

Attachment B

*rare* Parking comments

## Schneider Property transportation, parking and visitor management strategy considerations

The Schneider family in Wilmot Township has spent decades stewarding their extensive ecologically sensitive lands. The area is made up of several properties owned by family members and is one of the largest remaining areas of contiguous significant natural habitat in the Region of Waterloo. Located at the heart of the Laurel Creek Headwaters Environmentally Sensitive Landscape, it has tremendous value for wildlife and ecological integrity in the area, including for Species at Risk such as the Blanding's Turtle. Conservation and protection of this habitat will remain first priority after **rare** obtains ownership of the lands, which will be conveyed to **rare** as a land donation as part of the federal Ecogifts program.

In addition to its ecological significance, the property also has a network of trails that the family has made available to the public for recreational activities including bird watching, summer hiking and winter cross-country skiing. These benefits have been provided to the community of Wilmot and surrounding areas free of charge to users and at no cost to the municipality, as the family generously chose to share their lands freely.

Given the tremendous benefit to the community provided by this informal, passive recreational use, which has been established for decades and been casually managed by the Schneider family, **rare** is committed to continue keep the property open to community members for informal, passive recreational use. Respecting the wishes of the Schneider family as the donors, **rare** does not plan to formally advertise recreational use of the property on their website or in other traditional or social media. This is to avoid overcrowding of trails and intensification of human pressure on natural wildlife habitat. In fact, after consultation with the donors, **rare** plans to streamline the existing trail network to reduce habitat fragmentation and improve habitat connectivity. Similar to **rare's** other newly-acquired sites, no formal parking lot is planned. Currently, **rare** only has formal visitor parking on lands that have major facilities on them. Some other **rare** properties have trail access, but no formal parking other than roadside parking. As a small not-for-profit charity, and from an equity and inclusion perspective, we make it a point to not charge for access. We therefore make no profit from permitting public access to our sites, nor are we planning to make the Schneider property a formal public point of interest and attraction. Given that we will derive no revenue from public access, and out of desire to continue to permit public access, we therefore need to keep any maintenance costs for public infrastructure to a minimum.

To ensure that these benefits can continue to be provided to the community, we would like to propose collaboration on a long-term transportation, parking and access management strategy for the property that will require partnership between **rare**, the Township of Wilmot, the City of Waterloo and the Region of Waterloo. This collaboration and strategy will address short-term and long-term concerns around barriers and challenges for ongoing recreational use. Specifically, the Township of Wilmot has voiced concerns around parking and traffic in the area.

The potential options are as follows:

- 1) Do nothing: use continues as established
- 2) Close the property to the general public for recreational access
- 3) Develop a long-term strategy and master plan for the area, including adjacent properties of conservation and recreational interest, in collaboration and partnership with the key stakeholders listed above

### Option 1: Do nothing, use continues as established

The Schneider property is part of a larger network of habitat and trails that includes properties of adjacent landowners and portions of the Avon Trail. It comprises a total of about 16 kilometers of trails. Currently, the property is publicly accessible at four points. The two main access points are from Wilmot Line opposite Wideman Road, and from Carmel-Koch Road near its intersection with Wilmot Line. Informal parking occurs along the shoulders of these roads, which are not busy, and where speeds are low, as a result of these areas being close to intersections. Throughout most of the year, particularly spring, summer and fall, visitor numbers and any associated traffic are negligible; no significant concerns have

been raised. Other access points are found farther west along Carmel Koch Road. It is the intent of *rare* to rehabilitate the wetland area near Carmel Koch Road and Wideman road and install a boardwalk across this wetland. The improved access is expected to encourage parking to take place an appropriate distance west of the intersection of Wideman Road and Carmel Koch Road.

The property attracts significant numbers of cross-country skiers in winter. Nevertheless, high demand for parking only happens on a small number of weekends from December 1 to March 31 when the trails are open for cross country skiing and snow conditions are favourable. Currently, parking takes place along Wideman Road and Carmel-Koch Road. Wideman Road is a City of Waterloo road that is adequate and safe for roadside parking, given its width, shoulders, low traffic volumes, and comparability to other areas of the City where roadside parking is permitted.

