?	Construction dewatering calculations have been provided regarding the temporary removal of groundwater, which can be managed (both quantity and chemistry) with conventional technologies
Hydrology report only done for 59 Bergey Court. What about the Shephard Place hydrology report?	The hydrogeology report addresses both 59 Bergey and 12 Shephard – please refer to the drawing on page 30 of the report.

Concern/Comment/Question	Response
Page 31 drawing includes MY LAND! Correct this!!	Thank you we apologize for the incorrect boundary in the drawing.
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!!	No dewatering discharge can exceed the PWQO or Sewer Use By-Law.

### Access to trails

Concern/Comment/Question	Response
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.	Thank you, we've noted your comment. A multi-use trail is proposed in front of the development on Bergey Court.

### Density

Concern/Comment/Question	Response
<p>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 neighborhood 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.</p> <p>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".</p>	Thank you, we've noted your comment.
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.	Thank you, we've noted your comment.

Concern/Comment/Question	Response
<p>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.</p>	<p>Thank you, we've noted your comment.</p>

### Safety

Concern/Comment/Question	Response
<p>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.</p>	<p>Mailbox location would be reviewed by Canada post through the Site Plan (SPA) process. It is expected that a new mailbox will be located internal to the site.</p>
<p>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</p>	<p>The Traffic Impact Study concluded that traffic is safe and the road network can accommodate the increased traffic.</p>
<p>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?</p>	<p>For the internal design of the site, this will be confirmed through the site plan design and will be further approved through Site Plan (SPA).</p> <p>For the Township streets/roads, please speak with Township staff.</p>
<p>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.</p>	<p>The proposed development will see the improvement of the existing cul-de-sac and therefore providing a safer vehicle movement.</p>

Concern/Comment/Question	Response
The land for development seems not to be sufficient to accommodate 35 new residential units! The frontage space seems very compressed!	Thank you we've noted your comment.

### Community Consultation

Concern/Comment/Question	Response
<p>Section 1.0 (Introduction) of the posted GRIT Geotechnical Investigation indicates that work on this project began prior to December 6th, 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.</p> <p>As of August 21st, 2024 the developer has yet to post streetscape renderings of the new structures, or floor plans for the townhomes.</p>	Thank you, we've noted your comment.

### Design & Aesthetics

Concern/Comment/Question	Response
<p>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.</p> <p>Some examples of the aesthetic damage to Shephard Place:</p> <ul style="list-style-type: none"> <li>- 5 of 10 trees along the boulevard at 12 Shephard Place are being removed and not replaced</li> <li>- 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.</li> </ul>	<p>Thank you, we've noted your comments.</p> <p>With regard to the garages, each is proposed to be 7.5 m in length which allows for parking of a vehicle plus an additional 1.5 m for storage of garbage and other containers.</p> <p>Following various discussions with neighbors, the driveway dimensions along Shepard Place have been revised. The proposed length has increased by 1.5 m and the driveway width has been increased by 2.75 m. This has resulted in a</p>

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<ul style="list-style-type: none"> <li>- Each townhome has a building width of 7.12m. The 12 narrowest homes on Shephard have a minimum width of 15.25m</li> <li>- 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”.</li> <li>- 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.</li> </ul>	<p>driveway dimension of 7.5 meters by 5.50 meters</p>
<p>The homes on Shephard Place were built along the following restricted covenants including (but not limited to):</p> <ul style="list-style-type: none"> <li>- No two houses shall be architecturally the same on the street</li> <li>- No garage forward designs</li> <li>- Minimum size requirements (1600 –2400 sft)</li> <li>- Minimum roof pitch of 6/12</li> <li>- 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</li> <li>- Minimum number of garage spaces required is two (2)</li> <li>- Minimum width of the driveway to match garage space and depth</li> <li>- Minimum side yard width, no less than 9.8 ft</li> </ul> <p>Residents of Shephard Place have built their homes and upheld the planning standards developed for this neighbourhood, but the proposed development does not</p>	<p>Thank you, we’ve noted your comments.</p>
<p>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.</p>	<p>Following discussions with various neighbors, the front yard setback along Shepard Place has been increased to 7.5 m. Which is a 0.1 m reduction from the required setback as per the Town’s by-law.</p> <p>The front yard setback for all other units remains the same, as it allows slightly larger rear yards</p>

