



COMMITTEE OF THE WHOLE - PLANNING

Tuesday, June 3, 2025, 5:30 p.m.

	Pages
1. CALL TO ORDER	
2. ADOPTION OF AGENDA	
3. CONFLICT OF INTEREST	
4. CLOSED SESSION	
Closed meeting to consider matters that qualify under the Municipal Act 2001 Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees; specifically regarding CAO recruitment.	
5. PUBLIC MEETINGS	
5.1 File OPA-01-2025, ZBA-01-2025 - 524 York Road (Phase 2) - CDS-25-056	3
5.1.1 Information Report - Public Meeting - 524 York Road, Phase 2 (OPA-01-2025, ZBA-01-2025) - CDS-25-056	13
5.2 File OPA-03-2025, ZBA-03-2025 - 1839 Four Mile Creek Road - CDS-25-074	31
5.2.1 Information Report - Public Meeting - 1839 Four Mile Creek Road (OPA-03-2025, ZBA-03-2025) - CDS-25-074	42
5.3 File OPA-02-2025, ZBA-02-2025 - 222 Gate Street - CDS-25-072	54
5.3.1 Information Report - 222 Gate Street and Unaddressed Parcel - OPA-02-2025, ZBA-02-2025 - CDS-25-072	65
6. MEMBERS' ANNOUNCEMENTS	
7. DELEGATIONS	
7.1 Non-Agenda Delegations	
7.2 Agenda Delegations	
7.2.1 Nilou Ghazi - item 10.1 - Queen-Picton (Old Town) Heritage Conservation District Study: Phase 1 Study Report, CDS-25-083	78
7.2.2 Written Requests for Exemption - Included at the request of Steve Burke, Manager of Policy and Heritage Planning	
7.2.2.1 Nathan Smith, Brock Builders - 277 Wellington Street	84

7.2.2.2	Rebecca deBoer - 189 William Street	88
7.2.2.3	Scott Colvin - 373 Victoria Street	89
8.	RESPONSE TO DELEGATIONS	
9.	PRESENTATIONS	
9.1	Christophe Rivet, Cultural Spaces - Queen-Picton (Old Town) Heritage Conservation District Study: Phase 1 Study Report	97
10.	RECOMMENDATION REPORTS	
10.1	Queen-Picton (Old Town) Heritage Conservation District Study: Phase 1 Study Report, CDS-25-083	112
10.2	Bill 17 - Protect Ontario by Building Faster and Smarter Act, 2025 and related Regulations, CDS-25-085	216
11.	INFORMATION REPORTS AND INFORMATION ITEMS	
12.	NOTICE OF MOTION	
13.	ADJOURNMENT	



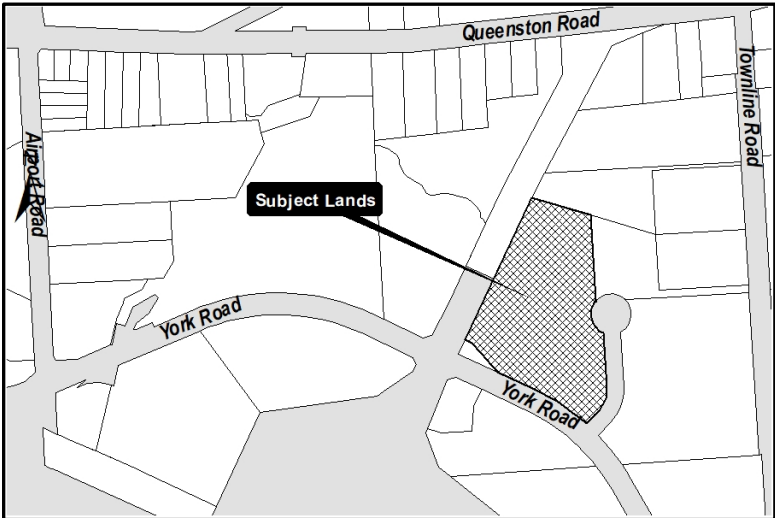
What:	Notice of Complete Application, Open House and Public Meeting for an Official Plan Amendment and Zoning By-law Amendment (under Section 22 and Section 34 of the <i>Planning Act, R.S.O. 1990, c. P.13</i> , as amended)
When:	Open House: Wednesday, April 16, 2025 at 5:00 pm Public Meeting: Tuesday, June 3, 2025 at 6:00 pm
Where:	Open House: Electronically via the directions below Public Meeting: In-person at the Town Hall, Council Chambers, 1593 Four Mile Creek Road, Virgil, or electronically via the directions below
Regarding:	Files OPA-01-2025 and ZBA-01-2025 524 York Road, Niagara-on-the-Lake



What is this?

Applications have been received for an Official Plan Amendment and Zoning By-law Amendment on the subject lands (see location map).

The applications would permit the development of two (2) restaurants, and one ten (10) storey hotel building consisting of 207 hotel suites. The Official Plan Amendment proposes to redesignate the southern portion of the subject lands to site-specific “Hospitality Precinct” to permit an increased height for the development and to permit surface parking along public streets. The Zoning By-law Amendment proposes to modify the existing “Regional Commercial (RC1-15) – Site Specific Zone” by expanding it to include the southern portion of the subject lands, with site-specific provisions related to height, loading and parking, and setbacks to an outdoor patio restaurant, loading area, internal road, driveway or parking area. A Holding (H) Provision is proposed, related to building height, which shall not be removed until such time as an exemption to the Airport Zoning Regulation is granted by Transport Canada for building heights greater than 140 metres above sea level on the southern portion of the subject lands.



Dialogue is encouraged:



You are invited to attend the Open House and Public Meeting to gather information and provide input regarding this matter.

Town Hall is open for the public to register in advance to attend Committee of the Whole and Council Meetings, including Public Meetings, in-person. Alternatively, the public will continue to have the option to register in advance to participate electronically.

The Open House will continue to be held electronically at this time.

If you wish to participate electronically at the Open House or Public Meeting, you must register in advance with the Town Staff noted below. You will receive an email on the date of the meeting with instructions to connect to the Open House and/or Public Meeting on your computer, tablet or telephone.

- Open House – John Federici, Senior Planner (john.federici@notl.com or 905-468-6441) (register as soon as possible but prior to 12 noon on Wednesday, April 16, 2025)
- Public Meeting – Clerks Department (clerks@notl.com or 905-468-3266) (register as soon as possible but prior to 12 noon on Monday, June 2, 2025)

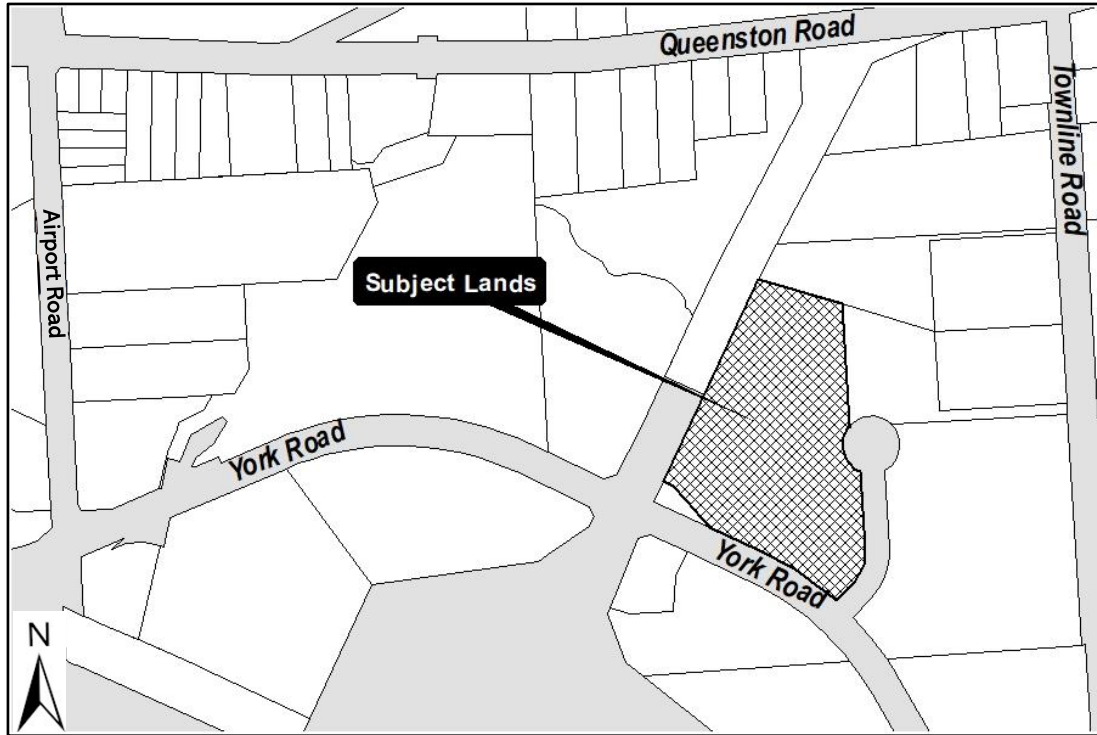
	<p>If you wish to attend the Public Meeting in-person, registration with the Clerk is appreciated.</p> <p>If you wish to view the Open House and/or Public Meeting for information purposes, registration is not required. The meetings will be recorded and available for viewing after the meetings on the Town’s website at https://www.notl.com/council-government/mayor-council/meetings-agendas-minutes</p> <p>Please Note: Written comments on the application are encouraged and must be submitted to the Town Clerk, at 1593 Four Mile Creek Road, P.O. Box 100, Virgil, ON L0S 1T0 or via email at clerks@notl.com referencing the above file numbers. Unless indicated otherwise, all submissions, including personal information, will become part of the public record.</p>
	<p>For more information:</p> <p>A copy of the applications and supporting documents for the proposal may be obtained on the Town’s website at https://www.notl.com/business-development/public-planning-notice, or at the Community and Development Services Department within Town Hall.</p> <p>Please contact John Federici, Senior Planner, at 905-468-6441 or via email at john.federici@notl.com if additional information is required.</p>
	<p>If you wish to be notified of the future decision with respect to the application, you must submit a written request to the Town Clerk including your name and the address to which such notice should be sent.</p> <p>If a person or public body does not share their views in writing to the Town Clerk or orally at a statutory Public Meeting before a decision is made, the person/public body:</p> <ul style="list-style-type: none">a) Is not entitled to appeal the decision of the Town of Niagara-on-the-Lake to the Ontario Land Tribunal; andb) May not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so. <p>Please note that third party appeals are restricted for this application as per Bill 185, Cutting Red Tape to Build More Homes Act, 2024. <i>Planning Act</i> appeals may be filed by the applicant, the Minister of Municipal Affairs and Housing, a “specified person” (as defined by the <i>Planning Act 1(1)</i>), and any “public body” (as defined by the <i>Planning Act 1(1)</i>).</p> <p>Dated at the Town of Niagara-on-the-Lake, April 2, 2025 Grant Bivol, Town Clerk</p>

Public Meeting: 524 York Road – Phase 2 Official Plan Amendment (OPA-01-2025) Zoning By-law Amendment (ZBA-01-2025)

June 3, 2025

John Federici, MCIP, RPP – Senior Planner

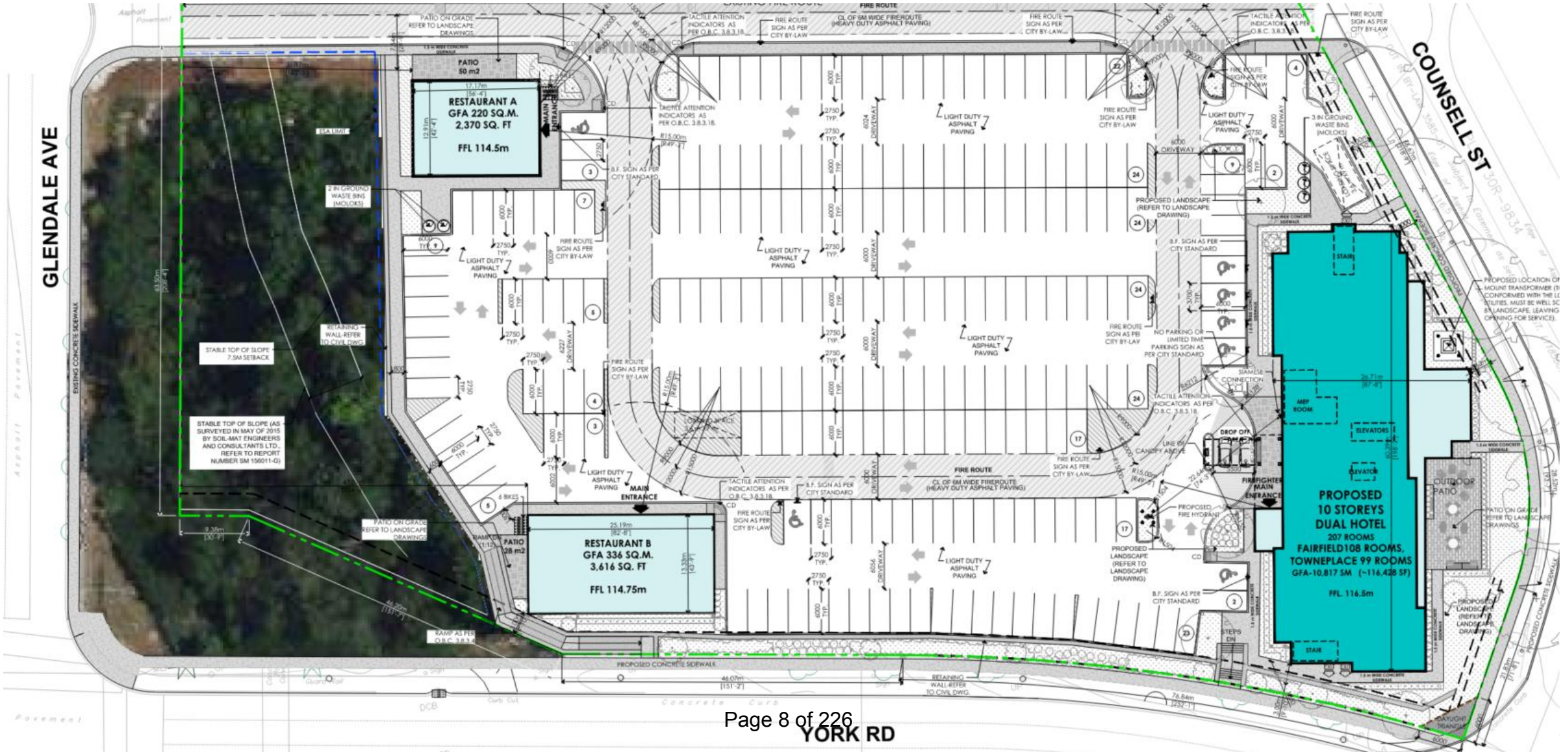
Location: 524 York Road



Location: 524 York Road



Proposal



Requested Amendments: Official Plan Amendment and Zoning By-law Amendment

Official Plan Amendment: Proposes to redesignate the southern portion of the subject lands to site-specific “Hospitality Precinct” to permit an increased height for the development and to permit surface parking along York Road

Zoning By-law Amendment: Proposes to modify the existing “Regional Commercial (RC1-15) – Site Specific Zone” by expanding it to include the southern portion of the subject lands, with associated site-specific provisions

A Holding (H) Provision is proposed, related to building height, which shall not be removed until such time as an exemption to the Airport Zoning Regulation is granted by Transport Canada for building heights greater than 140 metres above sea level on the southern portion of the subject lands

Consultation: Town, Agency and Public

No Objections: Building, Finance, Fire and Emergency Services, Heritage, Enbridge Gas, NOTL Hydro, TransCanada Pipelines Limited

Objections: The Niagara District Airport objects to the applications given that the height proposed development does not comply with the Federal Airport Zoning Regulations

- Open House on April 16, 2025, attended by one (1) member of the public asking questions of clarification related to the proposed height and Airport Zoning Regulation exemption process.
- No written public comments have been received to-date.

Review ongoing:

- Town Operations: Updates to Functional Servicing Report and Stormwater Management Report to address water and stormwater management
- Town Urban Forestry: Tree removals are not permitted in areas classified as Significant Woodland. An updated Environmental Impact Study is required
- Niagara Peninsula Conservation Authority: Updates are required to the Geotechnical Report
- Niagara Region: An updated Environmental Impact Study and Transportation Impact Study is required. The woodland appears to meet the criteria of a Significant Woodland. Recommendations related to noise control measures and mitigation measures related to wind

Next Steps

1. Ongoing review of the Application
2. Comments have been provided to the Applicant, opportunity to respond and make revisions
3. Future recommendation report to Council, including an analysis of all applicable policies and consideration of all received comments
4. Pending approval of the rezoning by Council, a Site Plan Amendment application will be required to implement the proposal

Thank you! Any questions?

John Federici, MCIP, RPP – Senior Planner

john.federici@notl.com

905-468-6441

The Corporation of the Town of Niagara-on-the-Lake Information Report to Council

SUBJECT: Public Meeting – 524 York Road (Phase 2)
Official Plan Amendment Application (OPA-01-2025), Zoning By-law
Amendment Application (ZBA-01-2025)

DATE: 2025-06-03

REPORT #: CDS-25-056

PREPARED BY: John Federici, MCIP, RPP, Senior Planner

DEPARTMENT: Community & Development Services

BACKGROUND INFORMATION

Public engagement is an important part of the planning process. The Town is holding a Public Meeting in accordance with the requirements of the *Planning Act* to receive input from the public and Council. Staff is reviewing the information submitted and collecting comments. No recommendation is being made at this time.

Applications have been received for an Official Plan Amendment and a Zoning By-law Amendment on the subject lands. The applications would permit the development of a ten (10) storey hotel building consisting of 207 hotel suites, and two (2) standalone restaurants on the southern portion of the subject lands. The northern portion of the subject lands is already developed with two hotel buildings and an associated parking lot. The current proposal is for the second phase of development on the subject lands, located on the southern portion of the property.

The Official Plan Amendment proposes to redesignate the southern portion of the subject lands to site-specific “Hospitality Precinct” to permit an increased height for the hotel and to permit surface parking along public streets, being York Road, which shall be screened from public view.

The Zoning By-law Amendment requests to modify the existing “Glendale Community Zoning District – Regional Commercial (RC1-15) – Site Specific Zone” which applies to the northern portion of the subject lands. The amendment proposes to expand the existing site-specific zone to encompass the southern portion of the lands, requesting a range of site-specific provisions. A Holding (H) Provision is proposed which shall not be removed until such time as an exemption to the Airport Zoning Regulation is granted by Transport Canada for building heights greater than 140 metres above sea level on the southern portion of the subject lands.

The lands were previously subject to an Official Plan Amendment and Zoning By-law

Amendment in 2017 to facilitate the development of the two (2) hotel buildings and associated parking area located on the northern portion of the subject lands, known as Phase 1. Additional Official Plan Amendment and Zoning By-law Amendment applications were approved on the subject lands in 2024 to redesignate and rezone a portion of the lands to permit a private roadway connecting to Glendale Avenue.

The subject lands are within the Glendale Secondary Plan area. While the new Secondary Plan was approved by Council in January, it remains under appeal with the Ontario Land Tribunal.

Location

The subject lands are located east of Glendale Avenue, north of York Road, west of Counsell Street and south of Queenston Road in the Urban Area of Glendale (see **Figure 1**).

The subject lands have an area of 2.83 hectares, with a total of 179.14 metres of frontage along York Road.

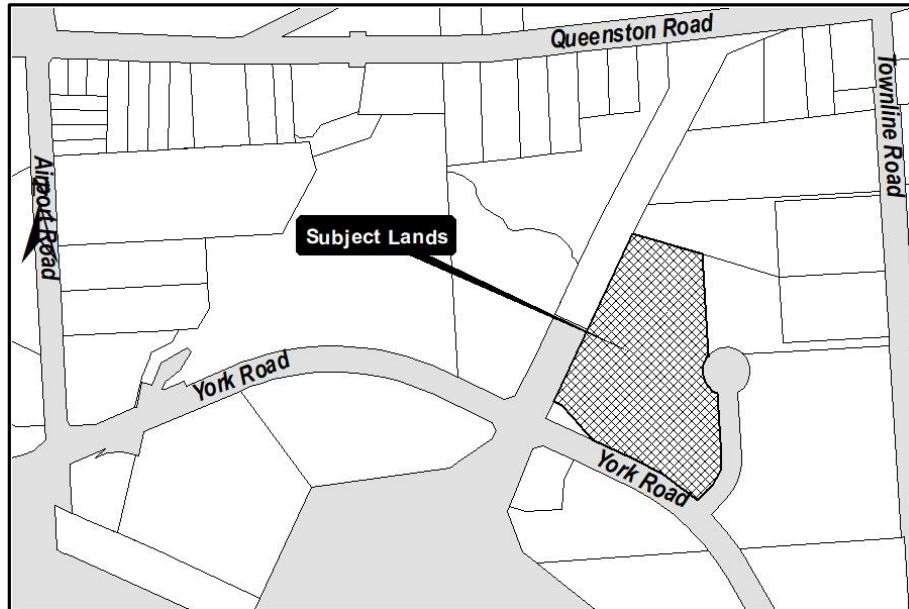


Figure 1: Location of the Subject Lands

The subject land currently contains two hotels (Staybridge Suites and the Holiday Inn Express), a surface parking lot, and a private road which travels east west and connects to Glendale Avenue and Counsell Street. The surrounding lands include conservation, residential, commercial, industrial, and institutional uses.

Development Process

The Applications are in the first phase of the development review process. Should the Official Plan Amendment and Zoning By-law Amendment be approved by Council, the applicant will be required to obtain Site Plan Approval to facilitate the proposal.

Proposal

Applications have been received to facilitate the development of a ten (10) storey hotel building consisting of 207 hotel suites in addition to two (2) standalone restaurants, each being one (1) storey in height on the southern portion of the lands.

The Official Plan Amendment proposes to redesignate the southern portion of the subject lands to site-specific “Hospitality Precinct” to permit an increased height of ten (10) storeys for the proposed hotel and to permit surface parking along public streets, being York Road, which shall be screened from public view.

The Zoning By-law Amendment requests to modify the existing “Glendale Community Zoning District – Regional Commercial (RC1-15) – Site Specific Zone” which applies to the northern portion of the subject lands. The amendment proposes to expand the existing site-specific zone to encompass the southern portion of the lands, requesting site-specific provisions for height, the number and location of loading and parking spaces, and setbacks to an outdoor patio restaurant, loading area, internal road, driveway or parking area. A Holding (H) Provision is proposed which shall not be removed until such time as an exemption to the Airport Zoning Regulation is granted by Transport Canada for building heights greater than 140 metres above sea level on the southern portion of the subject lands.

A draft site plan, elevations and renderings are attached as **Appendix I** to this report.

The following documents have been submitted and are being considered during the review of these Applications:

- Application Form (Official Plan Amendment and Zoning By-law Amendment) – February 20, 2025.
- Cover Letter – February 27, 2025.
- Stage 1-2 Archaeological Assessment – September 13, 2024.
- Ministry Clearance Letter (MCM) – November 19, 2024.
- Site Plan, Floor Plans, Elevations – January 27, 2025.
- Draft Official Plan Amendment – February, 2025.
- Draft Zoning By-law Amendment – February, 2025.
- Environmental Impact Study – January, 2025.
- Exemption Request from Airport Zoning Regulation – February 18, 2025.
- NAV Canada Acknowledgement Letter – December 4, 2024.
- Functional Servicing Report – February 7, 2025.
- Geotechnical Investigation – May 15, 2015.
- Letter of Reliance and Seismic Design Comments – January 17, 2025.
- Landscape Plan – February 20, 2025.
- Noise Impact Study – February 18, 2025.
- Pedestrian Wind Assessment – February 18, 2025.
- Planning Rationale Report – February, 2025.
- Property Index Map and Parcel Register – March 12, 2025.
- Stormwater Management Report – February, 2025.
- Transportation Impact Study – February, 2025.
- Transportation Impact Study Synchro Modelling
- Tree Inventory and Preservation Plan – January 23, 2025.
- Urban Design Brief – February 2025.

The application materials can be found on the Town’s website here: [524 York Road \(Phase 2\) - OPA-01-2025, ZBA-01-2025 | Town of Niagara-on-the-Lake](#)

The Applications were deemed complete by Town Staff on March 28, 2025.

Policy Review

The following provides a general overview of the policy framework regarding the Applications. A full policy review will be completed and included in the recommendation report.

Planning Act, R.S.O. 1990, c. P.13

Section 2 of the *Planning Act* identifies matters of Provincial interest that Council shall have regard to in carrying out its responsibilities under the *Planning Act*. Subsection 3(5) of the *Planning Act* requires that decisions of Council shall be consistent with provincial policy statements and shall conform with provincial plans that are in effect.