This situation and informal recreational use has been practiced for over 40 years, to our best knowledge, without any reported traffic incidents associated with this use, nor has the Schneider family been approached by the Township of Wilmot or other municipalities during this time with requests to cease granting public access, or to address concerns related to managing public access or traffic. Requests for formal parking facilities were first brought forward by Township staff when a land donation to *rare* was considered. Given established informal public access for over 40 years, and the apparent lack of any formal concerns or complaints by the Township or other parties to the Schneider family, it can be concluded that the Township thereby tacitly supported the existing ongoing use. As no increase in recreational capacity is contemplated, it is therefore not unreasonable to expect that existing arrangements could continue as is without any further action, particularly as a short-term solution to ensure that the severance can take place within a reasonable time frame. Given the advanced age of Jane Schneider, it is paramount to complete the project during her lifetime before the properties potentially become entangled in estate law.

## **Option 2: Close the property for recreational public access**

One option that has been suggested by the Township is closing the property for recreational public access and fencing the entire 235 acres of conservation land. Given the decades-long established use pattern and the 16 kms of trail that exist on the property, including access to the interregional Avon Trail, this option would see numerous barriers and challenges to success. Enforcing and penalizing unauthorized access would be an undue hardship for *rare* or any other future landowner, and fencing an area this large is neither economically feasible for *rare*, nor could it be supported from a conservation perspective, as it would create a significant barrier to wildlife movement. It is also worth noting that rural properties in Wilmot are not subject to a policy of fencing to prevent trespassing, but rather property owners can expect enforcement of relevant laws and bylaws should trespass become an issue. However, should the Township insist on a parking lot being built on the Schneider property, closing the property for public access is a measure of last resort that the Schneider family is seriously considering given the fact that the original intent of their gift is to protect the property for conservation in perpetuity. Prioritising conservation precludes developing any of the lands for any purpose, including the building of a parking lot. The restriction against building upon the lands will be enshrined in the donation agreement; it is a common measure that many landowners request when making a land donation to a conservation organization or municipality. It is a standard requirement in EcoGift donations and Conservation Easements. If no solution can be found that satisfies the expectations of the Township regarding access, the difficult and publicly unpopular step of shutting down public access would come at a great loss to the community, which would no longer be able to enjoy the property for passive recreation.

### **Option 3: Develop a long-term strategy and master plan for the area in partnership with key stakeholders**

The following measures have been or could be examined for further consideration post-severance and once needs have been determined after additional studies of established use patterns and road safety have been conducted:

#### **Parking lot on Schneider Lands**

Requiring a parking lot on the Schneider property would effectively scuttle the donation of the land as the Schneider family is adamant that no such development occur on the land. From the perspective of *rare*, a paved or gravelled parking lot would be financially and operationally burdensome and incompatible with the overriding goal of ecological conservation. The construction would alter the topology of this hilly area, resulting in drainage impacts to adjacent areas. It should be noted that parking on road shoulders adequately meets the needs of current trail users. In addition, it is unlikely that any size of parking lot built on Schneider lands would truly resolve the issue, as visitors at peak use times would still be parking on the road once the parking lot is full. This is generally an issue with parking lot considerations, and local examples such as the Huron Natural Area demonstrate that even a small to medium sized lot is inadequate to address visitor pressures. A parking lot in itself would create an attraction and draw attention to the property, and given its remote location, also attract a host of potential issues, including dumping and loitering. It would also be a financial burden to the charity who would be responsible to maintain and plow the lot. As outlined above, the Schneider family has made clear that as part of the donation agreement, no land conveyed shall be developed, and that there arguably is no appropriate land on the lands that would be suitable for a parking lot (based on the perspective of numerous stakeholders, including, informally, the GRCA), this measure is unworkable compared to the other alternatives.

#### **Parking lot on adjacent lands**

Given that the Schneider lands proposed for donation would be off-limits for development, or site alteration under the terms of the EcoGift, despite the challenges that come with a parking lot as noted above, one alternative could be to explore constructing a parking lot on adjacent lands that could serve the entrances of the property. This lot could be built in collaboration with the municipalities, and have a service agreement with one of the municipalities for maintenance, including keeping the lot plowed in winter. While still having all the implications of a rural parking lot, this opportunity could be explored further as part of a long-term parking strategy for the entire area, but will require collaboration to identify adjacent landowners or municipal-owned lands in the area that could be appropriate for this purpose.