Concern/Comment/Question	Response
	<p>(ranging from 6-9 m). The open space area will not have any development.</p> <p>The majority of the proposed lots are within the 199 m<sup>2</sup> to 270 m<sup>2</sup> range. Twenty percent (20%) of the lots are greater than 270 m<sup>2</sup> in area.</p>
<p>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?</p>	<p>Municipalities typically have additional requirements for construction management that will be addressed through various permits and approvals. If there are specific issues, please let us know. It is also important that there is good two-way communication during construction (if approved) and with the condominium corporation.</p>
<p>We would prefer to see the homes facing Shephard Pl 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 &amp; exit onto Bergey Court.</p>	<p>An earlier option for the site included one driveway off Shephard Place and one off Bergey. The site was redesigned to the current proposal after receiving feedback.</p>
<p>I hope there will be some sort of architectural control to keep consistent with what we have on our street now.</p>	<p>The Province of Ontario does not allow architectural control in new developments such as this.</p>
<p>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.</p>	<p>Thank you, we've noted this comment for the future Site Plan Agreement with the Township.</p>
<p>Also, during the stage of development, I want the dust to be controlled. I have a pool and do not want it constantly dirty!</p>	<p>Municipalities typically require a construction management plan which includes addressing dust. The comment has been noted for the future Site Plan Agreement.</p>

## Bergey Sidewalk

Concern/Comment/Question	Response
<p>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.</p>	<p>The proposed site plan illustrates the extension of the multi-use trail along the frontage of the development. This is being coordinated with the Township as part of the road reconstruction and will further be designed at Site Plan stage in this process (SPA).</p>
<p>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 Bergey on the road and they most times do not move over.</p>	<p>Please see answer above.</p>

## Playground Amenities

Concern/Comment/Question	Response
<p>For the children living in these townhouses with tiny yards, where are they going to go to play outside? Is there a designated recreational/ playground area for the children living in this development? 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.”</p>	<p>There is not a designated play area – there are individual rear yards.</p> <p>There is no development in the floodplain.</p>
<p>If these townhouses are for families, I see no playground on your property for the children?</p>	<p>There is no playground for residents however the lands to be zoned open space will be available for the residents.</p>

## Wheelchair Accessibility

Concern/Comment/Question	Response
<p>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?</p>	<p>The design of the interior of the units has not been completed at this time. The final grading plan for the development will be addressed later in this process. For these reasons, it is not possible to address whether accessible units can be provided. This will be reviewed later in the process.</p>
<p>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.</p>	<p>Following various discussions with neighbors, the driveway dimensions along Shepard Place have been revised. The proposed length has increased by 1.5 m and the driveway width has been increased by 2.75 m. This has resulted in a driveway dimension of 7.5 metres by 5.50 meters</p> <p>The remaining units will have a 2.75 m wide driveways to ensure that more of the building front façade and lawn are prevalent than the driveway. Many municipalities allow 2.75 m wide parking spaces.</p>
<p>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.</p>	<p>Thank you, we've noted your comment.</p>

## Rental Units

Concern/Comment/Question	Response
<p>Do the proposed zoning changes allow any of the townhouses to be marketed as rental units by their owner?</p>	<p>Tenure (rental/ownership/co-operative) is not regulated by the Official Plan or Zoning By-law.</p> <p>It is intended that these will be condominium units which are ownership units.</p>

## Condominium

Concern/Comment/Question	Response
Is the developer prepared to provide a copy of the proposed condominium agreement including the Restrictive Covenants schedule?	The condominium application has not been prepared so there is no Restrictive Covenants schedule at this point in time.
Who will be responsible for maintaining the common areas of the development?	The condominium corporation.
Will this development be properly looked after by a landscape company, so it is well maintained?	This will be decided by the Board of the condominium corporation.
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.	The common areas include the roads, common landscaped areas, and visitor parking as well as the open space area.

## Garbage Pick Up/Snow Removal

Concern/Comment/Question	Response
Snow removal: where are they planning to put the snow off the driveway and lanes?	This will be addressed through the future Site Plan Agreement (SPA) with the Township.
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?	This will be further identified through the future Site Plan (SPA) process.
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.	Thank you we've noted this concern. It has not been decided if this will be municipal garbage pick-up or private garbage pick-up.

## Elevation Drawings

Concern/Comment/Question	Response
Are there elevation drawings, if so will they be provided?	At this point there are no elevation drawings as the interior design of the units has not been completed. These will be prepared at a later time if the current applications are approved.