The Planning Act provides the ability to request amendments to a municipal official plan and/or zoning by-law.

Provincial Planning Statement, 2024

The subject lands are identified as a “Settlement Area” under the Provincial Planning Statement (“PPS”). The PPS sets the overall policy direction for regulating land use in Ontario.

The PPS indicates that growth and development are intended to be directed primarily to settlement areas, and further where applicable to strategic growth areas. Strategic growth areas are intended to accommodate significant population and employment growth and are identified by municipalities to be the focus for accommodating intensification to support the achievement of complete communities. Strategic growth areas are focal areas for education, commercial, recreational and cultural uses and higher density, compact development.

Niagara Official Plan, 2022

As of March 31, 2025, pursuant to Bill 185 the *Cutting Red Tape to Build More Home Act, 2024*, the *Planning Act* was amended to recognize the Regional Municipality of Niagara as an upper-tier municipality without planning responsibilities. Accordingly, the Niagara Official Plan (“NOP”) has been downloaded to the Town of Niagara-on-the-Lake and other local area municipalities across the Region to implement the policy direction contained therein.

The subject lands are identified as being within the “Designated Greenfield Area”, as well as a “Strategic Growth Area” in the NOP.

The NOP directs that designated greenfield areas be planned as complete communities by ensuring that development is sequential, orderly, and contiguous with existing built-up areas, ensuring infrastructure capacity is available and supporting active transportation.

The subject lands are located within the Glendale District Plan area. The District Plan promotes a range of land uses and built form, promotes sustainability and resiliency through development and encourages high-quality public and private realm through strong urban design direction. According to the Demonstration Plan included in the Glendale District Plan, the subject lands are intended to be used for hospitality and environmental conservation purposes.

The Glendale area is identified as a strategic growth area intended to accommodate intensification and higher density mixed uses in a more compact built form. The Glendale area is identified in the NOP as having a minimum density target of 100 people and jobs per hectare, to be confirmed through creation of the Secondary Plan.

Town of Niagara-on-the-Lake Official Plan, 2017 Consolidation, as amended

The subject lands are identified as “Prestige Industrial” and “Conservation” on Schedule F, and “Greenfield Area” on Schedule I-5 of the Town’s Official Plan (“Town OP”). The subject lands are located within the Glendale Secondary Plan Area (Special Policy Area A-7) and were subject to Official Plan Amendment No. 69, which designated the northern portion of the lands “Hospitality Precinct (EX-HP-01) Site Specific”, with the remainder of the subject lands considered a “Hospitality Precinct” with “Environmental Conservation Area” on Schedule F1 of the Secondary Plan. Schedule F2 of the Secondary Plans identifies maximum applicable building heights on the subject lands ranging from two (2) storeys to five (5) storeys.

The Town OP directs that growth, and development is to be accommodated within the existing urban boundaries. The Official Plan policies support the development of compact, vibrant, sustainable, integrated, and complete communities.

Town Staff acknowledge that the Glendale Secondary Plan update was recently approved by Town Council but was subsequently appealed to the Ontario Land Tribunal. Accordingly, the policies of the existing Glendale Secondary Plan are in force and effect for the subject lands and are applicable to the Applications.

The Glendale Urban Design Guidelines (“UDG”), which accompanied the Official Plan Amendment for the Secondary Plan update, were endorsed by Town Council in January 2025. The UDG provides design direction for community design, streetscape elements, natural heritage system, parks and open spaces, active transportation, in addition to guidelines for the private realm. The subject lands are identified under the mixed-use areas guidelines and the guidelines contained in this section will be considered during the review of the Applications, in addition to applicable guidance on community design and streetscape elements.

The Glendale Secondary Plan that is currently in effect intends to establish an area that achieves a unified, holistic view of a distinct “walkable” community that attracts employment uses and establishes a gateway to the Town. Broad objectives for development within the Secondary Plan area include placemaking and beauty, mixed uses, diversity in housing types, built-form variety, and efficiency. The Secondary Plan also directs street-oriented hotels and other commercial uses be provided within the Hospitality Precinct along York Road.

Town of Niagara-on-the-Lake Proposed Official Plan (2019)

Council adopted a proposed new Official Plan in November 2019. The proposed Official Plan is currently being reviewed and updated, but has not been adopted and is therefore not in effect, but represents Council’s intent. The northern portion of the subject lands are designated “Commercial (S4-20) Site Specific”, while the southern portion of the lands subject to the development proposal are designated “Commercial”. Permitted uses within the Commercial designation include retail, business, and office spaces/shops, hotels and restaurants.

Niagara-on-the-Lake Zoning By-law 4316-09, as amended

The northern portion of the subject lands are zoned “Glendale Community Zoning District – Regional Commercial (RC1-15) Site Specific Zone”, with the southern and western portions of the subject lands respectively zoned “Glendale Community Zoning District – Regional Commercial (RC1) Zone” and “Glendale Community Zoning District – Open Space Feature (OSF) Zone”.

Requested Amendments

The Official Plan Amendment proposes to redesignate the southern portion of the subject lands to site-specific “Hospitality Precinct” to permit an increased height of ten (10) storeys for the proposed hotel and to permit surface parking along public streets, being York Road, which shall be screened from public view.

The Zoning By-law Amendment requests to modify the existing “Glendale Community Zoning District – Regional Commercial (RC1-15) – Site Specific Zone” which applies to the northern portion of the subject lands. The amendment proposes to expand the existing site-specific zone to the southern portion of the lands requesting site-specific provisions for height, the number and location of loading and parking spaces, and setbacks to an outdoor patio restaurant, loading area, internal road, driveway or parking area. A Holding (H) Provision is proposed which shall not be removed until such time as an exemption to the Airport Zoning Regulation is granted by Transport Canada for building heights greater than 140 metres above sea level on the southern portion of the subject lands.

The following chart outlines the existing “Regional Commercial (RC1) Zone” standards in comparison to the requested “Site Specific Holding RC1-H Zone”:

Zone Requirement	RC1 Zone	Site Specific RC1 Holding Zone
Maximum Building Height	12.0 metres	33.0 metres

Additional site-specific general provisions are requested as follows:

Provision	Requirement	Site Specific RC1 Holding Zone
Loading Space Requirements	All off-street loading spaces shall be located in the interior side or rear yard, or to the rear of the main front wall and exterior side wall of the main building, provided such spaces are setback a minimum of 24.4 m (80.05 ft) from the street line;	Notwithstanding Subsection 6.27(e), on the lands identified as RC1-15, loading spaces shall be permitted in the interior side or rear yard, or to the rear of the main front wall and exterior side wall of the main building, provided such spaces are setback a minimum of 3.0 m (9.84 ft) from the street line.
Outdoor Patio Restaurant	An outdoor patio restaurant shall be located a minimum of 3.0 m (9.84 ft) from any loading area, parking spaces, internal road or driveway located on the lot;	Notwithstanding Subsection 6.36(c), an outdoor patio restaurant shall be located a minimum of 1.5 m (4.92 ft) from any loading area, parking spaces, internal road or driveway located on the lot;
Parking Space Requirements	Hotel - 1 per guest room in addition to other uses identified herein Restaurant - 1 per 9 square metres of ground floor area Restaurant, Outdoor Patio - 1 per 30 square metres of ground floor area of outdoor patio area in addition to the requirements for a restaurant or take out restaurant	Notwithstanding the provisions of Subsection 6.39, the following parking requirements shall apply to the lands identified as RC1-15: Hotel - 1 parking space per guest room including any accessory uses Restaurant - 1 per 22.5 square metres of ground floor area and no parking shall be required for a patio space associated with a restaurant.

Consultation

The applications were circulated to Town Departments and external agencies for review and comment. Public Notice of the proposal was provided as required by the *Planning Act*.

To date, the following comments have been received:

Town Comments

Building – No objection.

Finance – No objection.

Fire and Emergency Services – No objection.

Heritage – The Town is in receipt of a Stage 1 and 2 Archeological Assessment dated September 13, 2024. The applicant is required to send in the Ministry clearance letter for the assessment once it is received prior to any ground disturbance occurring.

Operations – Town Operations Staff require an updated Functional Servicing Report and Stormwater Management Report which addresses comments related to water servicing, as well as the ability to control stormwater flows on the subject lands. Town Operations Staff note that the Town will require that the owner install, at its own expense, a new sidewalk being 1.5 metres in width along the full property frontages of Glendale Avenue, York Road, and Counsell Street. Additionally, the Town will require that the owner improve Counsell Street to an urban curb and gutter cross section.

Forestry – Tree removals will not be permitted in areas that are part of the Natural Environment System if a portion of the property is classified as a Significant Woodland. Town Forestry Staff reserve comments until such time as an Environmental Impact Study Addendum is received.

Agency Comments

Enbridge – No objection.

Niagara Peninsula Conservation Authority (NPCA) – The NPCA requires an updated Geotechnical Report to confirm whether the conclusions and recommendations of the original report submitted for the Phase 1 lands are still valid.

The Niagara District Airport objects to the applications, given the height of the proposed development. The applications are in contravention of the Federal Airport Zoning Regulations. Those regulations were put in place to ensure the safety of aircrafts, protection of current airport operations and the future use and configuration of the airfield. Niagara District Airport highlights that the airport itself is only a commenting agency, and the regulations themselves are Federal regulations of Transport Canada

Niagara-on-the-Lake (NOTL) Hydro - NOTL Hydro expects to supply power to this proposed development by extending the three-phase primary underground infrastructure that was previously installed up to the transformer at the Holiday Inn during Phase 1.

Niagara Region – Regional staff is unable to complete the review of these applications from an environmental perspective, as additional information is requested to confirm that the proposal will not have negative impacts on the Regional Natural Environment System. Based on staff

observations and the findings of the Phase 1 Environmental Impact Study (“EIS”), the woodland appears to meet the criteria for classification as a Significant Woodland. Consistent with NOP Policy 3.1.9.5.1, Significant Woodlands are to be fully protected, and removals are not permitted. An EIS Addendum (with changes clearly identified to facilitate review) is requested to address the concerns outlined in the comment letter. An updated Transportation Impact Study is also required to address the technical comments provided. Regional Staff recommend the inclusion of a clause in the future site plan agreement pertaining to the implementation of the recommended noise mitigation measures, in addition to final architectural drawings being stamped by an acoustical engineer to ensure noise control measures are incorporated. Regional Staff is satisfied with the conceptual landscape design but suggest that more trees be added along the surface parking areas to provide visual screening. Based on the Pedestrian Wind Assessment submitted, the proposed hotel building appears to create gusts that may exceed the safety criterion in the area at the corner of the site and York Road. The design of the building and site should include mitigative elements that will reduce wind speeds.

TransCanada Pipelines Limited – No objection.

Public Comments

An electronic Open House was held on April 16, 2025, attended by one (1) member of the public. The Open House attendee asked questions of clarification regarding the height of the proposed hotel and the Airport Zoning Regulation exemption process. At the time of report preparation, Town Staff has not received any comments from residents.

NEXT STEP / CONCLUSION

Following the Statutory Public Meeting, all comments received will be considered through the review of the Applications. The applicant will have an opportunity to respond to comments and submit revised application materials. Any revised materials will be made publicly available. Once the review process has concluded, a staff recommendation report will be prepared and presented at a future Committee of the Whole meeting.

ATTACHMENTS

- **Appendix I** – Draft Site Plan, Elevations, Renderings

Appendix I

Key Plan:

1	25/01/27	Issued for Rezoning	A.B.
No.	Date:	Issue/Revision	By:
Drawing Issues/Revisions:			

Note:

- ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE ARCHITECT PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE ARCHITECT MUST BE NOTIFIED IMMEDIATELY.
- FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.
- UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING, SHORINGS, SHEET PILING OR OTHER TEMPORARY SUPPORTS, TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.
- ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF MATAJ ARCHITECTS INC.
- USE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.



Architect's Stamp

MATAJ ARCHITECTS
INCORPORATED
206-418 Incaquois Shore Rd
Oakville, ON L6H 0X7
T 905.281.4444

Project:
TOWNEPLACE SUITES & FAIRFIELD
COMBO HOTEL

Fairfield
BY MARRIOTT
TOWNEPLACE
SUITES
BY MARRIOTT

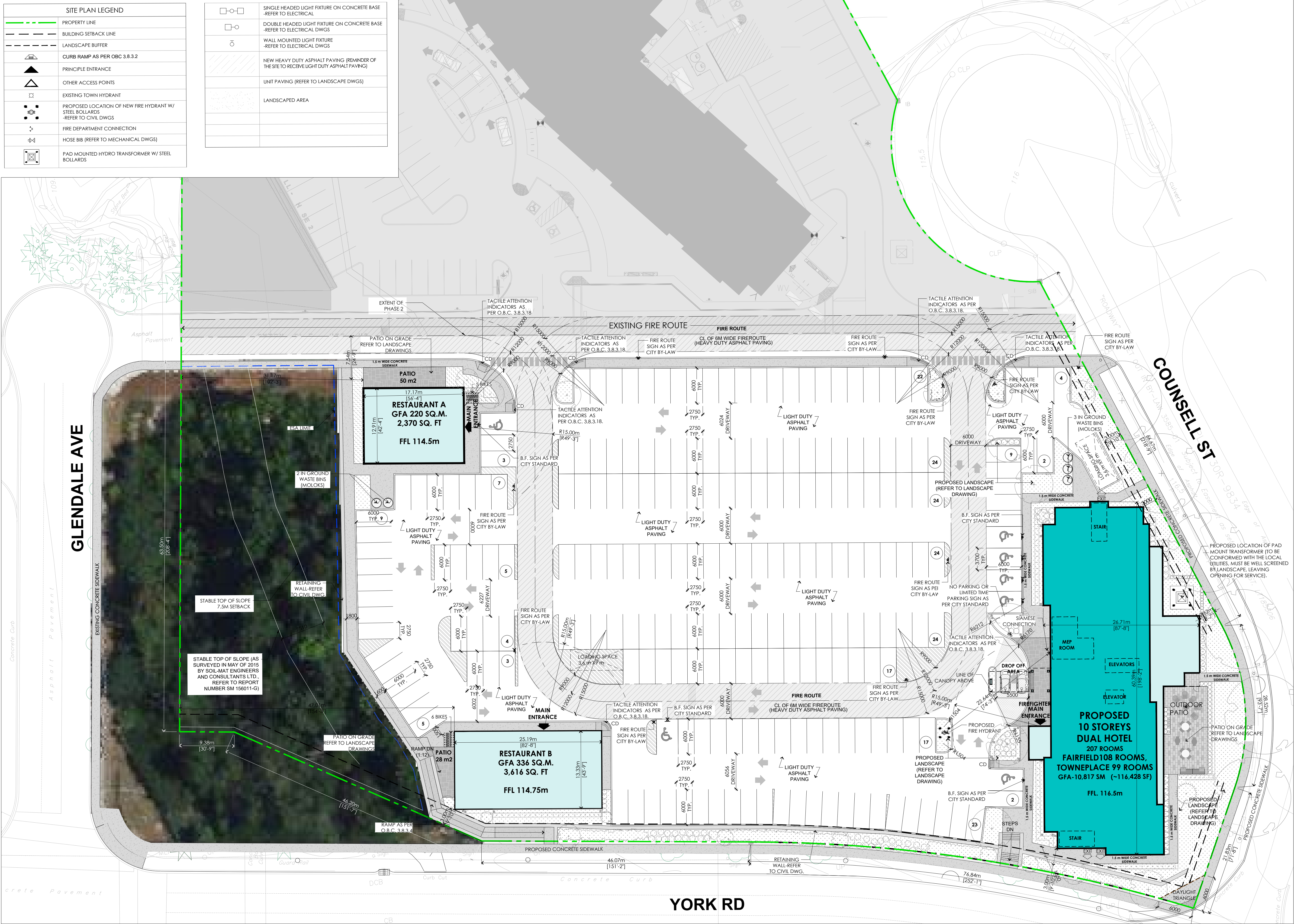
524 YORK ROAD, NIAGARA ON THE LAKE

Sheet Title:
SITE PLAN

Design By: M.A./A.B.	Drawn By: A.B.	Approved By: A.M.
Scale: 1:300	Date: 24/10/11	Project No.:
Drawing No:		



ASP-1

Drawing Series:
SITE PLAN-REZONING



Page 22 of 226

MATERIAL LEGEND		
KEYNOTE	DESCRIPTION	REFERENCE IMAGES

E01	ACM, TIMBER TEAK	
E02	EIFS BY CORNERPOINT OR EQUIVALENT, KENDALL CHARCOAL BM-HC-166	

MATERIAL LEGEND		
KEYNOTE	DESCRIPTION	REFERENCE IMAGES

E03	EIFS BY CORNERPOINT OR EQUIVALENT, CREATIV GRANITE FINISH (VT221124)	
E03a	EIFS BY CORNERPOINT OR EQUIVALENT, CREATIV ANTHRACITE FINISH (30306 LRV 8)	

MATERIAL LEGEND		
KEYNOTE	DESCRIPTION	REFERENCE IMAGES

E04	EIFS BY CORNERPOINT OR EQUIVALENT, METALLIC FINISH (SILVER)	
E05	ACM PANELS, ANODIZED ALUMINUM (SILVER)	

MATERIAL LEGEND		
KEYNOTE	DESCRIPTION	REFERENCE IMAGES

E09	EIFS BY DURABOND. SMOOTH FINISH, WHITE DOVE OC-17	
-----	---	--

EXTERIOR LIGHTING LEGEND	
L01	4x4 RECESSED POT LIGHTS
L04	ILLUMINATED SIGNAGE - BACKLIT AS PER BRAND STANDARDS
L05	DECORATIVE WALL SCONCE - 3000 K
L07	DIRECTION LIGHT (CYPHER OR EQUIVALENT)

PLANE LEGEND	
A	0.00 TYPICAL WALL PLANE
B	1" RECESSED TO 'A'
C	2" RECESSED TO 'A'
D	2" PROJECTION TO 'A'

- NOTES:
- CM/BUILDER SHALL PROVIDE ALL EXTERIOR SAMPLES TO ARCHITECT/BRAND FOR APPROVAL OF COLOR & TEXTURE. BEFORE COMMENCING WORK ON SITE CM/BUILDER SHALL SUBMIT ARCHITECT'S & BRAND'S APPROVED EXTERIOR SAMPLES TO OWNER FOR FINAL APPROVAL.
 - CM AND/OR RELATED TRADE TO SUBMIT COLOR OPTIONS FOR ALL EXTERIOR MECHANICAL LOUVERS & CAPS BEFORE WORK IS EXECUTED ON SITE SO THAT COLOR MATCHING TO ADJACENT FINISH IS OBTAINED.
 - CM/GC TO PROVIDE SHOP DRAWING INDICATING ALL EXTERIOR MECHANICAL PENETRATION AS PERTAINS TO THEIR SIZE/LOCATION & FINISH/COLOR



Project North:	True North:
----------------	-------------

SPA FILE NO. -

1	ISSUED FOR REZONING	2025-01-27
REV	DESCRIPTION	REV. DATE

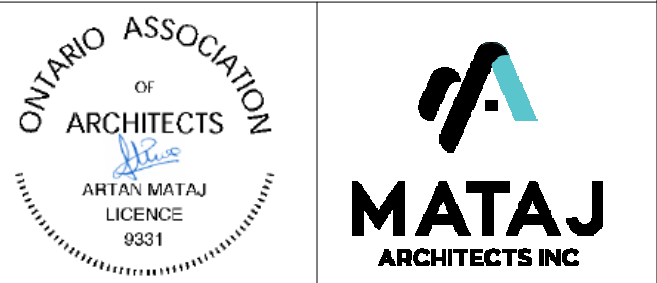
Drawing Issues/Revisions:

Note:
ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE ARCHITECT PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE ARCHITECT MUST BE NOTIFIED IMMEDIATELY.

FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.

UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING, SHORINGS, SHEET PILING OR OTHER TEMPORARY SUPPORTS TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.

ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF MATAJ ARCHITECTS INC. USE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.



Architect's Stamp

MATAJ ARCHITECTS INCORPORATED
418 Iroquois Shore Road, Unit 206,
Oakville, Ontario L4H 0X7
T. 905.281.4444

Project:
TOWNEPLACE SUITES & FAIRFIELD
Fairfield BY MARRIOTT **TOWNEPLACE SUITES BY MARRIOTT**



524 YORK ROAD, NIAGARA ON THE LAKE

Sheet Title:
SOUTH (FRONT) ELEVATION

Design By: AM.	Drawn By: ND.	Approved By: AM.
Scale: 1 : 100	Date: 2024-10-31	Project No.: 24-012

Drawing No:
A301 OF:
Drawing Series:
SITE PLAN _ REZONING

MATERIAL LEGEND		
KEYNOTE	DESCRIPTION	REFERENCE IMAGES

E01	ACM, TIMBER TEAK	
E02	EIFS BY CORNERPOINT OR EQUIVALENT, KENDALL CHARCOAL BM-HC-166	

MATERIAL LEGEND		
KEYNOTE	DESCRIPTION	REFERENCE IMAGES

E03	EIFS BY CORNERPOINT OR EQUIVALENT, CREATIV GRANITE FINISH (VT221124)	
E03a	EIFS BY CORNERPOINT OR EQUIVALENT, CREATIV ANTHRACITE FINISH (30306 LRV 8)	

MATERIAL LEGEND		
KEYNOTE	DESCRIPTION	REFERENCE IMAGES

E04	EIFS BY CORNERPOINT OR EQUIVALENT, METALLIC FINISH (SILVER)	
E05	ACM PANELS, ANODIZED ALUMINUM (SILVER)	

MATERIAL LEGEND		
KEYNOTE	DESCRIPTION	REFERENCE IMAGES

E09	EIFS BY DURABOND. SMOOTH FINISH, WHITE DOVE OC-17	
-----	---	--

EXTERIOR LIGHTING LEGEND	
L01	4x4 RECESSED POT LIGHTS
L04	ILLUMINATED SIGNAGE - BACKLIT AS PER BRAND STANDARDS
L05	DECORATIVE WALL SCONCE - 3000 K
L07	DIRECTION LIGHT (CYPHER OR EQUIVALENT)

PLANE LEGEND	
A	0.00 TYPICAL WALL PLANE
B	1" RECESSED TO 'A'
C	2" RECESSED TO 'A'
D	2" PROJECTION TO 'A'

NOTES:

1 - CM/BUILDER SHALL SHALL PROVIDE ALL EXTERIOR SAMPLES TO ARCHITECT/BRAND FOR APPROVAL OF COLOR & TEXTURE. BEFORE COMMENCING WORK ON SITE CM/BUILDER SHALL SUBMIT ARCHITECTS & BRAND'S APPROVED EXTERIOR SAMPLES TO OWNER FOR FINAL APPROVAL.

2 - CM AND/OR RELATED TRADE TO SUBMIT COLOR OPTIONS FOR ALL EXTERIOR MECHANICAL LOUVERS & CAPS BEFORE BEFORE WORK IS EXECUTED ON SITE SO THAT COLOR MATCHING TO ADJACENT FINISH IS OBTAINED.

3 - CM/GC TO PROVIDE SHOP DRAWING INDICATING ALL EXTERIOR MECHANICAL PENETRATION AS PERTAINS TO THEIR SIZE/LOCATION & FINISH/COLOR



Project North:	True North:
----------------	-------------

SPA FILE NO. -

1	ISSUED FOR REZONING	2025-01-27
REV	DESCRIPTION	REV. DATE

Note:
ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE ARCHITECT PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE ARCHITECT MUST BE NOTIFIED IMMEDIATELY.

FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.

UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING, SHORINGS, SHEET PILING OR OTHER TEMPORARY SUPPORTS TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.

ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF MATAJ ARCHITECTS INC.
USE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.



