



DEVELOPMENT SERVICES *Staff Report*

REPORT NO: DS 2023-008

TO: Council

SUBMITTED BY: Harold O’Krafka, MCIP RPP PLE
Director of Development Services

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REVIEWED BY: Sharon Chambers, CAO

DATE: May 29, 2023

SUBJECT: Official Plan Amendment Application 01/23 and Zone Change Application 01/23, Schneider Family and rare Charitable Research Reserve, Wilmot Line and Carmel-Koch Road

RECOMMENDATION:

THAT Report DS 2023-008 be received for information.

SUMMARY:

This report considers applications for amendments to the Township Official Plan and Zoning By-law filed by rare Charitable Research Reserve (*rare*) on behalf of the Schneider family.

The Schneider family intends to donate portions of three existing agriculturally zoned properties to *rare* and retain the portions of these three properties that currently contain dwellings and other outbuildings.

The official plan amendment application proposes to change the designation of the proposed severed lands from Rural to a new Conservation designation to prohibit future development of the lands.

To implement the proposed official plan designation, the zone change application proposes to rezone the severed lands to Zone 11 (Open Space) restricting uses to conservation. The application also proposes to reduce the required lot frontage and area requirements for each of the proposed retained lands.

This report has been prepared to summarize the nature of the applications and to serve as an introduction to the statutory Public Meeting for the official plan amendment and zone change.

The report also includes comments related to the need for a final parking solution and summarizes that further consideration of these applications is premature until this solution has been determined.

BACKGROUND:

Notice of the Public Meeting was given to property owners within 120 metres of the subject lands on May 1, 2023. The following is a summary of comments received prior to the Public Meeting.

Public

At the time of finalizing this report, 18 letters of support had been provided. These letters are included as Attachment C.

Some letters of support also identified items for additional consideration including providing plans to prevent littering, trespassing, and foraging of trail users, prohibition on tree cutting and mosquito control, restoration of fields to grasslands, and ensuring that future parking plans not impact neighbours. Several letters expressed that the existing on-street parking situation is sufficient.

Agencies

Region of Waterloo: Requesting a reduction in the size of the proposed retained parcels or additional rationale for the lot sizes and configurations. Further, the Region has requested that zoning for the severed lands include a holding provision to prevent construction of buildings or site alteration without the completion of an archeological assessment and an environmental impact study.

GRCA: Recommending approval of the applications

REPORT:

On behalf of the Schneider family, rare Charitable Research Reserve (*rare*) has filed applications to amend the Township Official Plan and for changes to the Township Zoning By-law.

The map included as Attachment A, illustrates the plans for the Schneider family to donate portions of three existing agriculturally zoned properties to *rare* (identified as Severed Lands on Attachment A). The Schneiders would retain the portions of these three properties that currently contain dwellings and other outbuildings (identified as Retained Lands on Attachment A).

The official plan amendment application proposes to change the designation of the proposed severed lands from Rural to a new Conservation designation to prohibit future development of the lands.

To implement the proposed official plan designation, the zone change application proposes to rezone the severed lands to Zone 11 (Open Space) restricting uses to conservation. The application also proposes to reduce the required lot frontage and area requirements for each of the proposed retained lands.

Comments from the Region of Waterloo indicated some concern with the size of the proposed retained parcels. Recognizing that there are currently no plans for buildings on the property or other site alteration, the Region has also requested that holding provisions be included in any future zoning of the severed parcels until such time as an archaeological assessment has been completed and additional assessment of any environmental impact considered through an environmental impact study. After considering responses to these comments and concerns, the Region indicated that additional comments would be provided.

Township staff recognize that the ongoing efforts of both the Schneider family and *rare* to preserve these ecologically sensitive lands is of significant benefit to the natural environment. The lands also have been, and continue to be, generously made available for public use for hiking and cross-country skiing. Although not advertised, the lands are well known and at times their use results in significant parking needs, which are presently met by parking along public roads – primarily Carmel-Koch Road in the Township and Wideman Road in Waterloo.

Parking discussion

Since *rare* and the Schneider family first approached the Township in 2020 regarding their plans for the donation of lands to *rare*, the Township has consistently indicated that dedicated parking is needed to support the continued public use of the Schneider lands.

Accompanying the current applications, *rare* provided a document intended to highlight options to address parking with three solutions: do nothing, close property to the public, develop a long-term strategy and master plan for the area. This document is included as Attachment B.

Closing property to public

Prohibition of public access to the property would certainly be a loss to the many people that have enjoyed the generosity of the Schneider Family for the last several decades. In their comments, *rare* speaks to the difficulties and of enforcement of unauthorized access and the undue hardship that would create; Township staff agree with those concerns. The Township

also reasonably cannot ensure that the property is not open to the public in the future and as such this option would not address public access and parking.

Do nothing

Staff sought comments from the Waterloo Region Municipalities Insurance Pool (WRMIP) with respect to the existing on-street parking situation. The WRMIP represents the Region of Waterloo and its seven area municipalities.

Comments received from the WRMIP identified that, from a risk management perspective, a designated parking lot would be preferred whereby parking takes place outside of the road allowance improving safety and reduce conflicts between pedestrians and vehicles. If parking is provided within the road allowance (on-street parking), recommendations include:

- Providing wider shoulders to permit parking.
- Installing adequate signage to identify where parking is permitted.
- Amending by-laws to permit on street parking.
- Lowering speed limits in area.
- Installing signs prior to parking location outlining risk to drivers of parking in the area.
- Establish and document a higher standard of care for maintaining the location.

The WRMIP comments highlight that a do-nothing approach to address parking is not a suitable option.

Long-term parking strategy

While there were a number of suggested scenarios provided under the option of creating a long-term strategy for parking, the current development applications warrant a finalized plan for parking now and not further in the future. As such, staff suggest that further consideration of the current applications is premature until such time as a definitive plan to address parking has been established. This plan will be required to include dedicated parking to support continued public access to the lands planned to be donated to *rare*. Staff suggest that this plan should, at minimum, address the following:

- Creation of a minimum of 12 parking spaces with the potential for temporary expansion during higher use seasons. This may be through an off-street temporary parking lot with expansion opportunity, established parallel parking lanes along roads abutting the donation lands, through agreements on neighbouring properties, or a combination thereof.
- That parking will not require pedestrian crossing of Wilmot Line.
- That parking will not interfere with the travelled portion of a public road or winter maintenance activities of said road(s).
- That costs of design, construction and future maintenance of the parking facility(ies) will be at no cost to the Township of Wilmot.
- That any required parking will be constructed prior to the conveyance of lands to *rare*.

Next steps

Township staff will continue to work with *rare* and the Schneider Family to finalize a parking solution. At such time as a viable plan has been prepared that addresses the issues identified in the preceding paragraph, staff will return to Council with a final parking plan for endorsement and a timeline for its implementation. Concurrently with a finalized parking plan, and upon Regional comments having been addressed, staff will also provide a more detailed report and recommendation on the official plan and zone change applications.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Holding public meetings to gain input on planning matters promotes an engaged community.

FINANCIAL CONSIDERATIONS:

The application fees, established by the Township of Wilmot Fees and Charges By-law, were collected at the time of application.

ATTACHMENTS:

Attachment A	Property location map
Attachment B	<i>rare</i> Parking comments
Attachment C	Public comments