## Noise Study

Concern/Comment/Question	Response
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.	<p>SLR has no comment on graffiti as that is outside of our scope. The proposed noise barrier is expected to help or have minimal change to the surrounding neighbourhood sound levels on the south side of the highway. With the proper selection of materials, reflected noise to the north side of the highway would be minimal.</p> <p>The noise barrier will be maintained by the condominium corporation.</p>
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.	Road traffic volumes (and thus significant roadways) to be used in noise studies are provided directly by the Regional Municipality of Waterloo (RMOW). They are not chosen by the noise consultants. As found in Appendix C of the Noise Report, the only significant roadway from a noise perspective was Highway 7/8.
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?	The noise wall is required as a result of the noise study. Waterloo Region is responsible for noise mitigation in new development and their requirements are being followed which includes a noise wall as recommended in the Noise Study.

Concern/Comment/Question	Response
	Trees, unfortunately, do not achieve the noise reduction necessary per the noise study.
Noise from 35 properties from approx. 140+ people; their vehicles; pets; air conditioning; etc. How can the noise level be controlled?	Noise from residential development is addressed through overall site design. The site design was revised to address building layout to minimize impacts on adjoining properties.
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.	Noise related to construction activities are not included in the noise assessments and generally not investigated for this type of development. Generally, municipalities have noise by-laws to address construction sound level concerns. SLR did not review the local by-law, as it was beyond our scope of work. It could be assessed under a separate scope of work, upon request. The traffic noise created by the proposed development would be minimal to that generated by traffic along Highway 7/8.

### Mailboxes

Concern/Comment/Question	Response
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	This will be at the responsibility of Canada Post through the future Site Plan (SPA) process.

### Fence

Concerns/Questions	Response
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.	A new fence will be installed as part of the development and the existing fence will be removed from your property. The new fence location will be part of the Site Plan to be approved by the Township.

## Infrastructure/Location

Concern/Comment/Question	Response
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?	Infrastructure is available as it currently services the existing residents. This will be further finalized at the Site Plan (SPA) stage.
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.	This property is within the Built Up Area which has been identified for intensification.
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?	The FSR prepared by GRIT illustrates the capacity and requirements of water servicing.
What about electricity? Even now we have the lights flicker on a daily basis. How much extra power is required for this development?	Infrastructure is available as it currently services the existing residents and expected that a private transformer will be required. This will be further finalized at the Site Plan (SPA) stage.
The development has one entrance point, you should have a 2nd entrance in case of emergencies.	There is not a set standard for a second access; some municipalities only require it for a development of greater than 100 units.
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.	Please see answer above.
Hydrant distance to the back part of development is a fair distance away ... Is this acceptable to meet standards?	Hydrant distances are reviewed by the Township and will be provided according to the Township's requirements.
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!	Thank you we've noted your comment. The internal road layout is required to comply to the Ontario Building Code. The Township will review and confirm the design complies to the Ontario Building Code.  Following various discussions with neighbors, the driveway dimensions along Shepard Place

Concern/Comment/Question	Response
	have been revised. The proposed length has increased by 1.5 m and the driveway width has been increased by 2.75 m. This has resulted in a driveway dimension of 7.5 meters by 5.50 meters

### Archaeological Assessment

Concern/Comment/Question	Response
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 (i.e. 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.	An archaeological assessment was done as part of the Shephard subdivision and included the portion of the 59 Bergey/12 Shephard properties that have the houses. The lands are now considered “disturbed” and a further archaeological assessment was not required. The determination on this was done by Waterloo Region.

### Lighting

Concern/Comment/Question	Response
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.	This will be addressed through the future Site Plan. Lighting from the proposed development is to be contained to the property that will be developed.

### OPA ZBA

Concern/Comment/Question	Response
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?	It is not possible to predict this – such applications would require one company to acquire multiple residential properties.

## Project Timeline

Concern/Comment/Question	Response
What is the timeline for the project? Are there going to be multiple phases?	The timeline is dependent on the decisions of the Township and next steps.
How will we be able to access the walking path safely during construction?	The Township should require a construction management plan which includes temporary access.
Will services, such as water, hydro, gas, etc, be disrupted for Shephard Place residents during the development?	It is too early to advise on this as the detailed construction phasing and planning has not been completed.