Architect's Stamp

MATAJ ARCHITECTS INCORPORATED
418 Iroquois Shore Road, Unit 206,
Oakville, Ontario
L4H 0X7
T.905.281.4444

Project:
TOWNEPLACE SUITES & FAIRFIELD
Fairfield TOWNEPLACE SUITES
BY HARRIOTT BY HARRIOTT



524 YORK ROAD, NIAGARA ON THE LAKE

Sheet Title:
NORH ELEVATION

Design By: AM.	Drawn By: ND.	Approved By: AM.
Scale: 1 : 100	Date: 2024-10-31	Project No.: 24-012

Drawing No:
A302 OF:
Drawing Series:
SITE PLAN _ REZONING

MATERIAL LEGEND		
KEYNOTE	DESCRIPTION	REFERENCE IMAGES

E01	ACM, TIMBER TEAK	
E02	EIFS BY CORNERPOINT OR EQUIVALENT, KENDALL CHARCOAL BM-HC-166	

MATERIAL LEGEND		
KEYNOTE	DESCRIPTION	REFERENCE IMAGES

E03	EIFS BY CORNERPOINT OR EQUIVALENT, CREATIV GRANITE FINISH (VT221124)	
E03a	EIFS BY CORNERPOINT OR EQUIVALENT, CREATIV ANTHRACITE FINISH (30306 LRV 8)	

MATERIAL LEGEND		
KEYNOTE	DESCRIPTION	REFERENCE IMAGES

E04	EIFS BY CORNERPOINT OR EQUIVALENT, METALLIC FINISH (SILVER)	
E05	ACM PANELS, ANODIZED ALUMINUM (SILVER)	

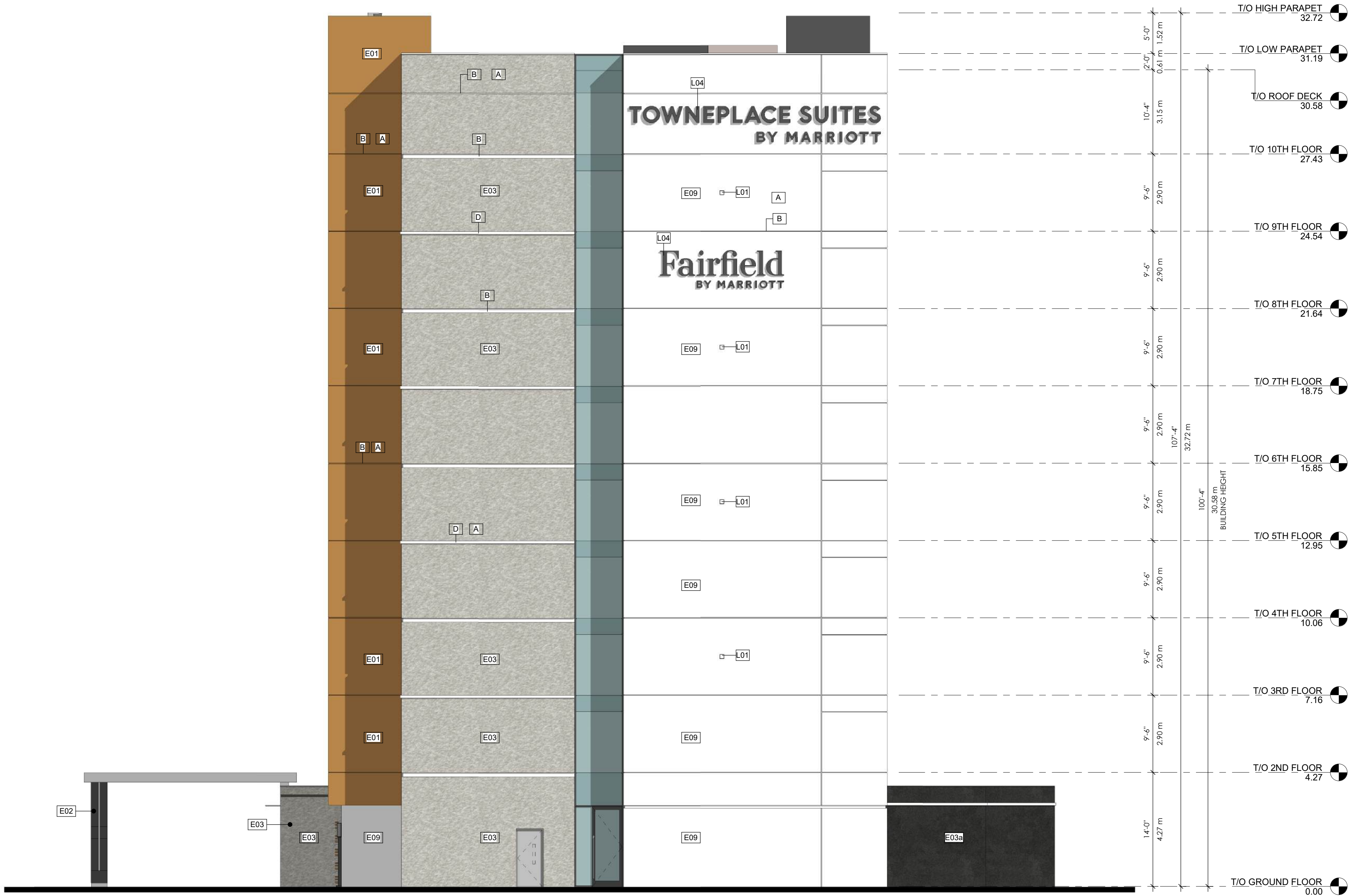
MATERIAL LEGEND		
KEYNOTE	DESCRIPTION	REFERENCE IMAGES

E09	EIFS BY DURABOND. SMOOTH FINISH, WHITE DOVE OC-17	
-----	---	--

- NOTES:
- CM/BUILDER SHALL SHALL PROVIDE ALL EXTERIOR SAMPLES TO ARCHITECT/BRAND FOR APPROVAL OF COLOR & TEXTURE. BEFORE COMMENCING WORK ON SITE CM/BUILDER SHALL SUBMIT ARCHITECTS & BRAND'S APPROVED EXTERIOR SAMPLES TO OWNER FOR FINAL APPROVAL.
 - CM AND/OR RELATED TRADE TO SUBMIT COLOR OPTIONS FOR ALL EXTERIOR MECHANICAL LOUVERS & CAPS BEFORE BEFORE WORK IS EXECUTED ON SITE SO THAT COLOR MATCHING TO ADJACENT FINISH IS OBTAINED.
 - CM/GC TO PROVIDE SHOP DRAWING INDICATING ALL EXTERIOR MECHANICAL PENETRATION AS PERTAINS TO THEIR SIZE/LOCATION & FINISH/COLOR

EXTERIOR LIGHTING LEGEND	
L01	4x4 RECESSED POT LIGHTS
L04	ILLUMINATED SIGNAGE - BACKLIT AS PER BRAND STANDARDS
L05	DECORATIVE WALL SCONCE - 3000 K
L07	DIRECTION LIGHT (CYPHER OR EQUIVALENT)

PLANE LEGEND	
A	0.00, TYPICAL WALL PLANE
B	1" RECESSED TO 'A'
C	2" RECESSED TO 'A'
D	2" PROJECTION TO 'A'



Project North:

True North:

SPA FILE NO. -

1	ISSUED FOR REZONING	2025-01-27
REV	DESCRIPTION	REV. DATE

Drawing Issues/Revisions:

Note:

ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE ARCHITECT PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE ARCHITECT MUST BE NOTIFIED IMMEDIATELY.

FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.

UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING, SHORINGS, SHEET PILING OR OTHER TEMPORARY SUPPORTS TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.

ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF MATAJ ARCHITECTS INC. USE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.

ONTARIO ASSOCIATION OF ARCHITECTS

ARTAN MATAJ LICENCE 8081

MATAJ ARCHITECTS INC

Architect's Stamp

MATAJ ARCHITECTS INCORPORATED

418 Iroquois Shore Road, Unit 206, Oakville Ontario, L4H 0X7, T.905.281.4444

Project:

TOWNEPLACE SUITES & FAIRFIELD

Fairfield BY MARRIOTT, TOWNEPLACE SUITES BY MARRIOTT

524 YORK ROAD, NIAGARA ON THE LAKE

Sheet Title:

EAST ELEVATION

Design By:	Drawn By:	Approved By:
AM.	ND.	AM.
Scale:	Date:	Project No.:
1 : 100	2024-10-31	24-012



Drawing No:

A303

Drawing Series:

SITE PLAN _ REZONING

MATERIAL LEGEND		
KEYNOTE	DESCRIPTION	REFERENCE IMAGES

E01	ACM, TIMBER TEAK	
E02	EIFS BY CORNERPOINT OR EQUIVALENT, KENDALL CHARCOAL BM-HC-166	

MATERIAL LEGEND		
KEYNOTE	DESCRIPTION	REFERENCE IMAGES

E03	EIFS BY CORNERPOINT OR EQUIVALENT, CREATIV GRANITE FINISH (VT221124)	
E03a	EIFS BY CORNERPOINT OR EQUIVALENT, CREATIV ANTHRACITE FINISH (30306 LRV 8)	

MATERIAL LEGEND		
KEYNOTE	DESCRIPTION	REFERENCE IMAGES

E04	EIFS BY CORNERPOINT OR EQUIVALENT, METALLIC FINISH (SILVER)	
E05	ACM PANELS, ANODIZED ALUMINUM (SILVER)	

MATERIAL LEGEND		
KEYNOTE	DESCRIPTION	REFERENCE IMAGES

E09	EIFS BY DURABOND. SMOOTH FINISH, WHITE DOVE OC-17	
-----	---	--

EXTERIOR LIGHTING LEGEND	
L01	4x4 RECESSED POT LIGHTS
L04	ILLUMINATED SIGNAGE - BACKLIT AS PER BRAND STANDARDS
L05	DECORATIVE WALL SCONCE - 3000 K
L07	DIRECTION LIGHT (CYPHER OR EQUIVALENT)

PLANE LEGEND	
A	0.00. TYPICAL WALL PLANE
B	1" RECESSED TO 'A'
C	2" RECESSED TO 'A'
D	2" PROJECTION TO 'A'

- NOTES:
- 1 - CM/BUILDER SHALL SHALL PROVIDE ALL EXTERIOR SAMPLES TO ARCHITECT/BRAND FOR APPROVAL OF COLOR & TEXTURE. BEFORE COMMENCING WORK ON SITE CM/BUILDER SHALL SUBMIT ARCHITECTS & BRAND'S APPROVED EXTERIOR SAMPLES TO OWNER FOR FINAL APPROVAL.
 - 2 - CM AND/OR RELATED TRADE TO SUBMIT COLOR OPTIONS FOR ALL EXTERIOR MECHANICAL LOUVERS & CAPS BEFORE BEFORE WORK IS EXECUTED ON SITE SO THAT COLOR MATCHING TO ADJACENT FINISH IS OBTAINED.
 - 3 - CM/GC TO PROVIDE SHOP DRAWING INDICATING ALL EXTERIOR MECHANICAL PENETRATION AS PERTAINS TO THEIR SIZE/LOCATION & FINISH/COLOR



Project North:	True North:
SPA FILE NO. -	

1	ISSUED FOR REZONING	2025-01-27
REV	DESCRIPTION	REV. DATE
Drawing Issues/Revisions:		

Note:
ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE ARCHITECT PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE ARCHITECT MUST BE NOTIFIED IMMEDIATELY.

FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.

UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING, SHORINGS, SHEET PILING OR OTHER TEMPORARY SUPPORTS TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.

ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF MATAJ ARCHITECTS INC.
USE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.



Architect's Stamp

MATAJ ARCHITECTS INCORPORATED
418 Iroquois Shore Road, Unit 206, Oakville, Ontario L4H 0X7
T. 905.228.1444

Project:
TOWNEPLACE SUITES & FAIRFIELD
Fairfield TOWNEPLACE
BY HARRIOTT BY HARRIOTT

524 YORK ROAD, NIAGARA ON THE LAKE

Sheet Title: WEST ELEVATION		
Design By: AM.	Drawn By: ND.	Approved By: AM.
Scale: 1 : 100	Date: 2024-10-31	Project No.: 24-012
Drawing No.: A304 Or:		
Drawing Series: SITE PLAN _ REZONING		



Project North:

True North:

</



Project North:

True North:

SPA FILE NO. -

1	ISSUED FOR REZONING	2025-01-27
REV	DESCRIPTION	REV. DATE

Drawing Issues/Revisions:

Note:

ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE ARCHITECT PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE ARCHITECT MUST BE NOTIFIED IMMEDIATELY.

FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.

UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING, SHORINGS, SHEET PILING OR OTHER TEMPORARY SUPPORTS TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.

ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF MATAJ ARCHITECTS INC.
USE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.

ONTARIO ASSOCIATION
OF
ARCHITECTS
Architects
ARTAN MATAJ
LICENCE
9021

MATAJ
ARCHITECTS INC.

Architect's Stamp

MATAJ ARCHITECTS
INCORPORATED
418 Iroquois Shore Road, Unit 206,
Oakville, Ontario
L6H 0X7
T. 905.281.4444

Project:
**TOWNEPLACE SUITES
& FAIRFIELD**

524 YORK ROAD, NIAGARA ON THE LAKE



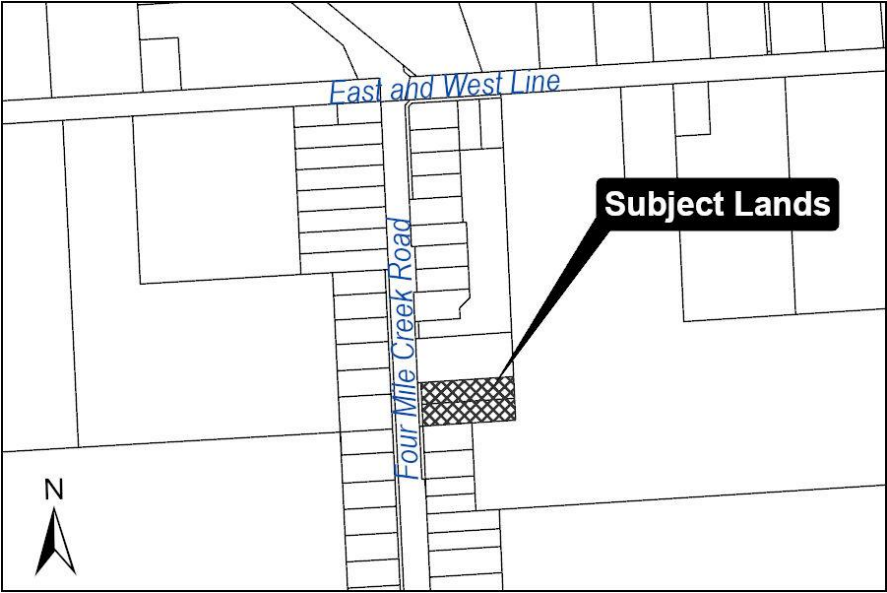
Sheet Title:
**GROUND LEVEL NW
VIEW**



Design By: AM.	Drawn By: ND.	Approved By: AM.
Scale:	Date: 24-10-24	Project No.: 24-012

Drawing No:
A305b Or:

Drawing Series:
SITE PLAN _ REZONING

Page 30 of 226

	What:	Notice of Complete Applications, Open House and Public Meeting for an Official Plan Amendment and Zoning By-law Amendment (under Section 22 and Section 34 of the <i>Planning Act, R.S.O. 1990, c. P.13</i> , as amended).
	When:	Open House: Wednesday, May 14, 2025 at 5:00 pm Public Meeting: Tuesday, June 3, 2025 at 6:00 pm
	Where:	Open House: Electronically via the directions below Public Meeting: In-person at Town Hall, Council Chambers, 1593 Four Mile Creek Road, Virgil, or electronically via the directions below
	Regarding:	Files OPA-03-2025 and ZBA-03-2025 1839 Four Mile Creek Road, Niagara-on-the-Lake
	<p>What is this?</p> <p>Applications have been received for an Official Plan Amendment and Zoning By-law Amendment on the subject lands (see location map).</p> <p>The Applications are proposed to facilitate the development of a three (3) storey apartment building containing 29 residential units and underground parking.</p> <div data-bbox="646 870 1528 1462">  </div> <p>The Official Plan Amendment proposes to redesignate the lands from “Low Density Residential” to a site-specific “Medium Density Residential” designation to permit the proposed apartment building and density.</p> <p>The Zoning By-law Amendment proposes to rezone the lands from “Residential (R1) Zone” to “Residential Multiple (RM2) Zone” with site-specific provisions for encroachments, lot area per unit, lot coverage, rear and interior yard setbacks, building height, buffers, and fencing.</p>	
	<p>Dialogue is encouraged:</p> <p>You are invited to attend the Open House and Public Meeting to gather information and provide input regarding this matter.</p> <p>Town Hall is open for the public to attend Committee of the Whole and Council Meetings, including Public Meetings, in-person. Alternatively, the public will continue to have the option to register in advance to participate electronically.</p> <p>The Open House will continue to be held electronically at this time.</p> <p>If you wish to participate electronically at the Open House or Public Meeting, you must register in advance with the Town Staff noted below. You will receive an email on the date of the meeting with instructions to connect to the Open House and/or Public Meeting on your computer, tablet or telephone.</p> <ul style="list-style-type: none"> • Open House – Victoria Nikoltcheva (victoria.nikoltcheva@notl.com or 905-468-6451) (register as soon as possible but prior to 12 noon on Wednesday, May 14, 2025) • Public Meeting – Clerks Department (clerks@notl.com or 905-468-3266) (register as soon as possible but prior to 12 noon on Monday, June 2, 2025) 	

	<p>If you wish to attend the Public Meeting in-person, registration with the Clerk is appreciated.</p> <p>If you wish to view the Open House and/or Public Meeting for information purposes, registration is not required. The meetings will be recorded and available for viewing after the meetings on the Town’s website at https://www.notl.com/council-government/mayor-council/meetings-agendas-minutes</p> <p>Please Note: Written comments on the applications are encouraged and must be submitted to the Town Clerk, at 1593 Four Mile Creek Road, P.O. Box 100, Virgil, ON L0S 1T0 or via email at clerks@notl.com referencing the above file numbers. Unless indicated otherwise, all submissions, including personal information, will become part of the public record.</p>
	<p>For more information:</p> <p>A copy of the applications and supporting documents for the proposal may be obtained on the Town’s website at https://www.notl.com/business-development/public-planning-notice, or at the Community and Development Services Department within Town Hall.</p> <p>Please contact Victoria Nikoltcheva, Senior Planner, at 905-468-6451 or via email at victoria.nikoltcheva@notl.com if additional information is required.</p>
	<p>If you wish to be notified of the future decision with respect to the applications, you must submit a written request to the Town Clerk including your name and the address to which such notice should be sent.</p> <p>If a person or public body would otherwise have an ability to appeal the decision of the Town of Niagara-on-the-Lake to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Niagara-on-the-Lake before the by-law is passed, the person or public body is not entitled to appeal the decision.</p> <p>If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Town of Niagara-on-the-Lake before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.</p> <p>Please note that third party appeals are restricted for these applications as per Bill 185, Cutting Red Tape to Build More Homes Act, 2024. <i>Planning Act</i> appeals may be filed by the applicant, the Minister of Municipal Affairs and Housing, a “specified person” (as defined by the <i>Planning Act</i> 1(1)), and any “public body” (as defined by the <i>Planning Act</i> 1(1)).</p> <p>Dated at the Town of Niagara-on-the-Lake, April 22, 2025 Grant Bivol, Town Clerk</p>

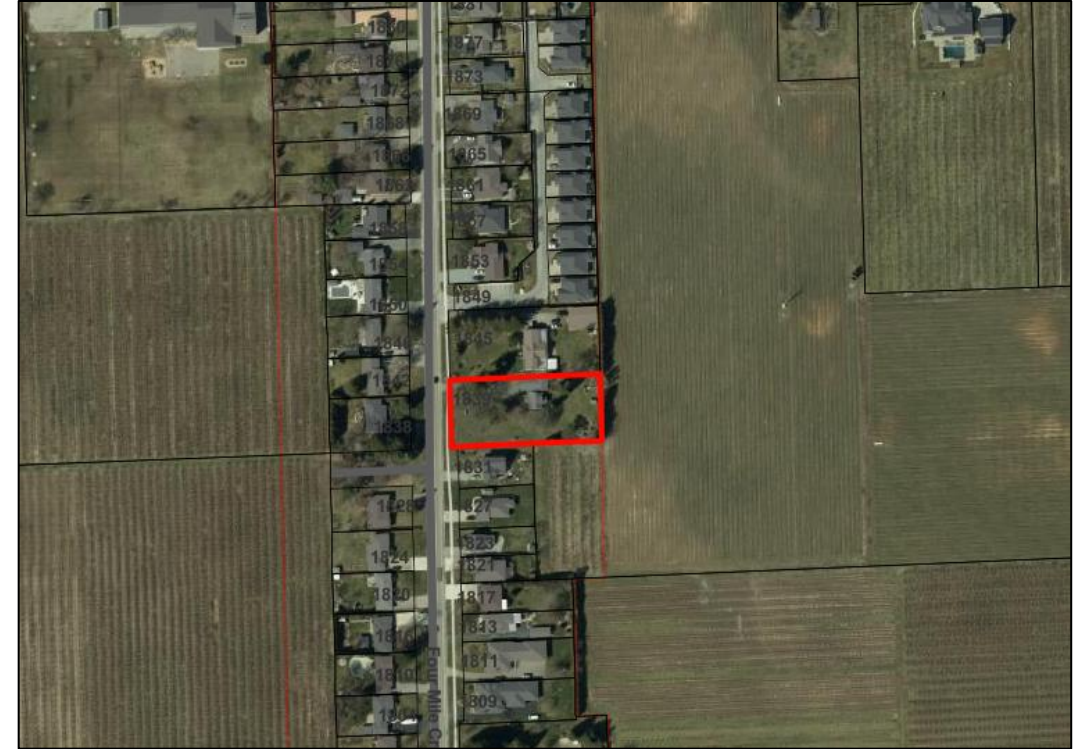
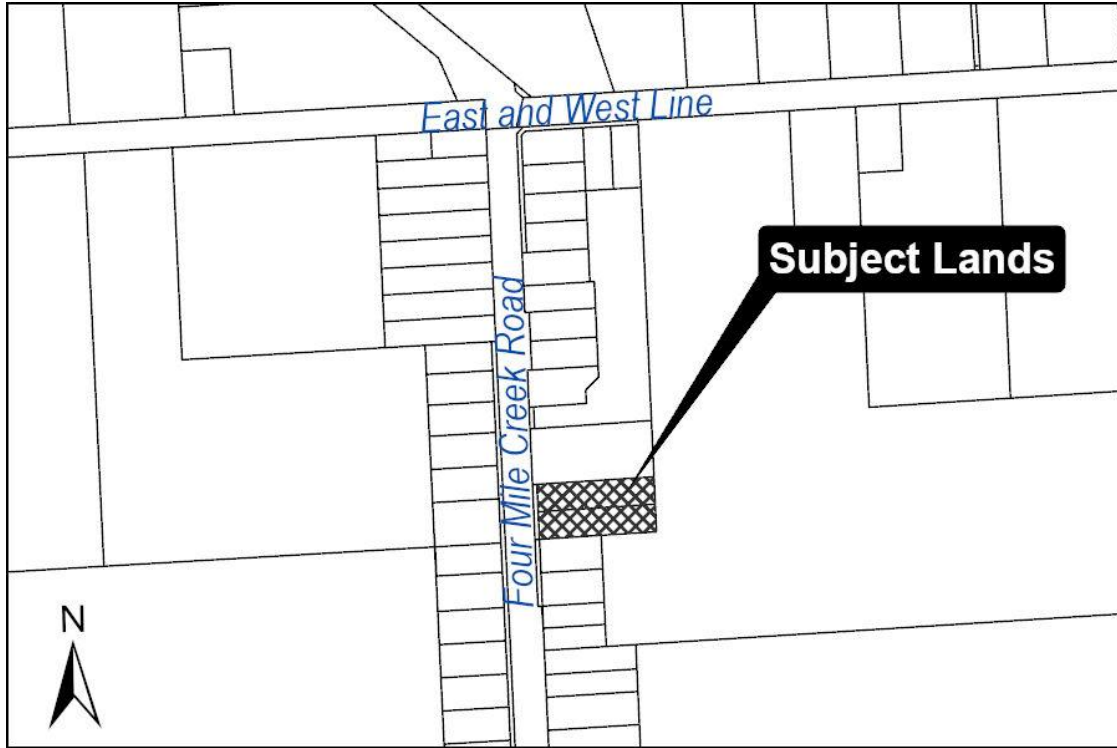
Public Meeting: 1839 Four Mile Creek Road Official Plan Amendment (OPA-03-2025) Zoning By-law Amendment (ZBA-03-2025)

June 3, 2025

Victoria Nikoltcheva, MCIP, RPP – Senior Planner

Page 33 of 226

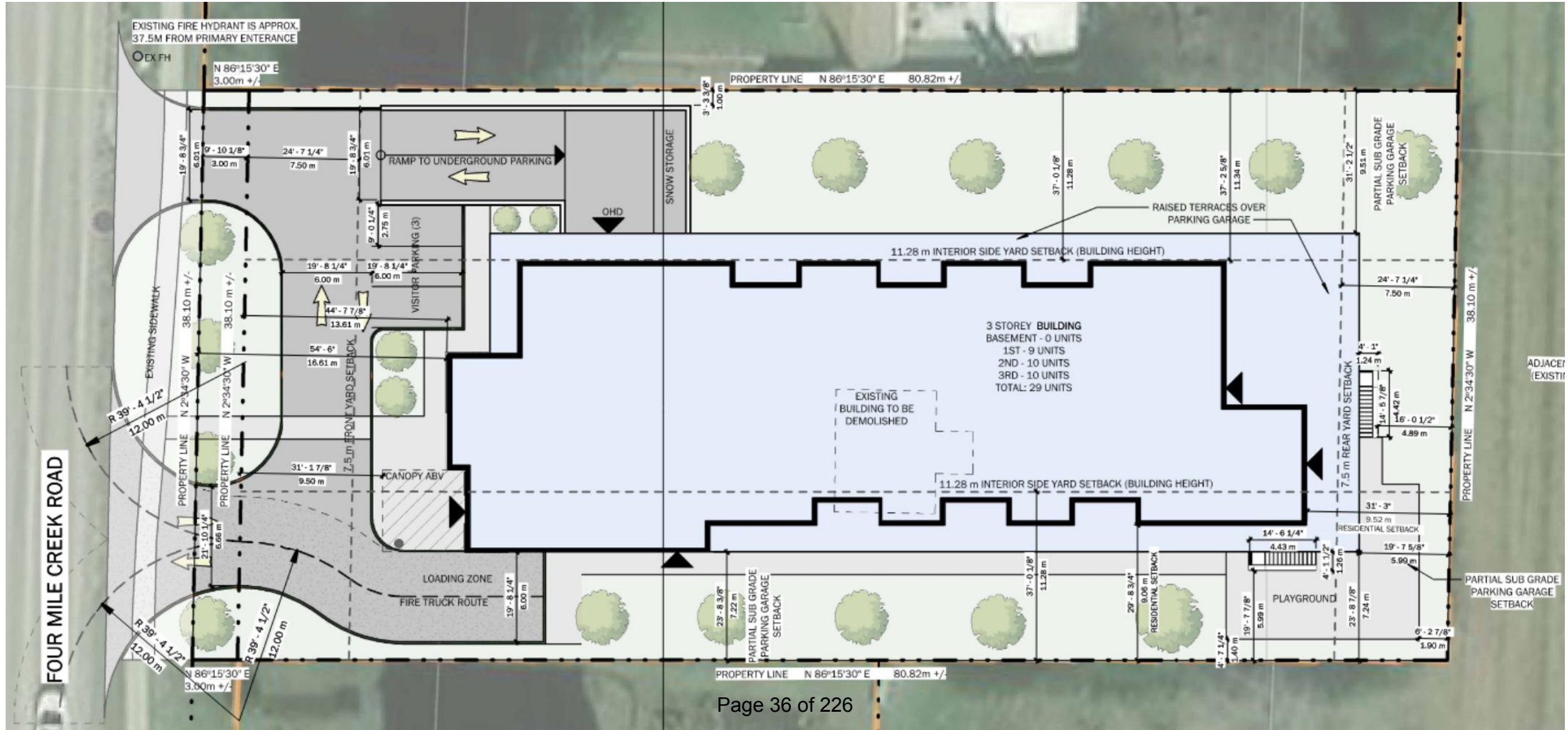
Location: 1839 Four Mile Creek Road



Location: 1839 Four Mile Creek Road



Proposal



Proposal



Requested Amendments: Official Plan Amendment and Zoning By-law Amendment

Official Plan Amendment: Proposes to redesignate the subject lands to “Medium Density Residential” to facilitate the proposed apartment building height and density of 94.2 units per hectare.

