



DEVELOPMENT SERVICES *Staff Report*

REPORT NO: DS-2024-01

TO: Council

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

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Manager of Planning and Economic Development

REVIEWED BY: Sharon Chambers, CAO

DATE: January 29, 2024

SUBJECT: Parking Exemption Agreement and Surplus Lands Disposition,
LYNC, 183 Mill Street, New Hamburg

RECOMMENDATION:

THAT at its February 12, 2024 meeting, Township of Wilmot Council declare portions of the Peel Street, Burns Street and Mill Street road allowances, described in report DS-2024-01, as surplus lands;

AND

THAT the Mayor and Clerk be authorized to execute an agreement under Section 40 of the Planning Act to eliminate the requirement for off-street parking for the proposed redevelopment of 183 Mill Street, as described in report DS-2024-01, subject to the following:

1. That the perpendicular parking spaces within the Peel Street road allowance be reserved for use by 183 Mill Street;
2. That LYNC, or any subsequent owner of 183 Mill Street, be responsible for winter maintenance of the perpendicular parking and sidewalk located within the Peel Street road allowance;
3. That in consideration of this exemption, LYNC:

- a. make a payment, as required under Section 40(2) or the Planning Act, in the amount of two dollars,
- b. construct a parking lot at 73 Burns Street consisting of approximately 39 parking spaces to the specifications approved by the Township through the site plan control process, with 13 of these spaces reserved for public use, and
- c. construct/mark 4 parallel parking spaces on Mill Street to the satisfaction of the Township.

SUMMARY:

This report provides recommendations with respect to parking exemptions and land acquisition and disposition to facilitate planned redevelopment of the former feed mill and New Hamburg police station with a mixed-use development.

The former mill property (183 Mill Street) and the former police station property (34 Peel Street) are collectively referenced as 183 Mill Street within in this report and recommendation.

Love Your Neighbourhood Communities (LYNC) proposes to repurpose the existing mill and remove the former police station to facilitate a significant addition to the mill along with outdoor amenity areas. The conversion and addition are planned to include approximately 351m² (3800ft²) of main floor commercial floor area along with 31 rental apartments. The apartments units will comprise of a mix of market rate, affordable (60 to 80% of market rent), and rent geared to income units.

LYNC also proposes to remove the former warehouse building at 73 Burns Street to provide approximately 39 parking spaces for use by both the mixed-use building as well as for general public use.

The report includes three associated Attachments. Attachment A illustrates the development concept along with road allowance lands proposed to be acquired and declared surplus along Mill Street, Burns Street, and Peel Street. Attachment B includes conceptual building elevations. Attachment C provides a conceptual parking lot layout proposed for 73 Burns Street.

This report ultimately concludes that eliminating parking requirements from the 183 Mill Street site and securing both private and public parking on an alternative property is appropriate given the forms of housing and location of the property within the New Hamburg core.

The report also highlights lands that would be acquired through a future site plan control process to widen and ultimately facilitate improvements to the Mill Street road allowance as well as road allowance lands the are surplus to the needs of the road and related infrastructure.

BACKGROUND:

LYNC acquired the former feed mill property at 183 Mill Street as well as the feed mill's warehouse property at 73 Burns Street in 2021 with a vision of restoring the mill and providing affordable housing and community space within the core of New Hamburg.

The former New Hamburg police station at 34 Peel Street was also declared surplus by the Region of Waterloo in 2021. LYNC saw the lands as being integral to plans for redevelopment of the mill property. In January 2023, Region of Waterloo Council approved a motion to support use of 34 Peel Street for the development of affordable housing and to commit to transfer the property to LYNC for that purpose.

Through 2023, Township staff have continued to work with LYNC to move through a number of steps to ensure viability of development. In May of 2023, the Township's heritage committee endorsed the project and were very supportive of the proposed building renovations and redevelopment of the property. They concluded that the project meets the intent of the guidance found within the Heritage Conservation District Plan and is in keeping with current best practices regarding retention of heritage materials and ensuring additions are compatible with, subordinate to, and distinguishable from, the original building.

In December 2023, the Township received correspondence from the Grand River Conservation Authority indicating support in principle with respect to the development and its conformity with the New Hamburg Special Policy Area policies contained in the Township Official Plan.

Receiving Township endorsement with respect to parking exemptions and confirmation of adequate road allowance limits to support proper access and on-street parking opportunities is a critical step in order that LYNC can proceed to the final stages of site plan approval and ultimately building permits.

REPORT:

LYNC proposes to repurpose the existing mill at 183 Mill Street and remove the former police station at 35 Peel Street to facilitate a significant addition to the mill along with outdoor amenity areas. The conversion and addition are planned to include approximately 351m² (3800ft²) of main floor commercial floor area along with 31 rental apartments. The apartments units will comprise of a mix of market rate, affordable (60 to 80% of market rent), and rent geared to income units.

LYNC also proposes to remove the former warehouse building at 73 Burns Street to provide approximately 39 parking spaces for use by both the mixed-use building as well as for general public use.

To accommodate the proposed development concept, as illustrated on Attachment A, alternative arrangements for parking are required, there may be a need to adjust regulations

pertaining to setbacks and lot coverage, and there is an opportunity to create more logical boundaries for the Mill, Burns, and Peel Street road allowances.

The following paragraphs speak specifically to the parking regulations and the road allowance adjustments. Should the final plans result in the need to increase the maximum lot coverage (currently a proposed increase from 50% to 58%), or setbacks (currently the new addition would require a reduction in the rear yard setback from 7.5m to 0.3m), those changes would be dealt with through a minor variance application to the Committee of Adjustment.