#### **Parking at the monastery**

We reached out to the Carmelite monastery on Carmel-Koch Road across from one of the entrances to the Schneider property. The Sisters very kindly considered our inquiry whether it could be possible to lease parking from them on peak-use winter weekends when the Schneider property sees heavy use. Unfortunately, they had to respectfully decline this request, as it would entail complex understandings with the Hamilton Diocese and would also conflict with the purpose of the monastery to be a sanctuary for prayer and meditation.

#### **Roadside parking enhancements**

Another measure that could be considered is to enhance existing roadside parking by widening the shoulders, installing signage specifying season and hours when parking would be permitted, or prohibiting parking in other areas altogether where deemed less appropriate. These measures would require collaboration with the municipalities and their involvement in maintaining and enforcing parking. Some of this has already occurred when new "no parking" signs were put up by the township across from Tom and Sue Schneider's driveway and further around the curve in this area to alleviate sighting concerns as people exit driveways in this area. Another suggestion to improve parking would be to ensure that parking only occurs on the one side of Carmel Koch Road that is most appropriate in each area.

### **Closing Wilmot Line for through traffic**

Another potential measure is to close Wilmot Line permanently for through traffic. There seems to be a growing concern with the Township and local residents that Wilmot Line, while being a gravel road, is used by many Waterloo residents as a short-cut to avoid traffic in other areas nearby. This problem could be addressed by potentially restricting use of the road for local residents only, and not for through traffic.

### **Closing Wilmot Line seasonally**

If it is deemed not feasible to close Wilmot Line for through traffic, a seasonal closure of Wilmot Line could be considered, either for through traffic, or perhaps even completely, or to consider turning Wilmot Line into a cul-de-sac, if it could be designed in a way that assures that parking near private land that does not allow access to the trails does not lead to trespassing issues for those property owners. If Wilmot Line on the stretch that runs adjacent to some section of the donated property was to be closed entirely on weekends and during holidays from Dec.1 to March 31 other than for local residents, the area could be formally blocked off and actually serve as parking for the cross country skiing use. This is not dissimilar to other projects locally where City roads are blocked off in summer to allow for seasonal use, for examples for beergardens and cafes. We feel this is an idea that certainly would warrant further discussion and perhaps a pilot project to examine long-term feasibility. It is particularly attractive as it would also have the effect to limit property access. If there is no additional parking and roadside parking would be limited, visitor traffic would be limited by the available parking in the blocked off stretch. One potential spot for this type of on road parking could be between Wideman Road and the severed property line for 585 Wilmot line.

### **Installing road crossing infrastructure on Wilmot Line and implementing a speed limit**

If concerns arise from people having to cross Wilmot Line when they enter the property coming from Wideman Road, this issue could be addressed by installing road crossing infrastructure as deemed appropriate by the municipalities. Currently, local residents already frequently cross Wilmot Line to access the community mailbox. A speed limit could also be implemented to regulate traffic, and signage erected to advise motorists of pedestrian crossing. An added benefit could help protect turtles and other wildlife that crosses the road.

### **Active transportation**

Active transportation strategies should be explored. For winter access, a larger examination of the study area is necessary to see if it is possible to build trails that are designated for cross country skiing that would connect the Schneider property with existing parking lots in the City of Waterloo. Given the growing popularity of the sport, this may be a good measure to both increase the available trail network and is desirable from a climate change mitigation perspective. The Avon Trail currently has such an approach, where parking is not provided at each and every location where the trail intersects with roadways.

### **Communications strategy**

Lastly, *rare* is committed to a communications strategy geared towards preventing or mitigating visitor impacts on natural areas. This includes working with local trail clubs etc. to not advertise properties on social media in the interest of limiting visits by individuals from out of town. This appears to have contributed to the growing influx of skiers particularly during the pandemic.

As a land trust organization, the focus of *rare* is conservation of natural habitats. This is achieved with community engagement and recreation carefully managed to minimize impacts. While the intent of both *rare* and the donors is to continue to permit an appropriate type and degree of public recreation, it is only a subsidiary focus of the management strategy for the property.

Further research is needed to explore any of the above mentioned measures, which should include formal data collection for a number of years to get a better grasp on visitor numbers, of road issues identified by the Waterloo Regional Police Service and municipal roads staff which will then inform any future parking and transportation strategies. We are committed to working with the municipalities and other stakeholders to create a workable plan to provide for balanced and sustainable use of the property while enhancing its conservation values.