Zoning By-law Amendment: Proposes to rezone the subject lands to a site-specific “Residential Multiple (RM2) Zone” with provisions for lot area per unit, lot coverage, interior side yard and rear yard setbacks, building height, yard encroachments, buffers, and fencing.

Consultation: Town, Agency and Public

No Objections: Finance, Fire and Emergency Services, Heritage, and Urban Forestry, District School Board of Niagara, Enbridge Gas, and Niagara Region.

- Open House on May 14, 2025, attended by three (3) members of the public outlining concerns with respect to noise, traffic, and drainage.
- No written public comments have been received to-date.

Review ongoing:

- Town Building: A full Building Code Matrix must be provided, as well as two exits from the parking garage.
- Town Operations: Comments to be provided.

Next Steps

1. Ongoing review of the Applications
2. Comments have been provided to the Applicant, opportunity to respond and make revisions
3. Future recommendation report to Council, including an analysis of all applicable policies and consideration of all received comments
4. Pending approval of the Official Plan and Zoning By-law Amendments by Council, a Site Plan Approval application will be required to implement the proposal

Thank you! Any questions?

Victoria Nikoltcheva, MCIP, RPP – Senior Planner

victoria.nikoltcheva@notl.com

905-468-6451

The Corporation of the Town of Niagara-on-the-Lake Information Report to Council

SUBJECT: Public Meeting – 1839 Four Mile Creek Road
Official Plan Amendment Application (OPA-03-2025)
Zoning By-law Amendment Application (ZBA-03-2025)

DATE: 2025-06-03

REPORT #: CDS-25-074

PREPARED BY: Victoria Nikoltcheva, MCIP, RPP, Senior Planner

DEPARTMENT: Community & Development Services

BACKGROUND INFORMATION

Public engagement is an important part of the planning process. The Town is holding a Public Meeting in accordance with the requirements of the *Planning Act* to receive input from the public and Council. Staff is reviewing the information submitted and all comments received will be considered through the review of the application. No recommendation is being made at this time.

Applications for an Official Plan Amendment and a Zoning By-law Amendment (the “Applications”) have been received for the subject lands, known municipally as 1839 Four Mile Creek Road. The Applications propose to facilitate the development of a three (3) storey apartment building with 29 residential units and underground parking.

The Official Plan Amendment proposes to redesignate the lands from “Low Density Residential” to a site-specific “Medium Density Residential” designation with provisions to allow for the apartment building height and its density. The Zoning By-law Amendment proposes to rezone the lands from “Residential (R1) Zone” to “Residential Multiple (RM2) Zone” with a range of site-specific provisions.

Location

The subject lands are located on the east side of Four Mile Creek Road, south of East and West Line, in the urban area of Virgil (see **Figure 1**). The property has an area of approximately 3,194 square metres and a frontage of 38.1 metres along Four Mile Creek Road.

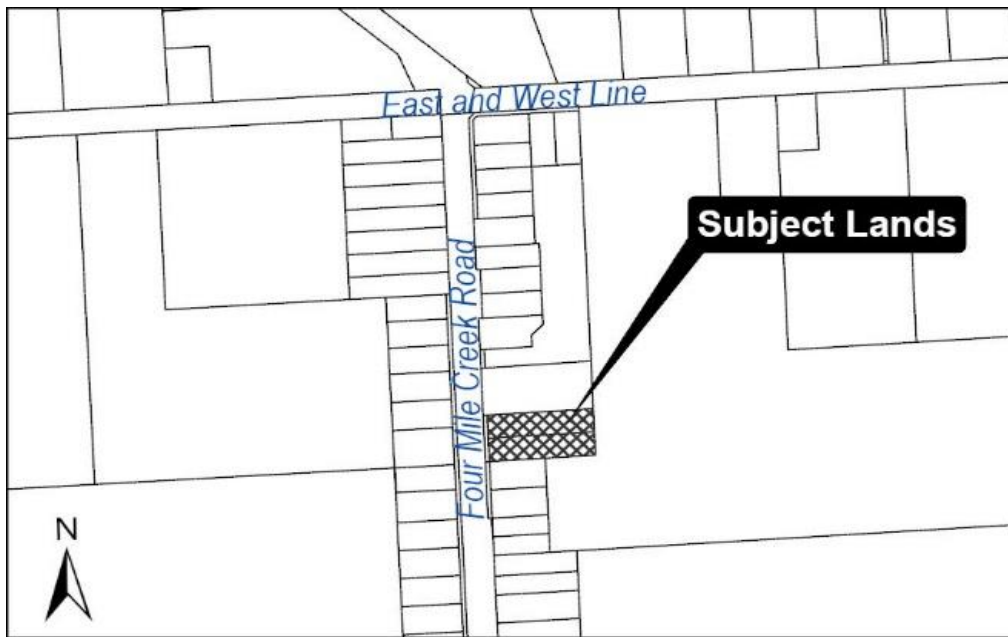


Figure 1: Location of subject lands

The subject lands are currently vacant and contain a number of mature trees. Municipal water and sanitary connections are available along Four Mile Creek Road. The surrounding lands are comprised of predominantly low density residential uses such as single-detached dwellings, as well as adjacent agricultural lands to the east.

The subject lands were previously severed into two residential parcels by way of Consent Application B-03/23. The lands must re-merge in title in order to facilitate the current Applications.

Development Process

The Applications are in the first phase of the development review process. Should the Official Plan Amendment and Zoning By-law Amendment be approved by Council, the applicant will be required to obtain Site Plan Approval to facilitate the proposal.

Proposal

Applications have been received to facilitate the development of a three (3) storey apartment building with a total of 29 residential units and underground parking. The Official Plan Amendment proposes to redesignate the lands from “Low Density Residential” to a site-specific “Medium Density Residential” designation with policies to allow for the apartment building height and its density.

The Zoning By-law Amendment proposes to rezone the lands from “Residential (R1) Zone” to “Residential Multiple (RM2) Zone” with site-specific provisions for encroachments, lot area per unit, lot coverage, rear and interior side yard setbacks, building height, buffers, and fencing.

The architectural drawings (site plan, underground parking layout, elevations and renderings) are attached as **Appendix I** to this report.

The following documents have been submitted and are being considered during the review of these Applications:

- Official Plan and Zoning Amendment Application Form
- Architectural Drawings
- Conceptual Landscape Plan
- Functional Servicing and Stormwater Management Report
- Planning Justification Report
- Shadow Study
- Urban Design Brief and Streetscape Analysis
- Tree Inventory and Preservation Report and Plan

The submitted materials can be found at the following link: <https://www.notl.com/business-development/public-planning-notice/1839-four-mile-creek-road-opa-03-2025-zba-03-2025>

The Applications were deemed complete by Town Staff on April 17, 2025.

Policy Review

The following provides a general overview of the policy framework regarding these Applications. A full policy review will be completed and included in the recommendation report.

Planning Act, R.S.O. 1990, c.P.13

Section 2 of the *Planning Act* identifies matters of Provincial interest that Council shall have regard to in carrying out its responsibilities under the *Planning Act*. Subsection 3(5) of the *Planning Act* requires that decisions of Council shall be consistent with provincial policy statements and shall conform with provincial plans that are in effect.

The *Planning Act* permits individuals to request amendments to a municipal official plan and/or zoning by-law.

Provincial Planning Statement, 2024

The subject lands are identified as being within a “Settlement Area” under the Provincial Planning Statement (“PPS”). The PPS sets the overall policy direction for regulating land use in Ontario.

The PPS indicates that growth and development are intended to be directed primarily to settlement areas. The policies provide direction for managing and directing efficient use of land, resources and services, as well as promoting sustainable land use patterns that are appropriate for the existing infrastructure. A range and mix of housing options and general intensification and redevelopment is to support the achievement of complete communities.

Niagara Official Plan, 2022

As of March 31, 2025, pursuant to Bill 23 (the More Homes Built Faster Act, 2022), the Planning Act was amended to recognize the Regional Municipality of Niagara as an upper-tier municipality without planning responsibilities. As a result, the Niagara Official Plan, 2022 (the “NOP”) has been downloaded to the Town of Niagara-on-the-Lake and other local area municipalities across the Region to implement the policy direction contained therein.

The subject lands are within a “Delineated Built-Up Area” in the NOP.

The NOP outlines forecasted growth shall be directed to settlement areas. The objectives include accommodating growth through strategic intensification, planning for orderly implementation of infrastructure and services, and supporting the overall health of the community. Development in urban areas should support intensification targets, compact built form, a range of housing types, overall quality of life, and the efficient use of existing services and infrastructure.

The NOP allocates a minimum residential intensification target of 25% to the Town. To support the achievement of this target, the NOP directs that a mix of housing options should be provided to address current and future needs. Further, residential intensification is encouraged to be planned to mitigate and adapt to the changing climate through facilitating compact built form.

Town of Niagara-on-the-Lake Official Plan, 2017 Consolidation, as amended

The subject lands are designated “Low Density Residential” on Schedule C and “Built Up Area” on Schedule I-2 of the Town of Niagara-on-the-Lake Official Plan (the “Town OP”).

The Town OP provides growth management policies under Section 6A and outlines intensification policy direction to accommodate additional growth within the Built-up Areas and land use compatibility criteria to ensure compatibility with surrounding lands and existing municipal infrastructure and services. Medium density residential uses, such as an apartment building, are permitted in a Low Density Residential area, subject to conformity with the relevant policies of the Residential section in the Town OP, specific design and locational criteria, and a site-specific zoning by-law amendment. The predominant built form for residential intensification within the residential areas include single-detached, semi-detached and townhomes, as well as low rise apartment buildings subject to development and compatibility policies of the Town OP. Minimum and maximum net densities are established in the Town OP.

The Town OP identifies that single-detached, semi-detached and duplex dwellings are main uses in the “Low Density Residential” designation. Further, multi-unit residential housing such as townhouses and apartments are permitted as main uses in the “Medium Density Residential” designation. The development of Medium Density Residential uses must consider the following, but not limited to: massing, height, compatibility, parking, servicing, landscaping, and access criteria.

OPA 78 outlines that infill development in Virgil will respect and reflect the existing pattern and character of adjacent development, where frontages, lot areas, heights, setbacks, and designs are to be complimentary and accommodating to the surrounding neighbourhood.

The Town OP contains building height restrictions, stating that building heights in the Town do not generally exceed 11 metres. It further directs that the implementing zoning by-law should limit the building height to less than 11 metres in low density residential areas where the majority of buildings are 1-1.5 storeys in height. Ornamental features on the roof of a building are exempt from height measurements, provided they are recognized in the implementing zoning by-law.

The Town OP also directs that existing trees must not be unnecessarily removed and that, wherever possible, existing trees should be preserved and protected. In urban areas where it is unavoidable that trees be removed, the proponent shall plant trees of a similar or comparable species.

Town of Niagara-on-the-Lake Proposed Official Plan, 2019

Council adopted a proposed new Official Plan in November 2019. The proposed Official Plan has not been adopted and is therefore not in effect but represents Council intent. The subject lands are designated “Residential” in the proposed Official Plan. Medium-rise structures such as multi-floor apartment buildings are permitted, subject to design and location considerations and a zoning by-law amendment. For the Virgil area, building height restrictions further limit buildings heights to up to four (4) storeys or 14 metres, whichever is less, on sites designated for medium density development.

Town of Niagara-on-the-Lake Zoning By-law 4316-09, as amended

The subject lands are zoned “Virgil Community Zoning District – Residential (R1) Zone” in Zoning By-law 4316-09, as amended. Single-detached dwellings and accessory buildings are permitted uses in this zone.

Proposed Amendments

The Official Plan Amendment requests to redesignate the lands from “Low Density Residential” to a site-specific “Medium Density Residential” designation. The site-specific designation would permit the proposed apartment building height and its proposed density at 94.2 units per hectare.

The Zoning By-law Amendment requests to rezone the lands to a site-specific “Residential Multiple (RM2) Zone” to facilitate the proposed apartment building. The following chart outlines the standard “Residential Multiple (RM2) Zone” provisions in comparison to the requested site-specific provisions:

Zone Requirement	Standard RM2 Zone	Site-Specific RM2 Zone
Maximum lot area per unit	135 m ²	106.2 m ²
Maximum lot coverage	35%	42.26%
Minimum interior side yard setback	Minimum interior side yard setback of 6.0 m (19.69 ft), except where the interior lot line is adjacent to a Residential 1 (R1) Zone, Residential 2 (R2) Zone or Residential 3 (R3) Zone in the Virgil Community Zoning District, a minimum interior side yard equal to the building height is required, whichever is greater. The proposed parking structure is 1.83 m in height, and the proposed apartment building is 11.28 m to the top of the roof.	1.0 m setback from interior lot line to parking ramp structure 7.22 m setback from interior lot line to third storey of apartment building
Minimum rear yard setback	7.5 m	5.99 m to parking structure
Maximum building height	10.5 m	11.28 m

In addition to the provisions above, the following general provision amendments are being requested:

Provision	Standard	Requested
Permitted Yard Projections and Encroachments	Maximum projection into required yard for unenclosed and uncovered steps: Side yard: 0.6 m	1.2 m to the side yard steps
Residential / Agricultural Interface	Where a residential zoned lot abuts an agricultural zone, a 3 m wide buffer strip constructed and maintained along the residential property line, with a board on board wood fence, constructed by the residential developer, is required. The board on board fence shall have no openings and be a minimum height of 1.8 m.	1.4 m buffer strip to the south 1.91 m buffer strip to the east 1.5 m aluminum fence

Consultation

The Applications were circulated to required Town Departments and external agencies for review and comment. Public Notice of the Applications was provided as required by the *Planning Act*.

To date, the following comments have been received:

Town Departments

Building – A full Building Code Matrix must be provided to identify the building classification, and two exits are required from the basement parking garage.

Finance – No objections.

Fire and Emergency Services – No objections. More detailed comments regarding fire hydrant flows, hydrant location, building matrix, and fire route access to be addressed at the subsequent Site Plan Approval (SPA) stage.

Heritage – No objections. The lands are not mapped as having archaeological potential, and there are no heritage resources nearby.

Urban Forestry – No objections. A review of the detailed landscape plan will occur at the subsequent SPA stage.

External Agencies

District School Board of Niagara – No objections.

Enbridge Gas – No objections.

Niagara Region – No objections for the OPA and ZBA stage. More detailed comments with respect to waste collection eligibility will be provided at the SPA stage, as the proposal is currently unable to satisfy the Regional waste collection requirements.

Public

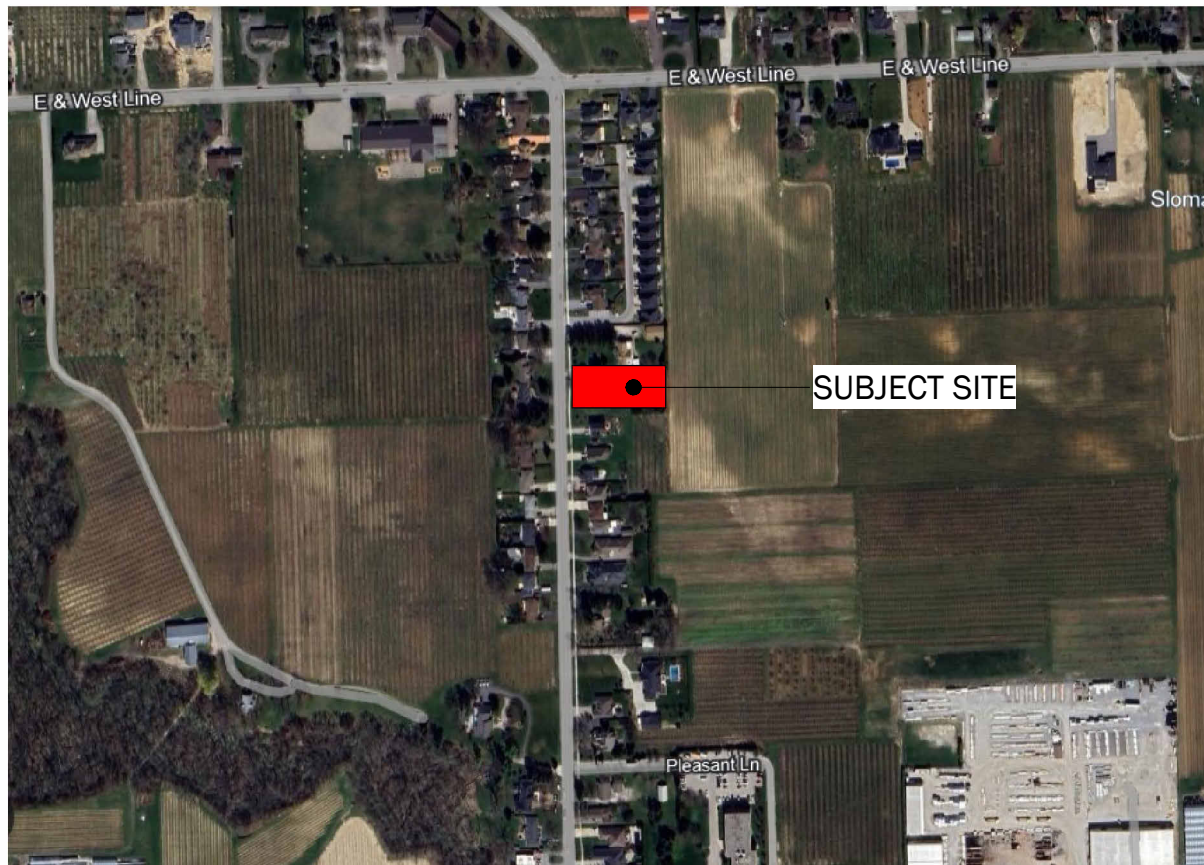
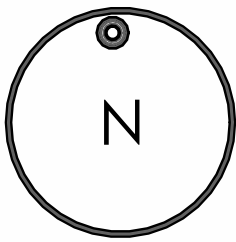
An electronic Open House was held on Wednesday, May 14, 2025. Three (3) members of the public were in attendance and outlined concerns with respect to noise, traffic, and drainage. No formal public comments have been provided to Staff to date. Should any public comments be received after the preparation of this report, they will be noted during the Public Meeting.

NEXT STEP / CONCLUSION

Following the Statutory Public Meeting, all comments received will be considered through review of the applications. The applicant will have an opportunity to respond to comments and may submit revised applications materials. Any revised materials will be made publicly available. Once the review process is concluded, a staff recommendation report, including a full review of all applicable policies, will be prepared and presented at a future Committee of the Whole meeting.