Parking

The Township Zoning By-law sets out requirements for parking. Until 2016, the Zoning By-law explicitly excluded lands in the New Hamburg core from requiring off-street parking. In 2016 changes were made to require that new construction provide associated parking. Specific to this redevelopment, parking would be required for new floor area above and beyond what exists in the current buildings as follows:

- 50% of the required spaces for non-residential uses, and
- 1.5 spaces per apartment unit.

The existing buildings provide 584m² of non-residential floor area. The proposed redevelopment is proposed to include 351m² of non-residential floor area. As such, given non-residential floor area is being reduced, the by-law does not require any parking spaces to be provided for non-residential use.

The development is proposed to consist of 31 apartment units which equates to a standard requirement of 47 parking spaces. This requirement aligns with historic market rate rental units where it is anticipated that all occupants would have at least one vehicle. The proposed development includes a range of unit sizes and affordability options as follows:

- Affordable (60 to 80% of market rent): seven 1-bedroom units,
- Market rate: six 1-bedroom and eight 2-bedroom units, and
- Rent geared to income: seven 1-bedroom and three 3-bedroom units.

It is anticipated that parking needs will be significantly less than a typical apartment or condominium use. As such, staff support that the historic approach to parking in the core is appropriate – that being parking is not required to be provided on site given the availability of other parking options to support the use. In this case, LYNC is proposing to construct additional parking spaces in both a separate parking lot as well as on-street parking. Combined, new parking is anticipated to be provided 49 new parking spaces as follows:

- 39 parking spaces at 73 Burns,
- 4 new parallel parking spaces on Mill Street, and
- 6 new perpendicular spaces on Peel Street.

Of the 49 new spaces, LYNC proposes to reserve 32 spaces for use exclusively for their mixed-use development. Specifically, the six perpendicular spaces on Peel Street and the westerly two rows within the Burns Street lot.

No parallel parking spaces on Peel Street will be lost through this redevelopment. It is anticipated that with the removal of the large open entrance to the former feed mill and police station, in addition to the perpendicular spaces proposed on Peel Street, there will be room for additional parallel parking spaces.

Section 40 of the Planning Act provides that the Township may enter into an agreement with the landowner or occupant to exempt them from providing parking. The Act sets out that the agreement shall provide for the making of one or more payments of money to the municipality as consideration for the granting of the exemption.

As outlined in the recommendation, the proposed agreement would eliminate the requirement for parking on 183 Mill Street. In consideration of this exemption and given that LYNC will be constructing a parking lot at 73 Burns Street for 39 vehicles along with additional on-street parking on both Mill Street and Peel Street, the agreement would simply include a nominal payment of two dollars to satisfy the requirements of the Planning Act. Instead of requiring a cash payment towards future parking construction, the value of contributing an additional 17 parking spaces for public use in the core is seen as a significant benefit serving as compensation. The agreement would set out that LYNC would be responsible for maintenance of the Burns Street lot and Peel Street perpendicular spaces.

Staff support that an exemption for requiring parking on site is logical in order to maximize the building's presence on the main street of New Hamburg and provide additional outdoor amenity area to support this development and the core in general. The proposed parking agreement secures alternate parking for this development with the added benefit of contributing additional parking for all visitors to the New Hamburg core.

Road allowance lands

The current property boundary of 183 Mill Street is not uniform. Specifically, along Peel Street and Mill Street, the property line follows the perimeter of existing loading facilities and other building projections as illustrated by the black dashed line on the concept plan included as Attachment A. These existing building projections will be removed through redevelopment allowing for road allowance widenings to be acquired to form more logical boundaries and proper road allowance widths required to secure proper access width, sidewalks and on-street parking. The areas of the road allowance to be acquired are highlighted in orange on Attachment A.

Road allowance widenings will be acquired, at no cost to the Township, through the site plan control process. The Planning Act provides for road widenings to be taken through a development application when the current road allowance width does not equate to the designated width contained within the Township's Official Plan.

As illustrated on Attachment A, portions of the road allowance will become surplus upon modification of the property boundaries shown by the blue dashed line. Surplus lands are highlighted in blue.

With respect to surplus road allowance lands, the Township is required to follow its policy, or in this case, by-law relating to disposition of surplus lands. Township By-law 95-54 sets out that process which includes that notice must be provided a minimum of 10 days in advance of Council declaring lands surplus.

Publication of this report and recommendation within the Council agenda package provides the requisite 10 days notice. A subsequent report to be provided at the February 12, 2024 Council meeting will provide more information with respect to the land disposition and next steps in that regard.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Accessibility and Inclusivity forms a critical strategy of the Quality of Life Goal. Facilitating proposals for the provision of affordable forms of housing in appropriate locations supports this strategy.

FINANCIAL CONSIDERATIONS:

The proposed redevelopment discussed in this report will be subject to site plan approval. Application fees, including legal fees associated with registration of agreements, will be collected at the time of application in accordance with the Fees and Charges By-law.

Financial considerations with respect to land disposition will be addressed within a subsequent report to be considered at the February 12, 2024 Council meeting.

ATTACHMENTS:

- Attachment A – Conceptual site plan, 183 Mill Street
- Attachment B – Conceptual building renderings, 183 Mill Street
- Attachment C – Conceptual parking lot layout, 73 Burns Street