ATTACHMENTS

- **Appendix I** – Architectural Drawings



KEY PLAN

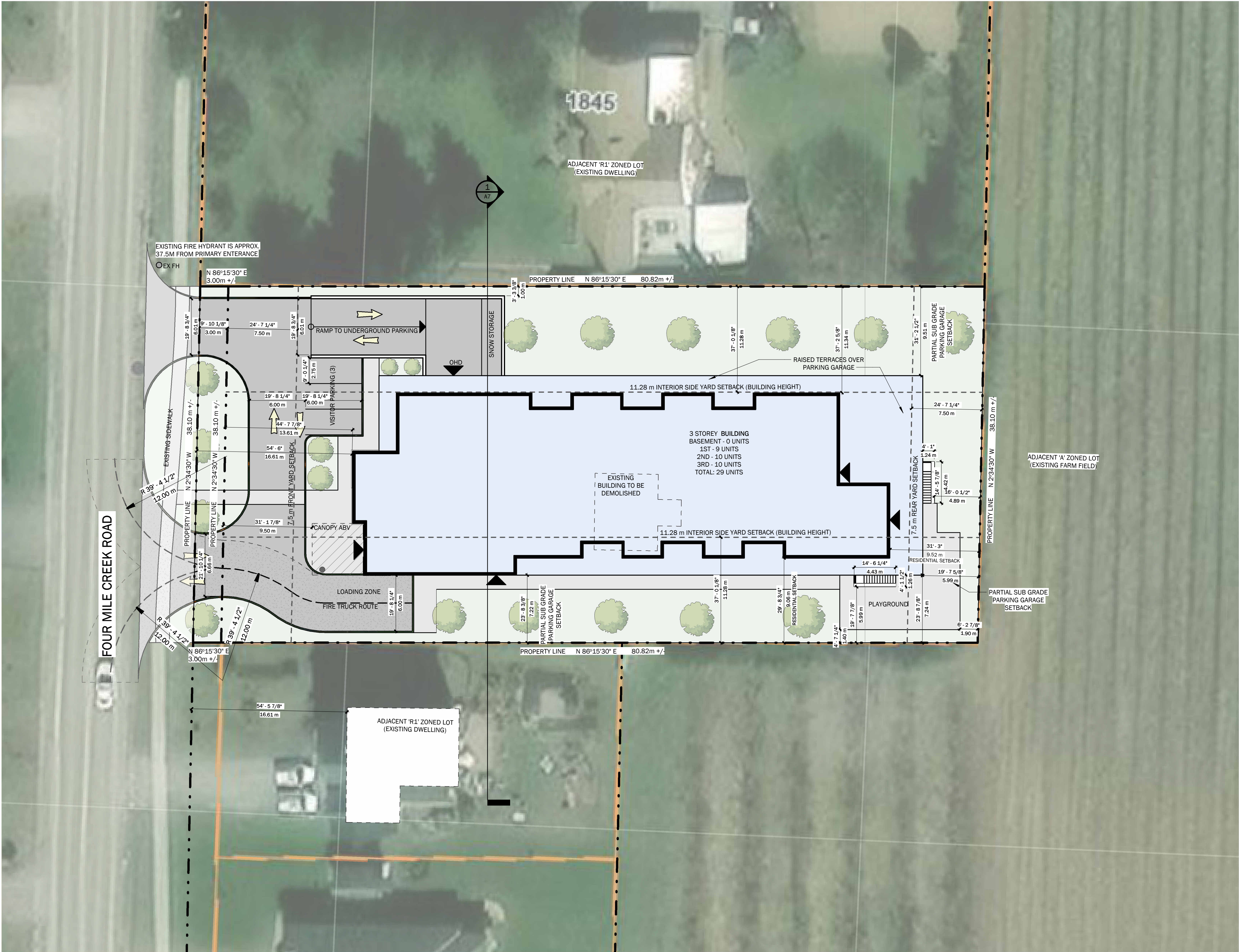
NOT TO SCALE

PRELIMINARY SITE STATS		RM2 - RESIDENTIAL MULTIPLE ZONE		
	HECTARES	ft²	m²	%
LOT AREA				
Lot Area - Minimum (135 sq.m/unit)	0.3915	42140.7	3,915.0	
Lot Area	0.3193	34365.8	3,192.7	
Road Widening (subtracted)	0.0114	1230.2	114.3	
Total Developable Lot Area	0.3078	33135.6	3078.4	100%
LOT FRONTAGE				
Required		30.0 m	100.0 ft	
Provided		38.1 m	125.0 ft	
LOT COVERAGE				
Permitted				
Lot Coverage	11597.5	1,077.4	35.0%	
Proposed				
Building	13676.4	1,270.6	41.3%	
Canopy and Balconies	326.5	0.0	0.0%	
Total	14002.9	1270.6	42.26%	
LANDSCAPE COVERAGE (INCLUDES SIDEWALKS/PATIOS)				
Minimum	9940.7	923.5	30.0%	
Proposed	13767.8	1,279.1	41.55%	
PAVED/PARKING AREA (NOT COVERED BY BUILDING)				
Proposed	5364.9	498.4	16.19%	
SETBACKS				
Front Yard (Building)	Required	Proposed		
	7.5 m	13.61 m		
Rear Yard (Building)	Required	Proposed		
	7.5 m	5.99 m		
Interior Yard				
North - Building	11.28 m	9.51 m		
South - Building	11.28 m	1.00 m		
		7.22 m		
		5.99 m		
BUILDING HEIGHT				
Permitted		10.5 m	34.45 ft	
Proposed		11.28 m	37.0 ft	
PARKING STATS				
PARKING REQUIRED				
Residential	1.00 per unit		29.0	
Total			29.0	
BF Required			2 Spaces	
Loading Required			0 Spaces	
Bike Required			0 Space	
PARKING PROVIDED				
Surface Parking			3	
Total			32	
BF Provided			2 Spaces	
Loading Provided			1 Spaces	
Bike Provided	Interior		11 Spaces	
BUILDING STATS				
Residential				
1st FLOOR	0			
2nd FLOOR	9			
3rd FLOOR	10			
4th FLOOR	10			
Total Units	29			

* DISCLAIMER: ISSUED FOR PRELIMINARY DESIGN DISCUSSION ONLY

SITE PLAN - CONCEPT

1" = 20'-0"



NOTL RESIDENTIAL DEVELOPMENT

1839 FOUR MILE CREEK ROAD, NIAGARA-ON-THE-LAKE, ON, L0S 1J0

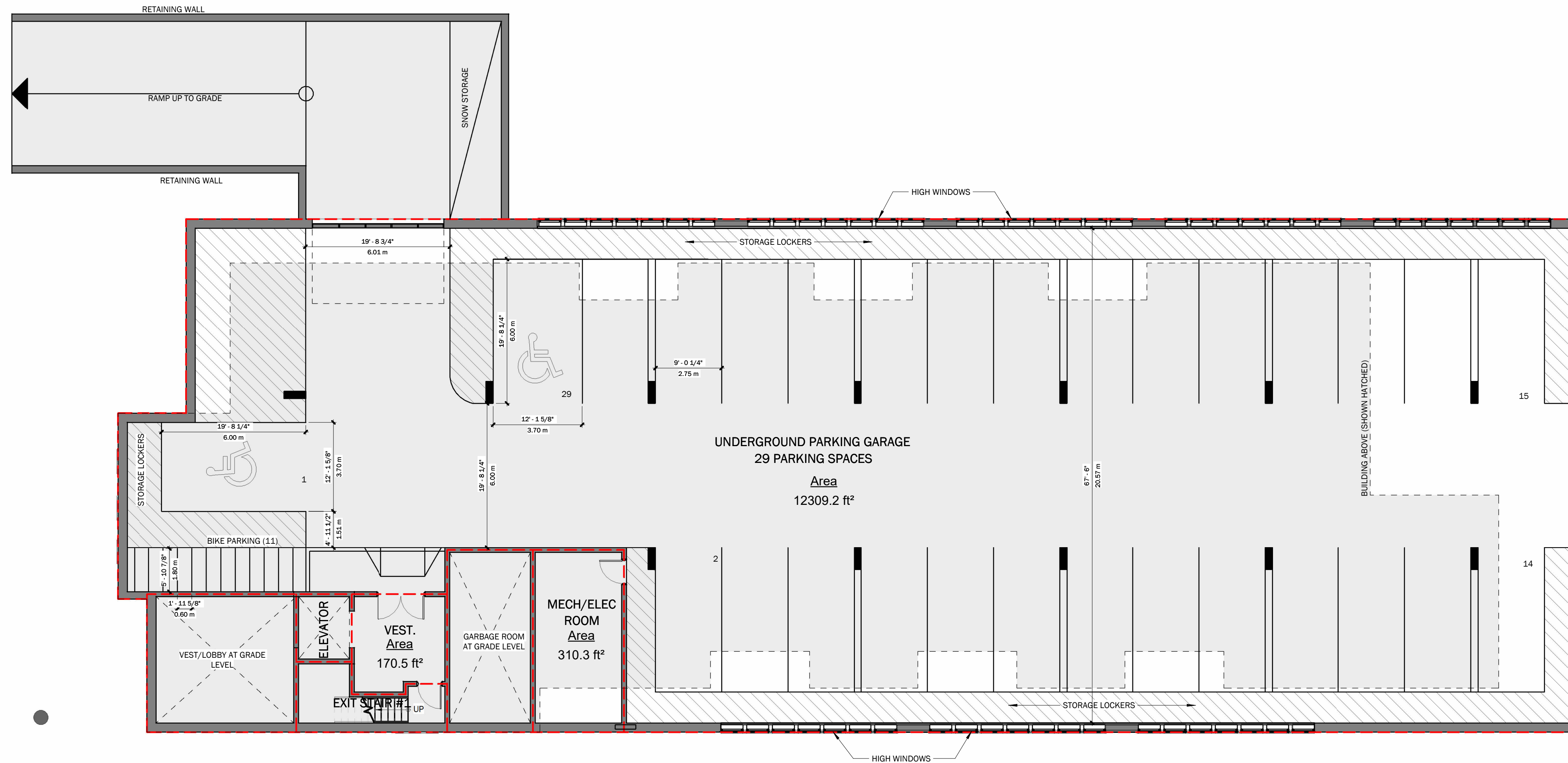
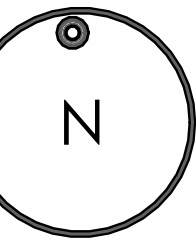
A · C · K
architects
STUDIO INC.

SITE PLAN

DWG. No.

.SP1

SCALE: AS SHOWN
DATE: AUGUST 2024
PROJECT No.: 2024-159



UNDERGROUND PARKING
1" = 10'-0"
13,677 SQ.FT

* DISCLAIMER: ISSUED FOR PRELIMINARY DESIGN DISCUSSION ONLY

NOTL RESIDENTIAL DEVELOPMENT

1839 FOUR MILE CREEK ROAD, NIAGARA-ON-THE-LAKE, ON, L0S 1J0

A · C · K
architects
STUDIO INC.

UNDERGROUND
PARKING

DWG. No.

.UG1

SCALE: AS SHOWN
DATE: AUGUST 2024
PROJECT No.: 2024-159



FRONT (FOUR MILE CREEK) ELEVATION

1" = 10'-0"



FRONT - RIGHT PERSPECTIVE



RIGHT (SOUTH) ELEVATION

1" = 10'-0"

* DISCLAIMER: ISSUED FOR PRELIMINARY DESIGN DISCUSSION ONLY

NOTL RESIDENTIAL DEVELOPMENT

1839 FOUR MILE CREEK ROAD, NIAGARA-ON-THE-LAKE, ON, L0S 1J0

A · C · K
architects
STUDIO INC.

FRONT AND RIGHT
ELEVATION

DWG. No.

A3

SCALE: AS SHOWN
DATE: AUGUST 2024
PROJECT No.: 2024-159



1" = 10'-0"



$$1'' = 10'-0''$$

*** DISCLAIMER: ISSUED FOR PRELIMINARY DESIGN DISCUSSION ONLY**

NOTL RESIDENTIAL DEVELOPMENT

1839 FOUR MILE CREEK ROAD, NIAGARA-ON-THE-LAKE, ON, L0S 1J0

A - C - K
architects
STUDIO INC.

REAR AND LEFT ELEVATION

DWG. No.

A5

SCALE: AS SHOWN
DATE: AUGUST 2024
PROJECT No.: 2024-159



* DISCLAIMER: ISSUED FOR PRELIMINARY DESIGN DISCUSSION ONLY

NOTL RESIDENTIAL DEVELOPMENT

1839 FOUR MILE CREEK ROAD, NIAGARA-ON-THE-LAKE, ON, L0S 1J0

A · C · K
architects
STUDIO INC.

ARTISTIC
RENDERING

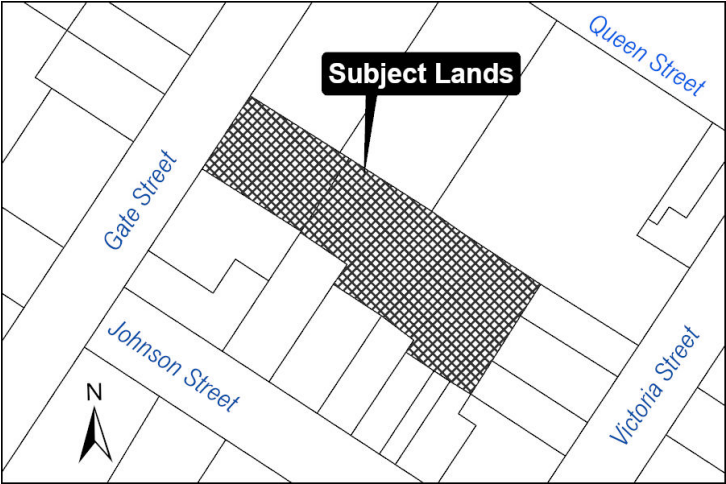
DWG. No.
A6
SCALE: AS SHOWN
DATE: AUGUST 2024
PROJECT No.: 2024-159





What:	Notice of Complete Application, Open House and Public Meeting for an Official Plan Amendment and Zoning By-law Amendment (under Section 22 and Section 34 of the <i>Planning Act, R.S.O. 1990, c. P.13</i> , as amended)
When:	Open House: Monday, April 28, 2025 at 5:00 pm Public Meeting: Tuesday, June 3, 2025 at 6:00 pm
Where:	Open House: Electronically via the directions below Public Meeting: In-person at the Town Hall, Council Chambers, 1593 Four Mile Creek Road, Virgil, or electronically via the directions below
Regarding:	Files OPA-02-2025 and ZBA-02-2025 222 Gate Street and Unaddressed Parcel Located East of Gate Street, North of Johnson Street, South of Queen Street and West of Victoria Street, Niagara-on-the-Lake



What is this?	<p>Applications have been received for an Official Plan Amendment and Zoning By-law Amendment on the subject lands, which includes two (2) parcels (see location map).</p> <p>The applications are proposed to facilitate the development of a two (2) storey hotel containing 18 suites on the portion of the subject lands municipally known as 222 Gate Street. The Official Plan Amendment proposes to redesignate this portion of the subject lands to site-specific “General Commercial” to permit a hotel use. The Zoning By-law Amendment proposes to rezone this portion of the subject lands to “Queen-Picton Commercial (QPC) Zone” to permit the proposed hotel, with site-specific provisions to recognize the configuration of the existing lot, and for building setbacks, lot coverage, encroachments, and loading space and bicycle parking exemptions. The Zoning By-law Amendment further proposes to add permissions for a “wedding ceremony” to lands zoned “Open Space (OS-88) Site-Specific Zone”, which applies to an unaddressed parcel abutting 222 Gate Street to the east, to the south of 114-126 Queen Street.</p>
----------------------	--



Dialogue is encouraged:	<p>You are invited to attend the Open House and Public Meeting to gather information and provide input regarding this matter.</p> <p>Town Hall is open for the public to register in advance to attend Committee of the Whole and Council Meetings, including Public Meetings, in-person. Alternatively, the public will continue to have the option to register in advance to participate electronically.</p> <p>The Open House will continue to be held electronically at this time.</p> <p>If you wish to participate electronically at the Open House or Public Meeting, you must register in advance with the Town Staff noted below. You will receive an email on the date of the meeting with instructions to connect to the Open House and/or Public Meeting on your computer, tablet or telephone.</p> <ul style="list-style-type: none"> Open House – John Federici, Senior Planner (john.federici@notl.com or 905-468-6441) (register as soon as possible but prior to 12 noon on Monday, April 28, 2025) Public Meeting – Clerks Department (clerks@notl.com or 905-468-3266)
--------------------------------	--

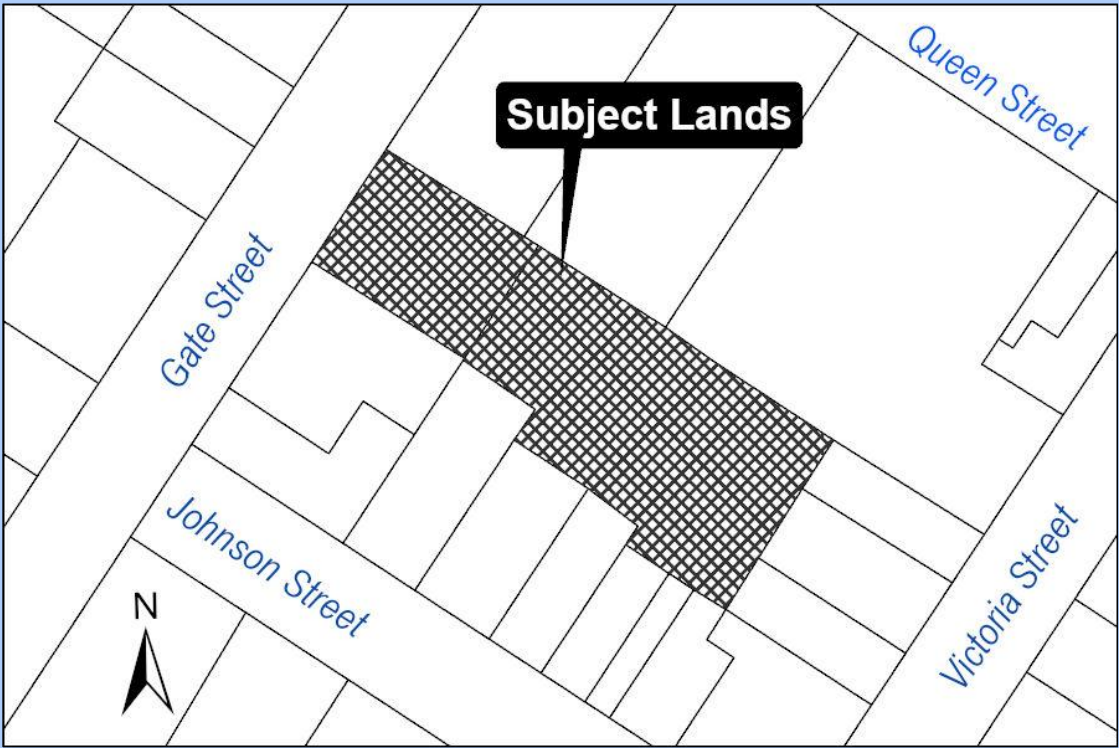
	<p>(register as soon as possible but prior to 12 noon on Monday, June 2, 2025)</p> <p>If you wish to attend the Public Meeting in-person, registration with the Clerk is appreciated.</p> <p>If you wish to view the Open House and/or Public Meeting for information purposes, registration is not required. The meetings will be recorded and available for viewing after the meetings on the Town’s website at https://www.notl.com/council-government/mayor-council/meetings-agendas-minutes</p> <p>Please Note: Written comments on the application are encouraged and must be submitted to the Town Clerk, at 1593 Four Mile Creek Road, P.O. Box 100, Virgil, ON L0S 1T0 or via email at clerks@notl.com referencing the above file numbers. Unless indicated otherwise, all submissions, including personal information, will become part of the public record.</p>
	<p>For more information:</p> <p>A copy of the applications and supporting documents for the proposal may be obtained on the Town’s website at https://www.notl.com/business-development/public-planning-notice, or at the Community and Development Services Department within Town Hall.</p> <p>Please contact John Federici, Senior Planner, at 905-468-6441 or via email at john.federici@notl.com if additional information is required.</p>
	<p>If you wish to be notified of the future decision with respect to the application, you must submit a written request to the Town Clerk including your name and the address to which such notice should be sent.</p> <p>If a person or public body does not share their views in writing to the Town Clerk or orally at a statutory Public Meeting before a decision is made, the person/public body:</p> <ul style="list-style-type: none">a) Is not entitled to appeal the decision of the Town of Niagara-on-the-Lake to the Ontario Land Tribunal; andb) May not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so. <p>Please note that third party appeals are restricted for this application as per Bill 185, Cutting Red Tape to Build More Homes Act, 2024. <i>Planning Act</i> appeals may be filed by the applicant, the Minister of Municipal Affairs and Housing, a “specified person” (as defined by the <i>Planning Act</i> 1(1)), and any “public body” (as defined by the <i>Planning Act</i> 1(1)).</p> <p>Dated at the Town of Niagara-on-the-Lake, April 14, 2025 Grant Bivol, Town Clerk</p>

Public Meeting: 222 Gate Street and Unaddressed Parcel Official Plan Amendment (OPA-02-2025) Zoning By-law Amendment (ZBA-02-2025)

June 3, 2025

John Federici, MCIP, RPP – Senior Planner

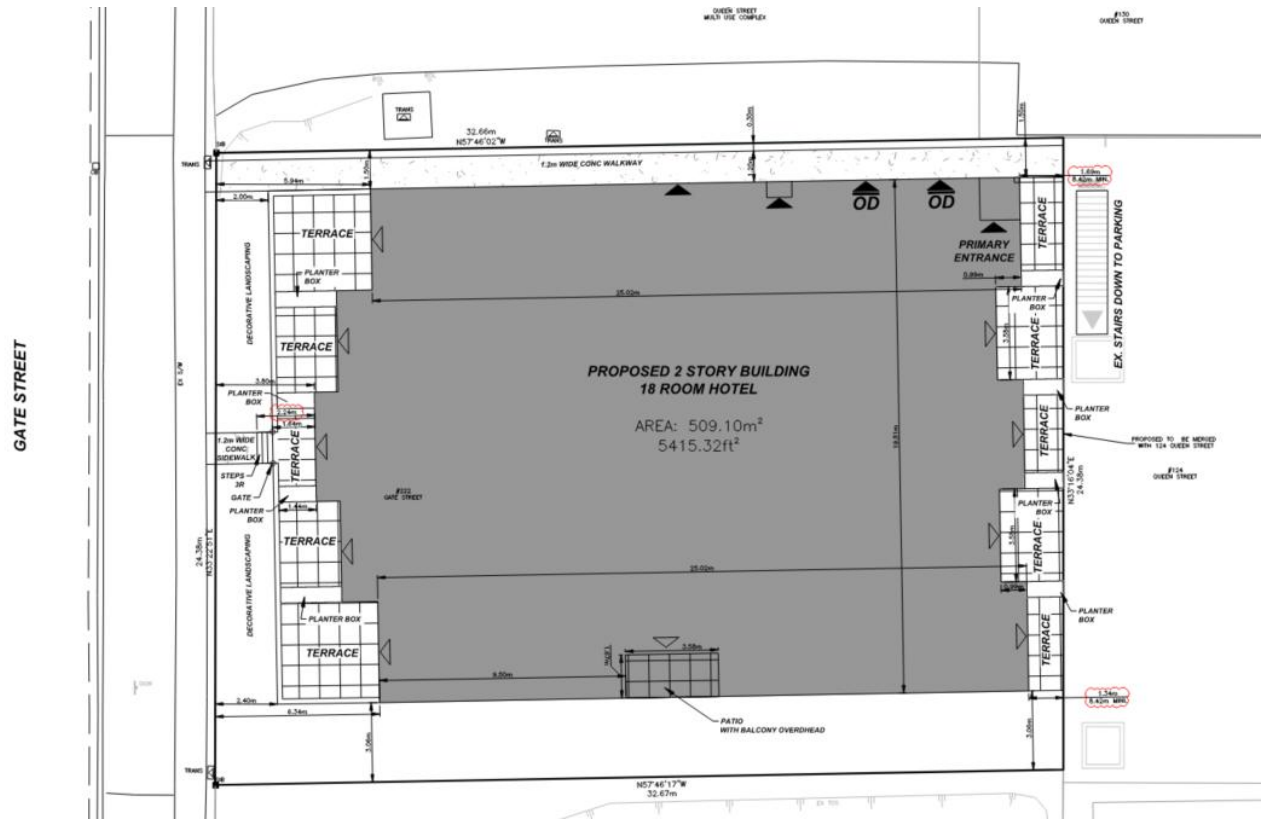
Location: 222 Gate Street and Unaddressed Parcel



Location: 222 Gate Street and Unaddressed Parcel



Proposal



Requested Amendments: Official Plan Amendment and Zoning By-law Amendment

Official Plan Amendment: Redesignate 222 Gate Street to site-specific “General Commercial” to permit a hotel use

Zoning By-law Amendment: Rezone 222 Gate Street to “Queen-Picton Commercial (QPC) Zone” to permit the hotel with associated site-specific provisions, in addition to adding permissions for a “wedding ceremony” use to lands currently zoned “Open Space (OS-88) Site-Specific Zone”

Consultation: Town and Agency

No Objections: Building, Finance, Fire and Emergency Services, Niagara Peninsula Conservation Authority, Niagara Region, Enbridge Gas

Review ongoing:

- Town Heritage: It is noted that the proposal is exempt from the Queen-Picton HCD Study Area By-law. A Heritage Impact Assessment and Streetscape Analysis were submitted which require review from Heritage Staff in consultation with the Municipal Heritage Committee. A heritage permit is required to consider the development proposal and impacts to adjacent heritage resources
- Town Operations: Updates are requested to the Functional Servicing Report to address water servicing and stormwater management comments
- Town Forestry: A Tree Inventory and Protection Plan is required at the Site Plan Approval stage.

Consultation: Public

- Open House on April 28, 2025, attended by seven (7) members of the public to provide comments and ask questions, in addition to written comments received from ten (10) residents:
 - Questions and concerns regarding the proposed “wedding ceremony” use
 - Residents understood that the landowner committed to replacing previous dwelling that was demolished. Concerns regarding past commitments made by landowner
 - Concerns of commercial activities encroaching into the residential area/land use compatibility
 - Concerns regarding the massing and size of hotel and impacts to the residential area
 - Concerns regarding the proposed underground parking garage and impacts to adjacent properties
 - Questions regarding use of the Smithy building (residential or commercial)
 - Request for significant tree plantings for buffering and prohibiting the serving of food and alcohol
 - Concerns regarding negative impacts to the Heritage Conservation District
 - Concerns regarding negative impacts to the character of the residential area
 - Residents were of the understanding that the Open Space Zone was to serve as a buffer between the hotel and the surrounding residential area, and would not be used for commercial activities

Next Steps

1. Ongoing review of the Application
2. Comments have been provided to the Applicant, opportunity to respond and make revisions
3. Future recommendation report to Council, including an analysis of all applicable policies and consideration of all received comments
4. Pending approval of the redesignation and rezoning by Council, a Site Plan Amendment application will be required to implement the proposal

Thank you! Any questions?

John Federici, MCIP, RPP – Senior Planner

john.federici@notl.com

905-468-6441

The Corporation of the Town of Niagara-on-the-Lake Information Report to Council

SUBJECT: Public Meeting – 222 Gate Street and Unaddressed Parcel east of Gate Street, north of Johnson Street, south of Queen Street and west of Victoria Street

DATE: 2025-06-03

REPORT #: CDS-25-072

PREPARED BY: John Federici, MCIP, RPP, Senior Planner

DEPARTMENT: Community & Development Services

BACKGROUND INFORMATION

Public engagement is an important part of the planning process. The Town is holding a Public Meeting in accordance with the requirements of the *Planning Act* to receive input from the public and Council. Staff is reviewing the information submitted and collecting comments. No recommendation is being made at this time.

Applications have been received for an Official Plan Amendment and Zoning By-law Amendment on the subject lands. The applications would facilitate the development of a two (2) storey hotel containing 18 suites on the portion of the subject lands, municipally known as 222 Gate Street.

The Official Plan Amendment proposes to redesignate a portion of the subject lands from “Established Residential” and “Conservation” to “General Commercial”, with a site-specific exception to permit a hotel use, on lands municipally known as 222 Gate Street.

The Zoning By-law Amendment proposes to rezone the subject lands from “Established Residential (ER) Zone” to “Queen-Picton Commercial (QPC) Zone” to permit the proposed hotel, with a range of site-specific provisions.

The portion of the subject lands which currently abuts 222 Gate Street to the east, south of 114-126 Queen Street were previously subject to Official Plan Amendment No. 76 and Zoning By-law Amendment 4316DH-18, which were approved by Town Council in September 2018. The former Official Plan Amendment implemented an “Open Space – Exception Three (EX-OS-3)” designation, which only permits landscaped open space uses, an underground parking garage secondary to a hotel on the same lot, and one (1) duplex or semi-detached dwelling containing two (2) residential units. The Zoning By-law Amendment implemented an “Open Space (OS-88) Site-Specific Zone” to restrict the use of the lands to a landscaped area above an underground parking garage secondary to the new hotel, in addition to a duplex or semi-detached dwelling with specific performance standards for lot area, coverage, height and setbacks.

Location

A portion of the subject lands municipally known as 222 Gate Street front onto Gate Street, with the other portion of the subject lands abutting 222 Gate Street to the east, to the south of 114-126 Queen Street. The subject lands are bound by Gate Street to the west, Queen Street to the north, Victoria Street to the east, and Johnson Street to the south in the Urban Area of Old Town (see **Figure 1**).

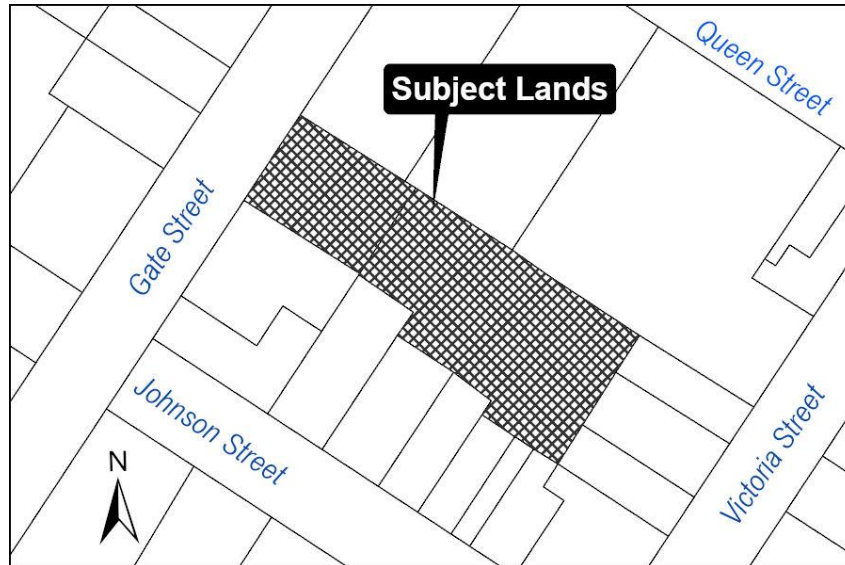


Figure 1: Location of the subject lands

The portion of the subject lands known as 222 Gate Street are currently vacant, while the unaddressed parcel to the east currently contains an existing dwelling known as the “Smithy” building, in addition to an underground parking lot and landscaped open space utilized by the 124 on Queen Hotel and Spa (118-126 Queen Street, and 219 Victoria Street).

The subject lands are located within the Queen-Picton Heritage Conservation District (“HCD”).

Development Process

The Applications are in the first phase of the development review process. Should the Official Plan Amendment and Zoning By-law Amendment be approved by Council, the applicant will be required to obtain Site Plan Approval to facilitate the proposal.

Proposal

Applications have been received to facilitate the development of a two (2) storey hotel containing 18 suites on the portion of the subject lands municipally known as 222 Gate Street. The applicant proposes to merge 222 Gate Street with the abutting unaddressed parcel to the east and lands occupied by 124 on Queen Hotel and Spa (118-126 Queen Street, and 219 Victoria Street), and to connect to and expand the existing underground parking garage. The underground parking garage would provide parking for the proposed hotel building, with access being provided from the existing entrance at 219 Victoria Street.

The Official Plan Amendment proposes to redesignate 222 Gate Street from “Established Residential” and “Conservation” to “General Commercial”, with a site-specific exception to permit a hotel use.

The Zoning By-law Amendment proposes to rezone 222 Gate Street from “Established Residential (ER) Zone” to “Queen-Picton Commercial (QPC) Zone” to permit the proposed hotel, with site-specific provisions to recognize the configuration of the existing lot, and for building setbacks, lot coverage, encroachments, loading space and bicycle parking exceptions. The Zoning By-law Amendment further proposes adding permissions for a “wedding ceremony” to lands zoned “Open Space (OS-88) Site-Specific Zone”, which applies to an unaddressed parcel abutting 222 Gate Street to the east, south of 114-126 Queen Street.

The following documents have been submitted and are being considered during the review of the applications:

- Cover Letter – March 13, 2025
- Draft Site Plan – March 4, 2025
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment
- Planning Justification Report – March 2025
- Streetscape Analysis – January 9, 2025
- Stage 1 and 2 Archaeological Assessment – October 24, 2020
- Ministry of Citizenship and Multiculturalism Letter – August 23, 2024
- Heritage Impact Assessment – March 2025
- Hotel Rendering – December 4, 2024
- Functional Servicing and Stormwater Management Report – March 2025
- Parking Study – November 28, 2024
- Supplemental Geotechnical and Hydrogeological Considerations – February 12, 2025
- Floor Plans and Elevations – July 22, 2024

The application materials can be found on the Town’s website here:

<https://www.notl.com/business-development/public-planning-notice/222-gate-street-and-unaddressed-opa-02-2025-and-zba-02>

The Applications were deemed complete by Town Staff on April 11, 2025.

Policy Review

The following provides a general overview of the policy framework regarding the Applications. A full policy review will be completed and included in the recommendation report.

Planning Act, R.S.O. 1990, c. P.13

Section 2 of the *Planning Act* identifies matters of Provincial interest that Council shall have regard to in carrying out its responsibilities under the *Planning Act*. Subsection 3(5) of the *Planning Act* requires that decisions of Council shall be consistent with provincial policy statements and shall conform with provincial plans that are in effect.

The *Planning Act* provides individuals the ability to request amendments to a municipal official plan and/or zoning by-law.

Provincial Planning Statement, 2024

The subject lands are identified as being within a “Settlement Area” under the Provincial Planning Statement, which took effect on October 20, 2024. The PPS sets the overall policy direction for regulating land use in Ontario.

The PPS directs growth and development to Settlement Areas and encourages land use patterns within Settlement Areas to be based on densities, and a mix of land uses which efficiently use land and resources, optimize existing and planned infrastructure, and support active transportation.

The PPS sets out that planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved. Further, planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.

Niagara Official Plan, 2022

As of March 31, 2025, pursuant to Bill 185, the Cutting Red Tape to Build More Home Act, 2024, the Planning Act was amended to recognize the Regional Municipality of Niagara as an upper-tier municipality without planning responsibilities. Accordingly, the Niagara Official Plan (“NOP”) has been downloaded to the Town of Niagara-on-the-Lake and other local area municipalities across the Region to implement the policy direction contained therein.

The subject lands are identified as being within the “Delineated Built-up Area” in the Niagara Official Plan (the “NOP”).

The NOP directs that a majority of growth within the Region should be accommodated within built-up areas. Municipalities are expected to responsibly manage the forecasted growth and plan for a compact built form, vibrant public realm, and a mix of land uses to support the creation of complete communities.

The NOP identifies that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved or the land has been investigated and cleared or mitigated following clearance from the Province.

The NOP sets out that development and site alteration on protected heritage property or adjacent lands shall not be permitted, except where the proposed development and site alteration has been evaluated through a Heritage Impact Assessment and has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

Town of Niagara-on-the-Lake Official Plan, 2017 Consolidation, as amended

The subject lands are designated “Established Residential”, “Conservation” and “Open Space – Exception Three (EX-OS-3)” on Schedule B and “Built-up Areas” on Schedule I-1.

The Town OP directs that growth and development is to be accommodated within the existing urban boundaries. The Official Plan policies support the development of compact, vibrant, sustainable, integrated, and complete communities. The use of municipal infrastructure should be maximized. Development patterns that support active transportation and public transit are encouraged.

The proposed designation of the subject lands is the “General Commercial” designation. Within this designation, uses are intended to provide the residents of the municipality with a wide range of goods and services. Tourist uses are also permitted but may be restricted in the implementing zoning by-law to specific locations. The Town OP sets out that vehicular accesses for new commercial developments will be restricted as necessary to minimize the effect of turning movements on adjoining roadways, and joint accesses will be designed to serve multiple commercial uses. Further, off-street parking areas for commercial uses will be designed to facilitate the efficient off-street movement of vehicles and not negatively impact on abutting or nearby residential uses.

The subject lands are located within the Queen-Picton Heritage Conservation District (“HCD”). The Town OP sets out goals and objectives for heritage conservation, including but not limited to restricting building design that is not compatible with existing structures that would detract from the heritage resource, in addition to encouraging appropriate character and uses adjacent to heritage resources. The Town OP identifies that a detailed HCD Plan shall be prepared for all areas which are to be designated as HCDs, in addition to setting out criteria for heritage districts, for individual buildings and for assessing new development. The proposal will be reviewed by the Town’s Municipal Heritage Committee, as a Heritage Permit is required. The HCD Plan currently in effect is being updated by the Town, and this process is discussed below.

Policies related to infill, urban design, archaeology and heritage, and land use compatibility, as well as all other applicable policies of the Official Plan, will be considered through the review of this application.

Queen-Picton Heritage Conservation District Study

The urban area of Old Town contains the Town’s only Heritage Conservation District. The HCD was designated under Part V of the *Ontario Heritage Act* in 1986 (through By-law No. 1667-86, approved by the Ontario Municipal Board in February of 1987). Heritage Conservation Districts recognize the collective heritage value of an area or neighbourhood that has common elements or themes.

Through designation under Part V of the *Ontario Heritage Act*, municipalities can identify and preserve these areas with unique heritage character through guidelines for managing future development and alteration of existing heritage structures. The HCD was enacted to protect the commercial core of Old Town, which is recognized for its collection of residential and commercial buildings that were constructed as early as 1815.

Town Council on February 25, 2025, approved the Study Area By-law under Section 40.1 of the *Ontario Heritage Act*, which established temporary restrictions on property alterations in the study area for one year with exemptions permitted in specific circumstances. The intent of the Study Area By-law is to restrict property alterations as the Town undertakes the HCD Study. Through this approval, Council assigned an effective date of March 27, 2025, for the Study Area By-law.

Section 7 identifies specific circumstances where the by-law does not apply and exempts them from the Study Area By-law (No. 2025-010). Subsection 7 (c) provides an exemption for any properties that have undergone a pre-consultation process prior to the enactment. The Applications are not subject to “pause” of the Study Area By-law as a pre-consultation was held with the Town for the proposal currently under review. The subject lands are located within the existing HCD and will continue to be subject to the existing policies of the District Plan.

Niagara-on-the-Lake Zoning By-law 4316-09, as amended

The subject lands are zoned “Old Town Community Zoning District - Established Residential (ER) Zone”, and “Old Town Community Zoning District - Open Space (OS-88) Site-Specific Zone” per a rezoning in 2018. The Zoning By-law Amendment passed by Town Council in 2018 restricts the use of the open space lands to landscaping above an underground parking garage secondary to the new hotel, in addition to a duplex or semi-detached dwelling with specific performance standards for lot area, coverage, height and setbacks.

Proposed Amendments

The Official Plan Amendment requests to redesignate a portion of the subject lands from “Established Residential” and “Conservation” to “General Commercial,” with a site-specific exception to permit a hotel use, on lands municipally known as 222 Gate Street.

The Zoning By-law Amendment requests to rezone a portion of the subject lands to “Queen-Picton Commercial (QPC) Site Specific Zone,” with provisions to permit the proposed hotel. The amendment further proposes to add permissions for a “wedding ceremony” to lands zoned “Open Space (OS-88) Site-Specific Zone,” which applies to the unaddressed parcel abutting 222 Gate Street to the east, south of 114-126 Queen Street.

The following chart outlines the standard “Queen-Picton Commercial (QPC) Zone,” in comparison to the requested “Site-Specific QPC Zone.”

Zone Requirement	QPC Zone	Site Specific QPC Zone
Minimum lot frontage	Lots located within the Queen Picton Commercial (QPC) Zone shall have a lot frontage and lot depth based on the average of the lot frontages and lot depths of existing lots in the same Block Face that the lot is located.	As existing
Minimum lot depth	Lots located within the Queen Picton Commercial (QPC) Zone shall have a lot frontage and lot depth based on the average of the lot frontages and lot depths of existing lots in the same Block Face that the lot is located.	As existing
Minimum rear yard setback	Rear yard setback for buildings located within the Queen Picton Commercial (QPC) Zone shall be established by the average of the rear yard setbacks within the same Block Face that the lot is located. Exterior yard setbacks for new buildings and/or building additions located on lots with an exterior side yard within the Queen Picton Commercial (QPC) Zone shall have a building exterior side yard setback based on the average exterior side yard setback of existing buildings on the other lots in the same intersection. There shall be no front yard or interior side yard requirements for buildings located within the Queen Picton Commercial (QPC) Zone.	1.3 metres

Zone Requirement	QPC Zone	Site Specific QPC Zone
Maximum lot coverage	Building lot coverage for lots located within the Queen Picton Commercial (QPC) Zone shall have a maximum building lot coverage based on the average of the lot coverage of existing buildings within the same Block Face that the building is located. Where the building lot coverage of the properties having a location within the same Block Face cannot be determined, the maximum lot coverage shall be seventy-five per cent (75%). (as amended by 4316J-11)	65%

Additional site-specific general provisions are requested as follows for the proposed hotel:

Provision	Zone Requirement	Site-Specific QPC Zone
Permitted Yard Projections and Encroachments	Unenclosed and uncovered porches, decks, balconies, and patios or steps may encroach or project into the front, rear, or side yard, as follows: Front or Rear Yard – 1.5 metres Side Yard – 0.6 metres	Permitted yard projections and encroachments of unenclosed and uncovered porch, deck, balcony, patio and steps Front Yard – 2.25 metres Rear Yard – 1.70 metres
Minimum Loading Spaces for a Non-Residential Building	The owner or occupant of any building on a lot used for non-residential uses, except as provided herein shall provide and maintain, for each building on the same lot, facilities comprising one or more loading spaces in accordance with the provisions of this section, unless otherwise provided for in this By-law: 0 – 464.5 square metres – 0 spaces 465 – 929 square metres – 1 space 930 – 4645 square metres – 2 spaces Exceeding 4645 square metres – 3 plus 1 for each additional 4,645 square metres or a portion thereof	0 spaces
Minimum Number of Bicycle Parking Spaces	Bicycle parking space shall be provided and maintained in accordance with the following regulations: Commercial – 1 per 200 square metres of gross floor area	0 spaces

Consultation

The applications were circulated to Town Departments and external agencies for review and comment. Public Notice of the proposal was provided as required by the *Planning Act*.

To date, the following comments have been received:

Town Comments

Building – No objection.

Finance – No objection.

Fire and Emergency Services – No objection. At the Site Plan Approval stage, details regarding sprinkler and fire alarm systems, location of the primary firefighter entrance, fire access routes, and location of hydrants will need to be determined.

Heritage – The subject lands have been cleared of having archaeological potential, and the Town is in receipt of a Stage 1 and 2 Archaeological Assessment and the Ministry clearance letter. The proposal is exempt from the Heritage Conservation District Expansion Study Area By-law. Town Heritage Staff note that a Heritage Impact Assessment and Streetscape Analysis were submitted with the Applications that will require review from Heritage Staff in consultation with the Municipal Heritage Committee. For the Streetscape Analysis, 3D renderings of the Gate Street Streetscape are required. A heritage permit is also required to consider the development proposal and the impacts to adjacent heritage resources within the HCD.

Operations – Town Operations Staff will require that the Functional Serving Report (“FSR”) be re-submitted with updated calculations reflecting the domestic water flows required for the site’s proposed use or confirm whether the calculated fire flow values include domestic flow requirements already. The FSR concludes that the receiving Gate Street sanitary sewer has adequate capacity for the proposed development. Town Staff are satisfied with these findings for the purposes of the current applications. The Town will require that stormwater flows up to and including the 100-year storm be attenuated to the pre-development 5-year storm flows. The Town will require that the owner install a new sidewalk 1.5 metres in width across the site’s full property frontage. The proposed removal of the existing driveway entrance will also necessitate the restoration of the boulevard and the restoration of on-street parking and associated line painting within that area.

Urban Forestry – A Tree Inventory and Protection Plan is required at the Site Plan Approval stage.

Agency Comments

Enbridge – No objection.

Niagara Peninsula Conservation Authority – No objection.

Niagara Region – No objection. Regional Staff will assess waste collection eligibility at the site plan approval stage.

Public Comments

An electronic Open House was held on April 28, 2025. Seven (7) members of the public attended the Open House to provide comments and questions, summarized as follows:

- Questions and concerns regarding the definition, frequency and intent of the “wedding ceremony” use that is proposed to be added to the existing site-specific Open Space Zone to the rear of the hotel, and the resulting potential negative impacts to surrounding residential properties. Concerns regarding activities taking place within the Open Space Zone on the subject lands currently.
- Residents in the area were of the understanding that the landowner committed to replacing the previous single-detached dwelling, which was demolished at 222 Gate Street, following the construction of the underground parking lot.
- Concerns regarding commercial activities (proposed hotel use and the wedding ceremony permissions) encroaching into the established residential area, related to noise and compatibility issues. Questions about the ability to provide buffering between commercial and residential uses.
- Questions/Concerns with the massing and size of the proposed hotel.
- Concerns regarding the construction of the proposed underground parking garage and potential negative impacts to the foundations of surrounding properties. Questions regarding the setbacks of the underground parking garage.
- Questions regarding the use of the Smithy building and whether it will be moved as part of the proposal.
- Request to allow for significant tree plantings at the perimeter of the property to allow for buffering between the proposed hotel and surrounding residential dwellings.
- Request to prohibit the serving of food or alcohol as part of the “wedding ceremony” use if it is allowed.

At the time of report preparation, Town Staff received comments from five (5) residents. The comments/questions identified by the public in objection are summarized as follows:

- The applications threaten the integrity and continuity of our community’s heritage and undermine the residential character of the Queen-Picton HCD by introducing commercial uses that are incompatible with the District’s residential character.
- The proposed development contravenes the cultural heritage policies of the PPS by introducing commercial uses and massing into a residential area within an established heritage district.
- The HCD is characterized by its tree-lined streets, historic homes, and tranquil residential environment. The proposed development threatens to disrupt this harmony by introducing noise, massing, traffic and activities that are incompatible with the residential nature of the area.
- Concern that the applications are being processed at a time when the Town has a study underway to expand the Heritage District.
- Concern with re-designating a portion of the subject lands from a residential to a commercial use, as Bill 185 places a focus on building homes and not hotels.
- Concerns regarding the wedding ceremonies on the subject lands given that this area was to be maintained as a permanent garden space serving as a buffer between the commercial hotel and residential historic abutting properties. It was explicitly agreed previously that no commercial activities would take place.

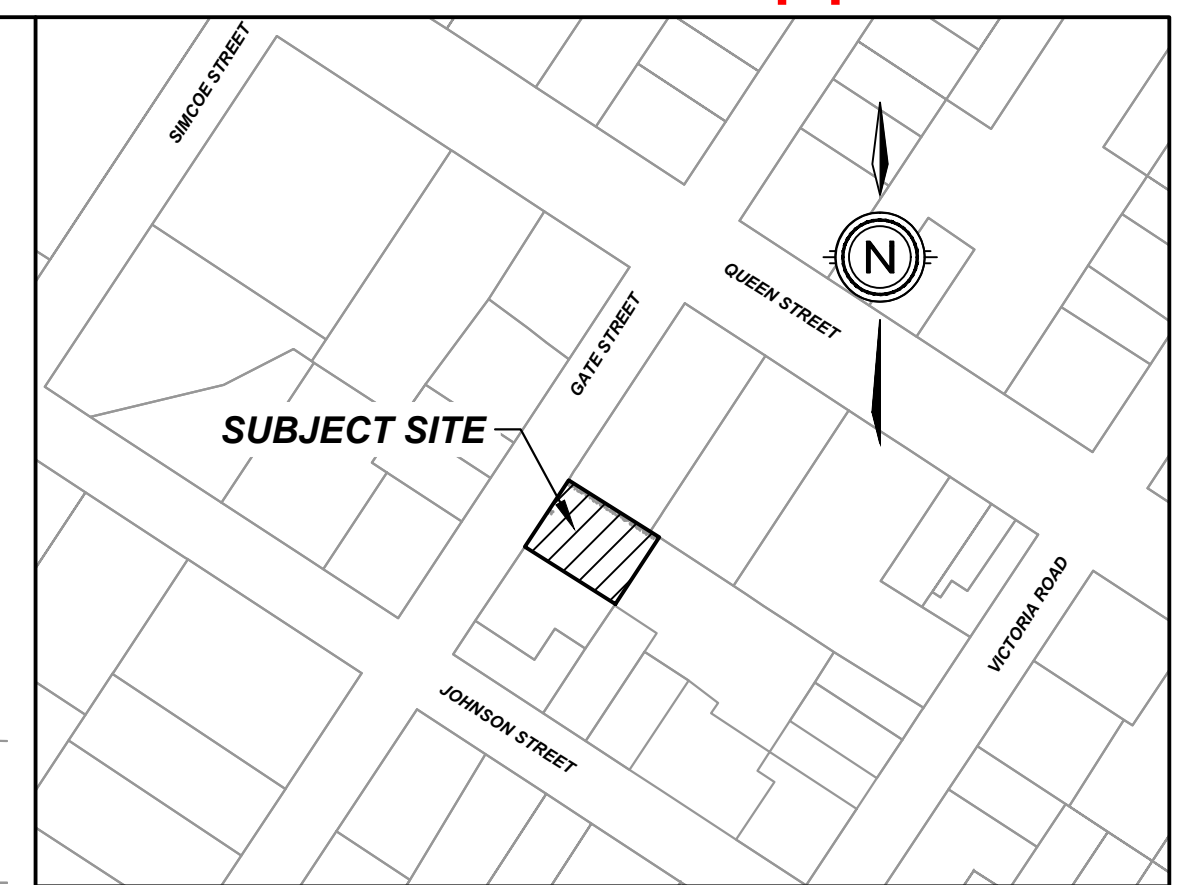
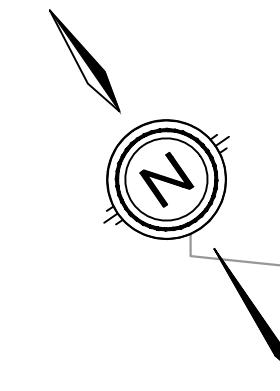
- The Open Space Zone was intended to be kept as a buffer between commercial and residential uses on the north side of Johnson Street. Further, based on previous applications on the property, it was understood that this area would not be used for commercial purposes, such as wedding ceremonies.
- If the subject lands are rezoned, then the same right should be given to the owners of all properties to the south of 222 Gate Street.

NEXT STEP / CONCLUSION

Following the Statutory Public Meeting, all comments received will be considered through the review of the Applications. The applicant will have an opportunity to respond to comments and submit revised application materials. Any revised materials will be made publicly available. Once the review process has concluded, a staff recommendation report will be prepared and presented at a future Committee of the Whole meeting.

ATTACHMENTS

- **Appendix I** – Draft Site Plan and Elevations



N.T.S.

LEGAL DESCRIPTION

**PLAN 86, PART OF LOT 99 RP 30R3361;
PART 1
TOWN OF NIAGARA-ON-THE-LAKE
REGIONAL MUNICIPALITY OF NIAGARA**

ZONING MATRIX

PROVISION	ZONING	PROVIDED
7.7 QUEEN PICTON COMMERCIAL (QPC) ZONE		
PERMITTED USES: (a) accessory buildings and structures in accordance with Section 6.1; (b) bake shop (c) bank or financial institution (d) business or professional office (e) community centre (f) eating grocery store, with limited outdoor display of goods (g) hotel (h) outdoor patio restaurant, in accordance with Section 6.36 (i) personal service establishment (j) residential unit in accordance with Section 6.48 (k) restaurant (l) retail store (m) theatre (n) vacation apartment		
PROHIBITED USES: Takeout restaurant		
Required lot frontage and lot depth	Based on the average of the lot frontages and lot depths of existing lots in the same Block Face that the lot is located (Frontage 27.15m / Depth 32.67m)	24.38m (lot frontage) & 32.66m (lot depth)
Minimum front yard setback	None	3.80m
Minimum rear yard setback	Average of rear yard setbacks within same Block Face that the lot is located (8.42m)	1.34m
Minimum interior side yard setback	None	1.50m
Minimum exterior side yard setback	For new buildings and/or building additions shall be based on average exterior side yard setback of existing buildings on the other lots in the same intersection	NA
Required building height	Existing building height shall not be increased. New buildings shall be the average of existing building heights within the same Block Face that the new building is located	10.65m
Required building lot coverage	Shall have a maximum based on average of the lot coverage of existing buildings with the same Block Face that the building is located. Where existing coverage cannot be determined, the maximum lot coverage shall be 75% (240 Gate St 19.95%)	63.92%
Buffer strip	Where an interior side yard or rear yard abuts a residential zone, a strip of land adjacent to the adjoining lot line being a minimum of 1.524m (5ft) in width shall be used as a buffer strip and shall consist of a continuous natural living fence and be in accordance with Section 6.6	3.06m
6.44 Permitted yard projections and encroachments		
Sills, cornices, eaves, gutters, parapets, pilasters or other ornamental structures	Maximum projection into required yard: 0.6m (2ft)	0.50m
Unenclosed and uncovered porch, deck, balcony, patio and steps	Maximum projection into required front or rear yard: 1.5m (5ft)	Front 2.24m Rear 1.69m
	Maximum projection into required side yard: 0.6m (2ft)	Side 0.00m
GENERAL PROVISIONS		
6.39 Parking space requirements, minimum number of parking spaces	Hotel 1 per guest room in addition to other uses identified herein (18 rooms)	18 parking spaces (underground)

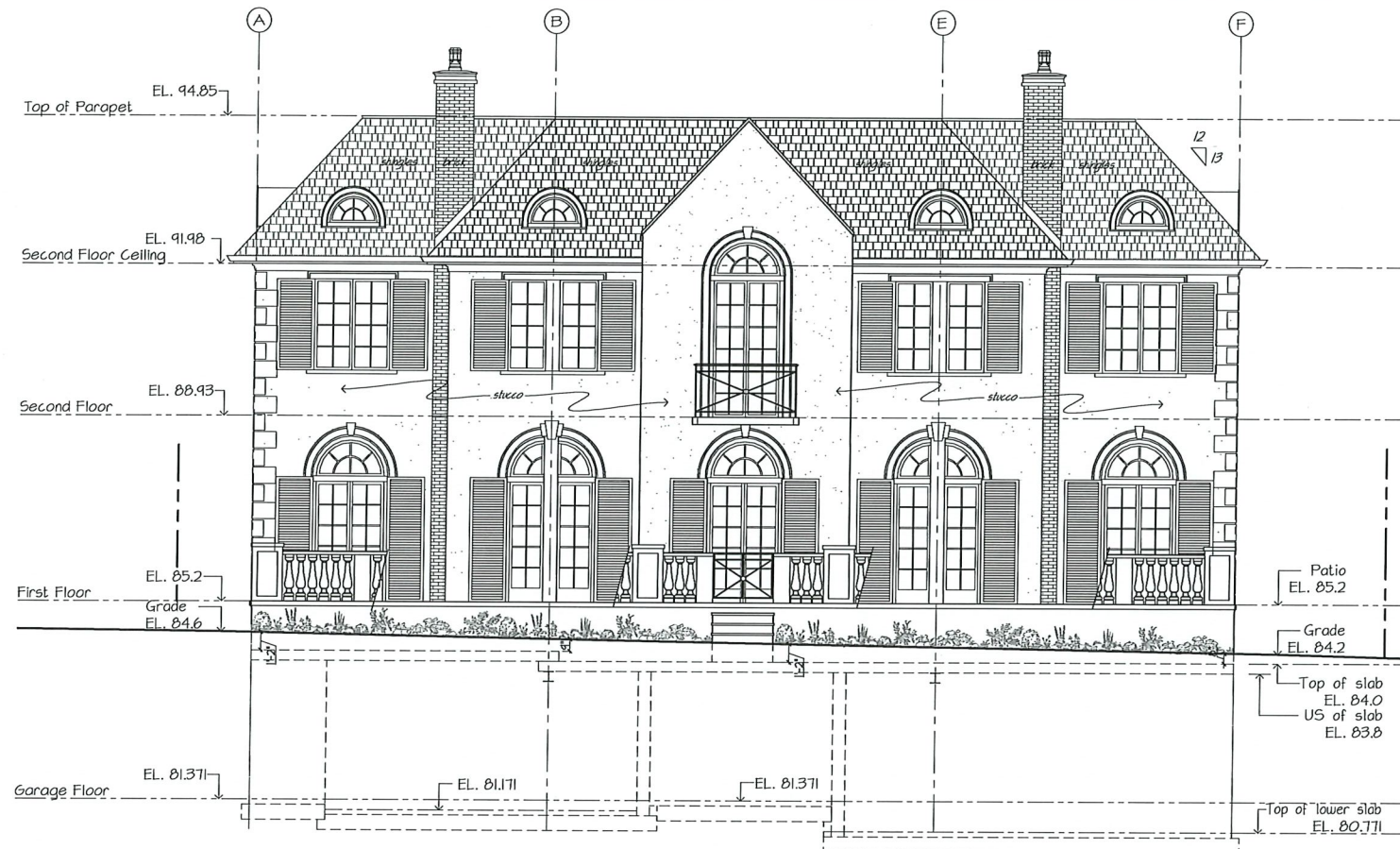
.	.	.	.
.	.	.	.
0	ISSUED FOR	YYYY-MM-DD	.
#	REVISION	DATE	INIT



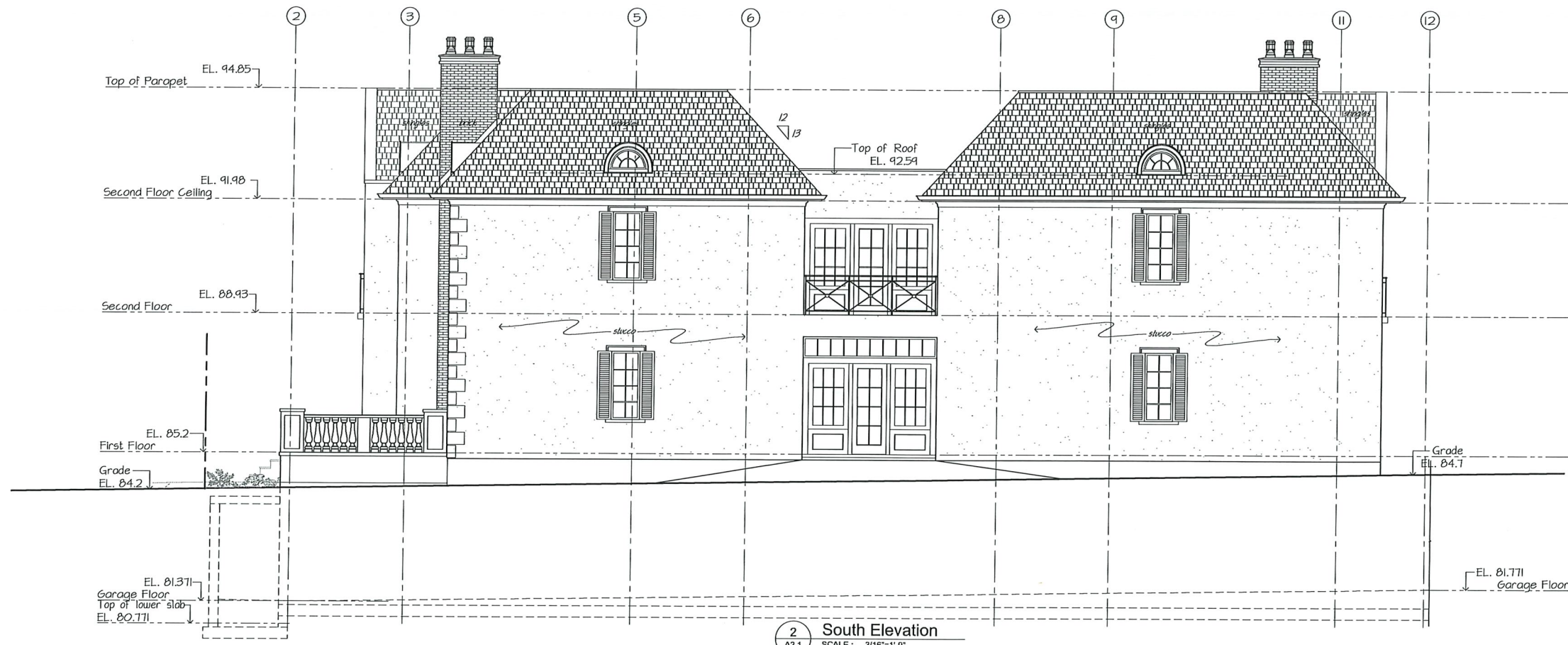
DRAWING TITLE	DRAFTING AM/MK	
	DATE MARCH 4, 2025	
	PRINTED MARCH 4, 2025	
	SCALE 1:100	
	DWG No. 24035-SP	REV 0

SITE STATISTICS

AREA	m ²	% COVERAGE
BUILDING	509.10	63.92
ROAD/DRIVEWAY/PARKING	0.00	0.00
LANDSCAPING	287.41	36.08
TOTAL	796.51	100.00
UNITS (HOTEL ROOMS)		1
DEVELOPABLE AREA		796.51m ²
MIN. PARKING REQUIREMENT HOTEL REQUIRES 1 SPACE PER GUEST ROOM = 1 TOTAL = 1		
PARKING SPACES PROVIDED UNDERGROUND TOTAL		



1 West Elevation
A2.1 SCALE: 3/16"=1'-0"



2 South Elevation
A2.1 SCALE: 3/16"=1'-0"



DATE ISSUED	REVISIONS
SEPT 18, 2024	ISSUED FOR CLIENT'S APPROVAL

CHAPMAN
MURRAY
ASSOCIATES
ARCHITECTS
INC.
NIAGARA FALLS, ONTARIO
PHONE: (905) 354-1674
FAX: (905) 354-2940

COMMISSION TITLE:
PROPOSED
18 ROOM HOTEL
FOR 124 QUEEN

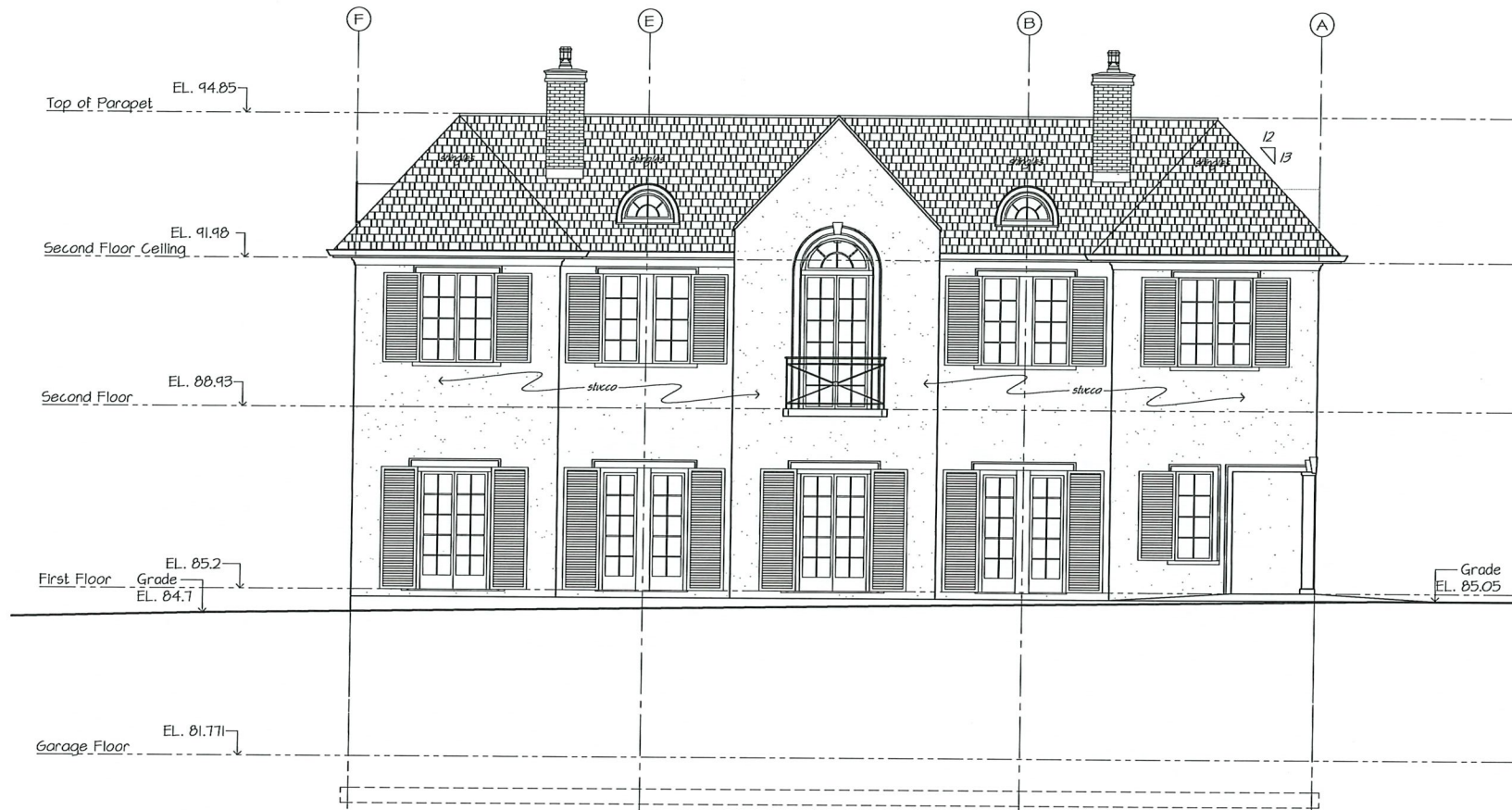
222 GATE STREET,
NIAGARA-ON-THE-LAKE, ON

SHEET TITLE:
WEST AND
SOUTH
ELEVATIONS

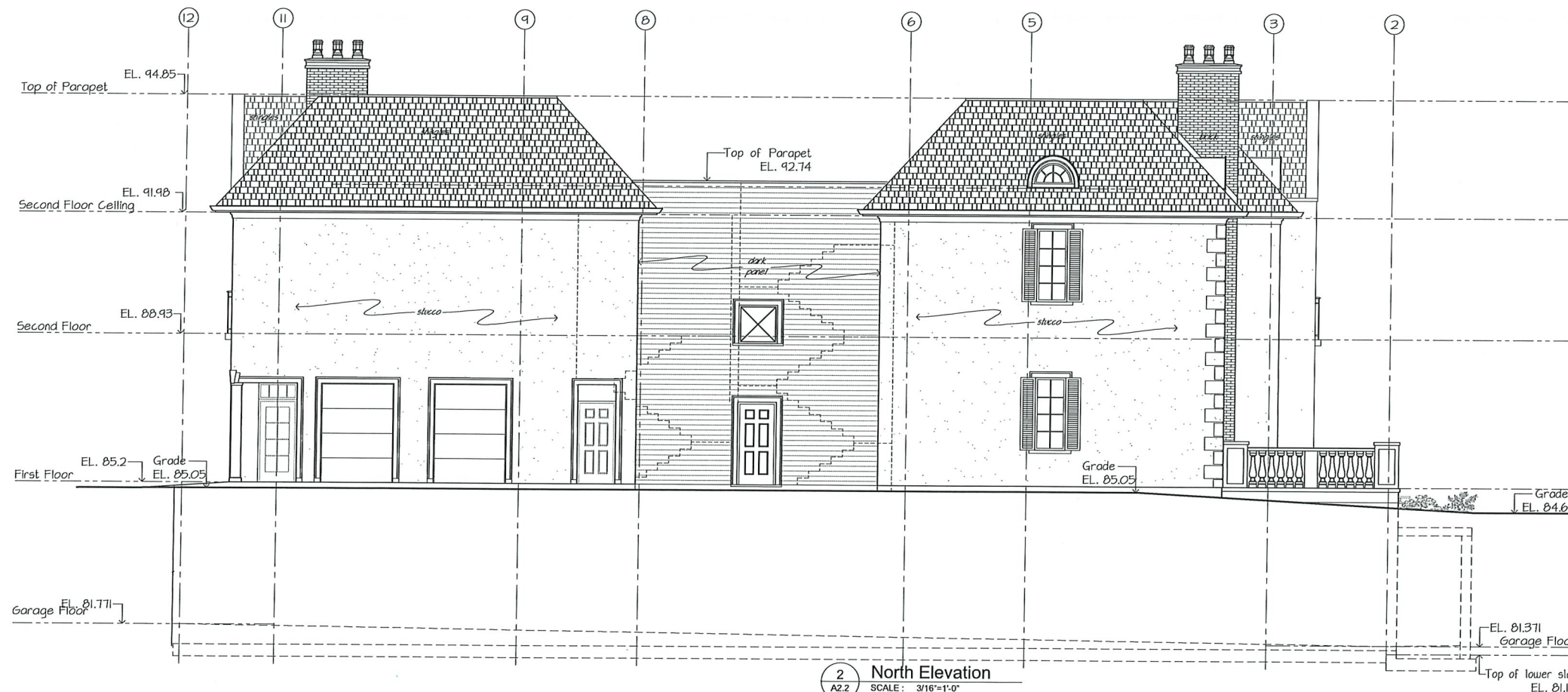
SCALE: 3/16"=1'-0"
DATE: MAY 1, 2024
DRAWN: DS
CHECKED: RWM

COMMISSION NO.
224125

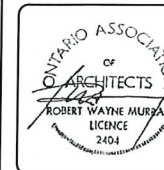
SHEET NO:
A2.1



1 East Elevation
A2.2 SCALE: 3/16"=1'-0"



2 North Elevation
A2.2 SCALE: 3/16"=1'-0"



DATE ISSUED	REVISIONS
SEPT 18, 2024	ISSUED FOR CLIENT'S APPROVAL

CHAPMAN
MURRAY
ASSOCIATES
ARCHITECTS
INC.
NIAGARA FALLS, ONTARIO
PHONE: (905) 354-1674
FAX: (905) 354-2940

COMMISSION TITLE:
PROPOSED
18 ROOM HOTEL
FOR 124 QUEEN

222 GATE STREET,
NIAGARA-ON-THE-LAKE, ON

SHEET TITLE:

EAST AND
NORTH
ELEVATIONS

SCALE: 3/16"=1'-0"
DATE: MAY 1, 2024
DRAWN: DS
CHECKED: RWM

COMMISSION NO.
224125

SHEET NO:
A2.2

From: [Town of Niagara-on-the-Lake](#)
To: [Clerks](#)
Subject: Webform submission from: Delegation Request Form
Date: May 22, 2025 3:01:18 PM
Attachments: [105 Delater Street - FLOOR PLAN - RENDERINGS \(May 21 - 2025\).pdf](#)

CAUTION: This email originated from outside the Town of Niagara-on-the-Lake. Use caution when clicking on a link or opening an attachment, unless you were expecting it or know that the content is safe. Forward the email to IT to validate.

Submitted on Thu, 05/22/2025 - 14:49

Submitted by:

Submitted values are:

Information

Name

Nilou Ghazi

Address

[REDACTED]

Email Address

[REDACTED]

Telephone Number

[REDACTED]

Presentation

Agenda Delegation

Non Agenda Delegation

Topic

I have never spoken on this issue before

For Agenda delegations please include the title of the item. In point form, provide an overview of what points you will be speaking to:

Building of a vacant land in Heritage Study Area

Terms

I have read and understand the Delegation Protocol and acknowledge the information contained on this form, including any attachments, will become public documents and listed on Town Meeting Agendas. I also understand presentation materials including speaking notes and electronic presentations must be submitted by email to clerks@notl.com no later than 12:00 p.m. on the Monday prior the scheduled meeting.
Yes

Meeting Time

I wish to appear before:
Committee of the Whole

Date
Tue, 06/03/2025 - 00:00

Presentation Requirements

Do you have a visual presentation (slideshow or photos) to accompany your delegation?
Yes

I agree
Yes

Upload
[105 Delater Street - FLOOR PLAN - RENDERINGS \(May 21 - 2025\).pdf](#)

Delegation

I will be appearing:
In person

I also understand presentation materials including speaking notes and electronic presentations must be submitted by email to clerks@notl.com no later than 12:00 p.m. on the Monday prior to the scheduled meeting.
Yes

I acknowledge I have 10 minutes to delegate
Yes

I give permission to be audio and video recorded on the Town of Niagara on the Lake's livestream
Yes

Do you require accessible accommodation to participate:

No

Privacy Disclaimer

I have read and understand the above Privacy Disclaimer.

Yes

From: [Nilou Ghazi](#)
To: [Clerks](#)
Subject: Delegation form from Nilou Ghazi
Date: May 22, 2025 3:42:38 PM

CAUTION: This email originated from outside the Town of Niagara-on-the-Lake. Use caution when clicking on a link or opening an attachment, unless you were expecting it or know that the content is safe. Forward the email to IT to validate.

Hi,

I just submitted a Delegation Form and am writing to formally appeal to the Planning Department, Heritage Committee and the Council for permission to proceed with the construction of a small cottage on my vacant lot at 105 Delater Street for my mother, which is located very close to my home at 23 Delater Street.

This cottage is intended for my 83-year-old mother, who previously lived at 4 Wyckliffe Avenue. We sold that property very recently (May 9, 2025) so she could move closer to me, allowing me to provide her with the care and support she now requires.

I had all the architectural plans completed and had selected a builder who was ready to proceed with the project. However, I was recently informed that a new by-law has temporarily halted all new construction within the proposed Heritage Study Area an area that includes my vacant lot.

I understand and respect the importance of heritage preservation, but in this case, the delay would have a significant personal impact. If we are forced to wait until the end of the restriction period, my mother may be without a permanent place to live for more than a year and a half.

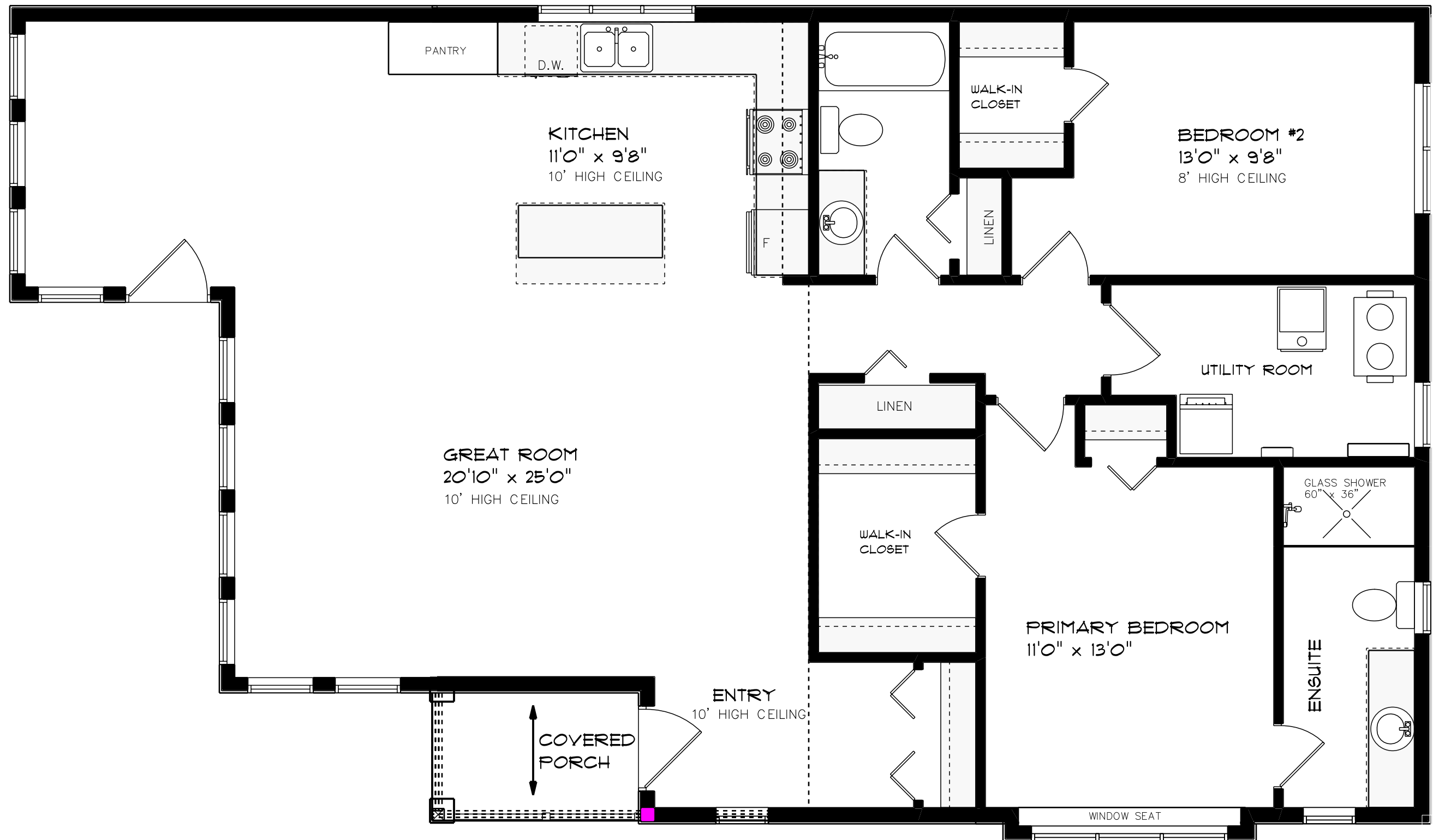
Unfortunately, mobility in my own home is very difficult for her. Entering the house requires climbing nine stairs, and accessing the bedrooms involves another full flight of stairs, an arrangement that is not suitable for someone her age. The proposed cottage was designed with her needs in mind, offering a single-level living space that would be much safer and more comfortable for her.

I respectfully request that an exception be made in our case, and I have attached the relevant plans in the delegation form submitted earlier today.

Thank you for considering this appeal.

Sincerely,

Nilou Ghazi



MAIN FLOOR PLAN

FLOOR AREA = 1456 SF



APRIL 10. 2025

TOWN OF NIAGARA ON THE LAKE
1593 FOUR MILE CREEK RD
PO BOX 100
VIRGIL, ON L0S 1T0

To Kirsten McCauley, Director of Community and Development Services,

We are writing on behalf of our clients Anna and John Prioste, Owners of the property located at 277 Wellington St, NOTL, in response to the letter of notice issued to residents dated March 11, 2025 RE: Queen-Picton (Old Town) Heritage Conservation District Study Area By-law. Please see attached Owner Authorization form granting Brock Builders Inc. authorized agency to speak with the Town regarding this matter on this property.

Thank you for a constructive meeting on April 10, 2025 to assist us in clarifying what options are available to our clients in seeking possible exemption from the study area and potential relief from the building permit freeze for a project that is currently under design.

In follow up to that meeting, we understand that the consulting firm Cultural Spaces provided a revised study area border to the Municipal Heritage Committee dated March 26th, 2025, which significantly alters the areas of inclusion. We understand that the proposed border revisions are primarily based on highlighting contributing and non-contributing properties within the original and proposed revisions to the study area, and that further revision to the borders may occur pending staff and resident input.

We understand that exemption from the study area cannot be provided by Town staff, and can only be done through an Act of Council. As such, we would like to respectfully request additional consideration to revision of the updated Heritage study area border for the block of properties between Davies and Wellington St., from Platoff St. to Castlereagh, which includes our client's property at 277 Wellington St. Please see the included sketches below. We believe this would be similar to revisions to blocks on Victoria st, Mary St., and others in what appear to be a response to the groupings of non-contributing properties. We believe that exemption from the study area and future Heritage District would be in line with, and beneficial to, a future Heritage District by increasing the percentage of contributing properties in the future district, by removing the non-contributing properties contained on this block.

We understand that revised study area borders will be presented to Council for acceptance in June. However, we also understand that unless Council chooses to amend the current by-law to change the study area borders to more recently revised borders, properties that are no longer within the updated study area would still be under a building permit freeze until final adoption of a new Heritage District as late as February 2026. Considering that prospect, we also respectfully request that Council consider moving to adopt the revised study area borders and revise the by-law to lift the building permit freeze on properties outside the study area to assist residents, contractors and vendors alike in pursuing viable projects in those areas.



We understand that revision of the current Heritage Design Guidelines will also be a part of this study, and we look forward to working with Town Staff to align the design of our project(s) to updated Heritage Design Guidelines to reduce revision and delay to future projects that may not receive a building permit under the current freeze.

We thank you for your consideration on this matter, and we look forward to hearing from you at your earliest convenience with any questions or concerns you may have regarding our request.

Sincerely,

Nathan Smith | Project Manager & Estimator
Brock Builders Inc.

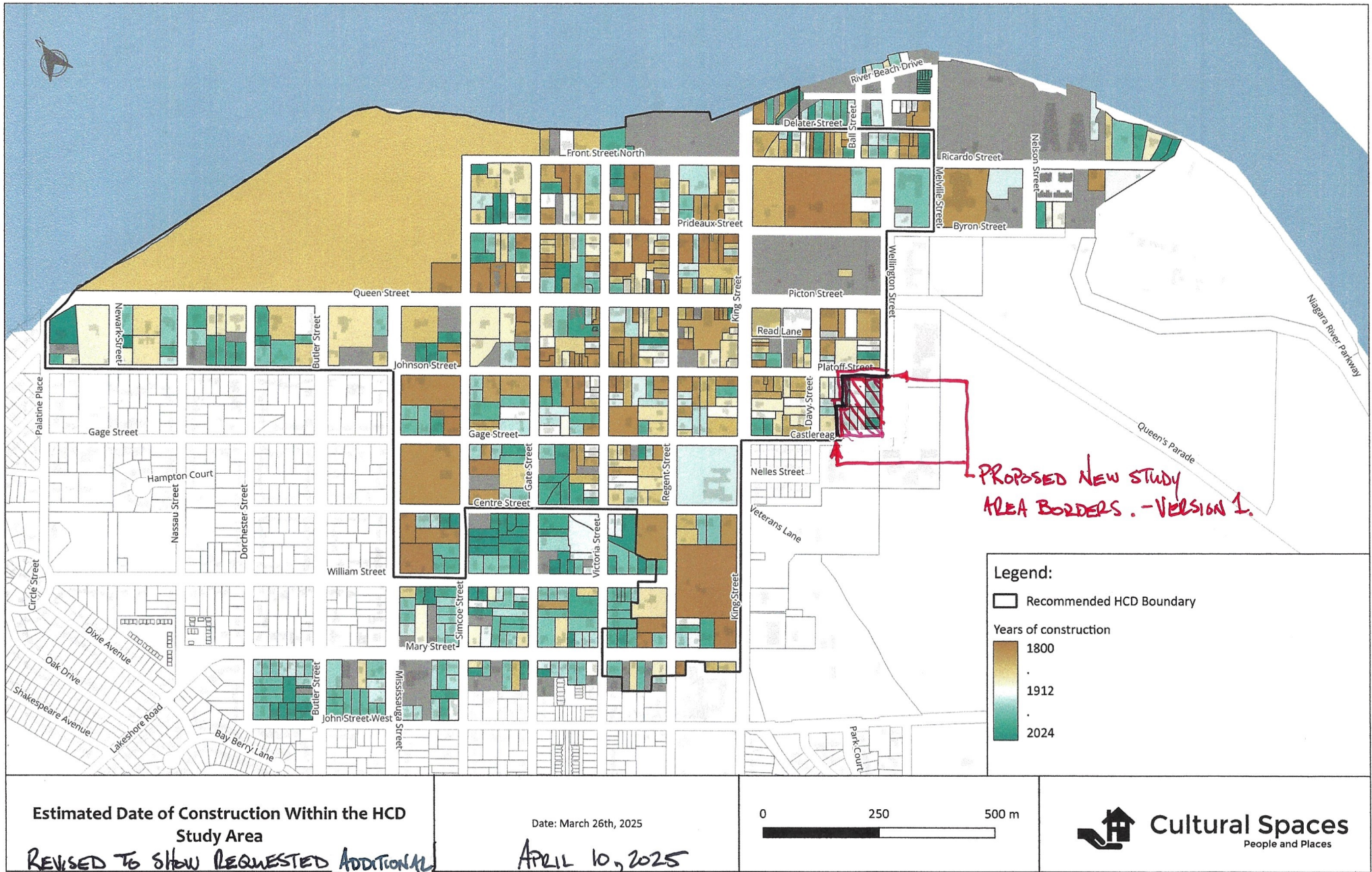
73 Queenston St. P.O Box 40 | Queenston, Ontario L0S 1L0

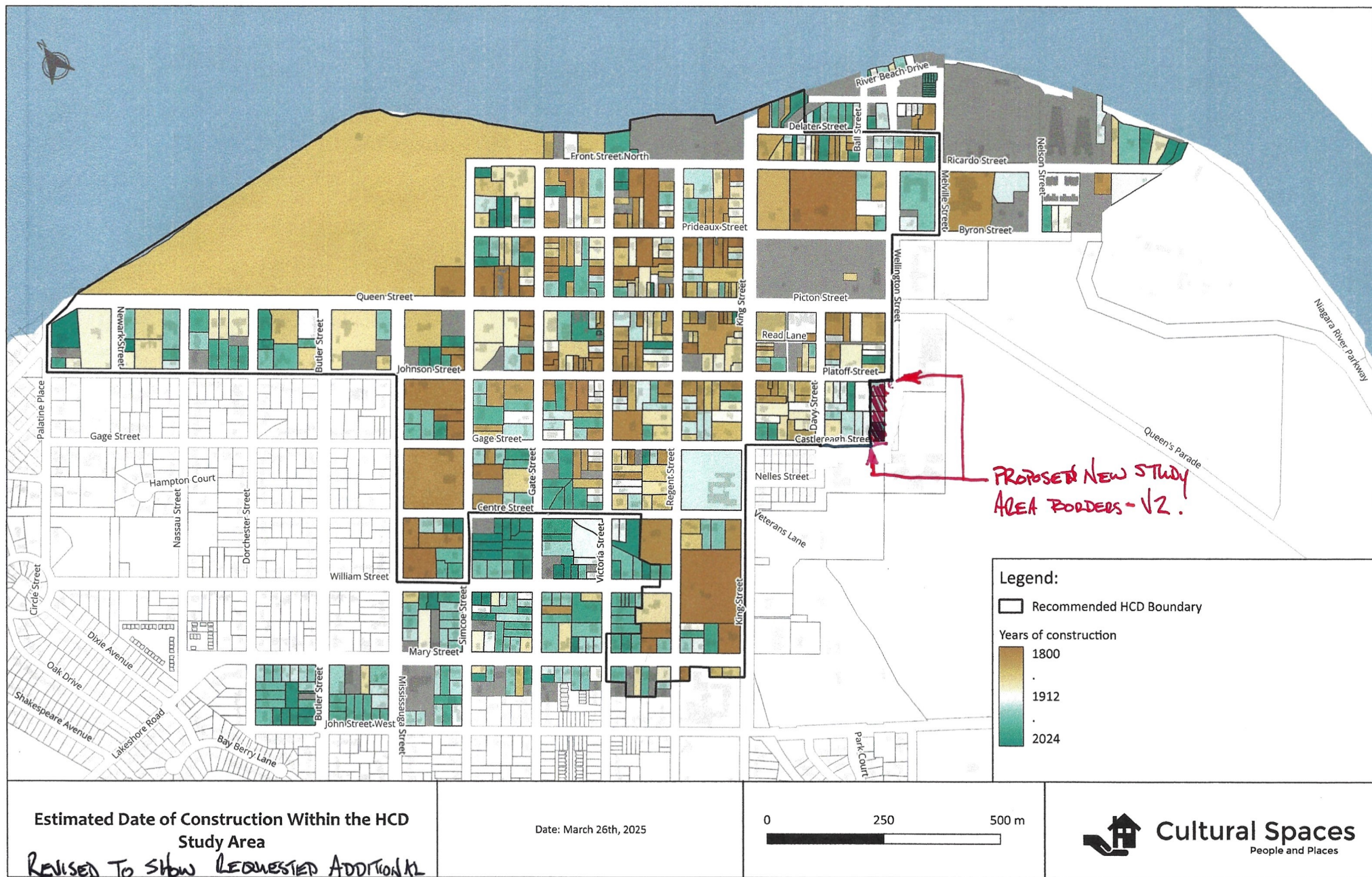
T: 905 262-0895 | M: 905 932-4347

F: 905 468-8917

E: nathan@brockbuilders.ca W: www.brockbuilders.ca







Hi Sumra

It was a pleasure meeting with you at the Open house regarding the Official Plan and Queen St Heritage Study.

As we discussed I would like to request an exemption from the study regarding the inability to substantially change or alter our home. We are located at 189 William St in a 1950's bungalow. It is not of historic interest and falls outside of the new proposed boundary that council is recommending that would come into affect after the year has passed.

Could you please advise about proceeding with this exemption?

Looking forward to hearing from you,

Kind Regards,

Rebecca deBoer

373 Victoria St

Heritage Study Exemption Request Presentation

373 Victoria St

Current use of property is uninhabited Single Family detached dwelling.

Clients have been actively working over the past year to design a new Single Family Detached dwelling and are close to submitting drawings for a building permit



373 Victoria St

There are no heritage features on the current property and a demolition permit application has been submitted prior to the deadline for the heritage study freeze.

The demo permit is pending an NPCA permit due to the property's north boundary boarding on the 1-mile creek.



373 Victoria St

Preliminary meetings with the manager of heritage planning at the town identified that this parcel is outside of the current proposed boundary for future heritage regulations. However it does fall within the current heritage “study area”, and as such is subject to a 1 year freeze on building permits.



373 Victoria St

The clients do not wish to wait a year to begin construction on their new home and are requesting council approve an exemption from the heritage study for this particular project.



373 Victoria St

The project has been designed to meet all town zoning bylaws and does not require any planning amendments (such as minor variance). As such, it was not exempted from the heritage study freeze.

Preliminary site plan modeling with civil engineers has shown no significant effect to the flood plain portion on the property



373 Victoria St

The project has been designed by a prominent architecture firm that has drawn on many design queues from heritage sites within old town.

The result is a blend of the clients desires and a house that fits with the feel of Old town.



373 Victoria St

An OLT objection has been filed for this project and would be withdrawn if an exemption were to be granted.

The clients have spent significant time and money to develop these plans for their future residence and do not wish to wait a year to be granted a building permit.



Queen-Picton (Old Town) Heritage Conservation District Phase 1: Study Report

Town of Niagara-on-the-Lake
Presentation to the Committee of the Whole – Planning

June 3rd, 2025



Cultural Spaces
People and Places

HCD Study for Old Town

01

HCD Recap

02

Analysis
Results

03

Recommendations

04

Next steps

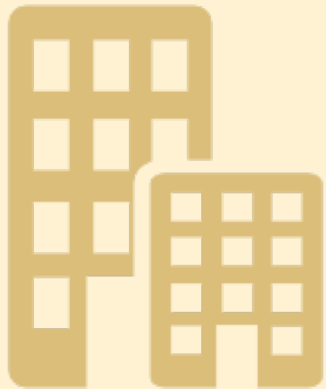
1.

HCDs

Quick recap on HCDs in Ontario, process and methodology

What is a Heritage Conservation District (HCD)?

An area with a **concentration** of heritage resources that **distinguishes** it from its surroundings



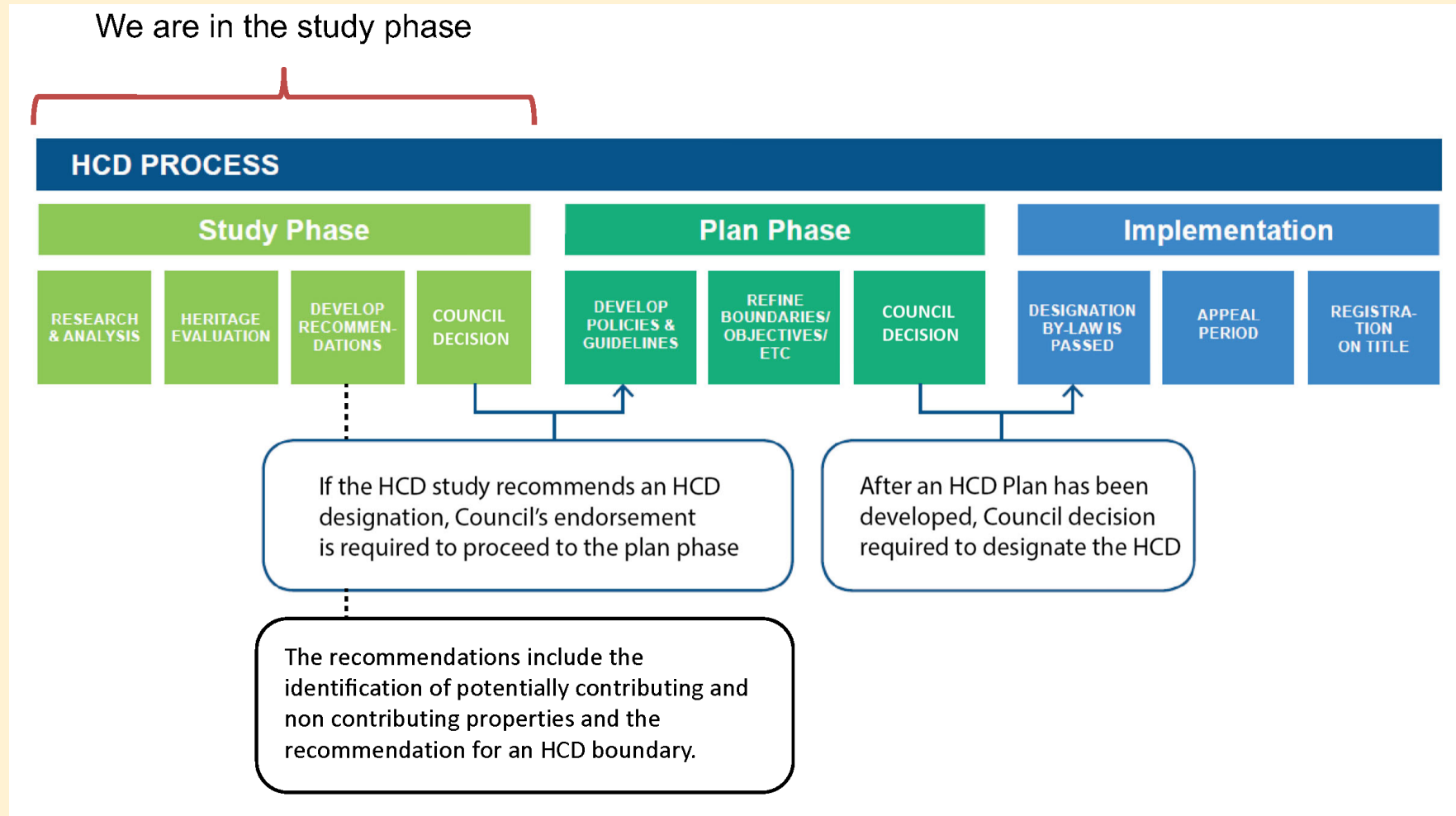
An area (district) that is protected under Part V of the **Ontario Heritage Act**



A **planning tool** that ensures ongoing change, conserves, and enhances heritage value



Phases of the HCD process



HCD Study: Our Methodology

- 01** Establish a Study Area – based on the existing HCD, character areas, national historic district **to focus attention on identifying significance**
- 02** Review existing inventories (HCD, Listed, Designated, NHS) to **establish completeness of inventory**
- 03** Research history and site visit to **determine periods of significance and draft statement of significance**
- 04** **Identify contributing properties** associated with the periods of significance, that meet the criteria in the OHA, and have a level of integrity
- 05** **Establish a boundary** based on the concentration of contributing properties and a coherent context
- 06** **The end result must meet the requirements of the OHA** based on a minimum of 25%, the criteria, focus on architecture and key features

2.

Analysis Results

Periods of significance, boundary, and contributing properties

Periods of Significance

- **Rebuilding (c. 1814 – c. 1829)**

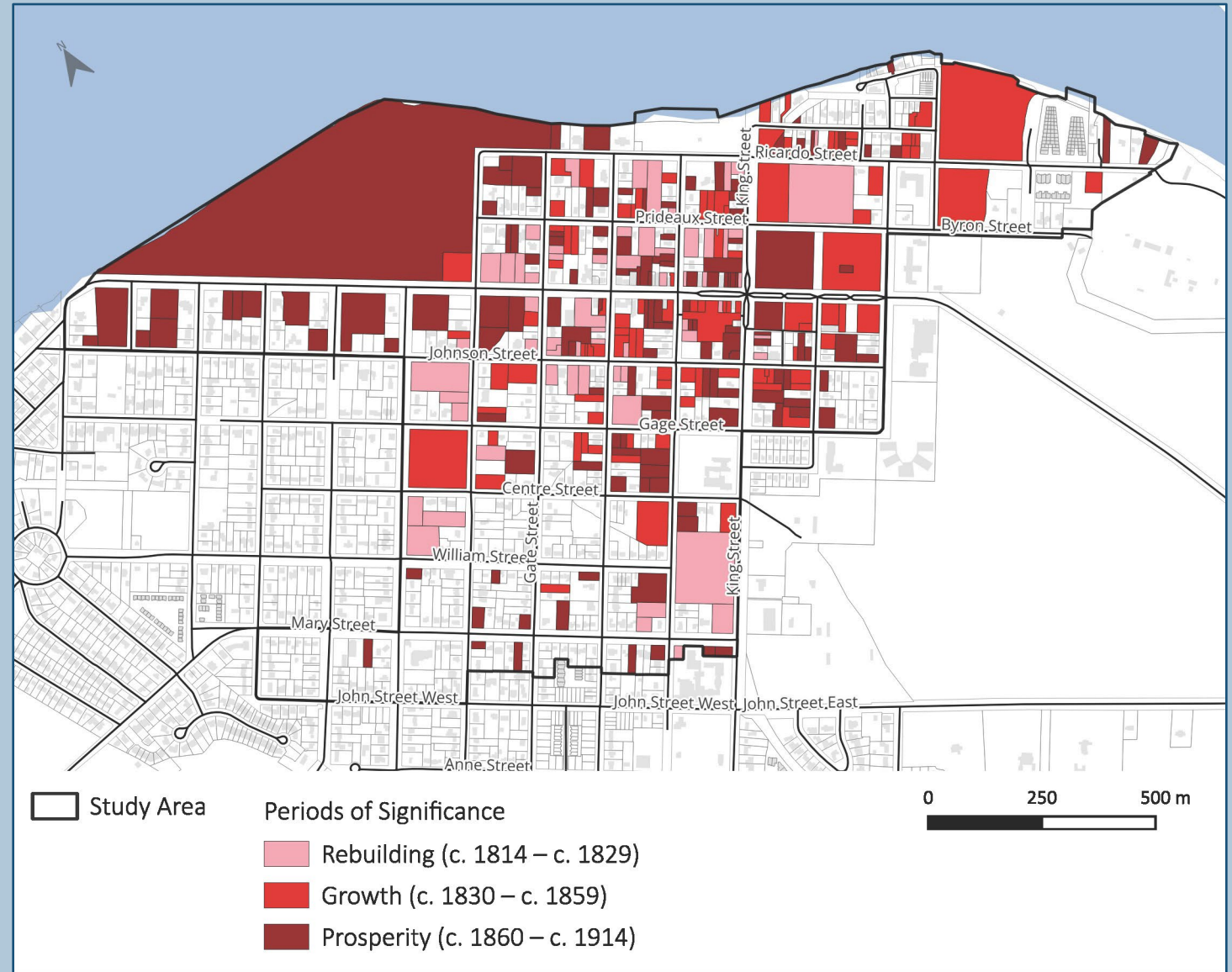
Reconstruction following the destruction during the War of 1812, marked by the introduction of Georgian, Neoclassical, and early Regency architecture.

- **Growth (c. 1830 – c. 1859)**

Economic and infrastructural expansion driven by trade, tourism, and the development of the Queen-Picton Street commercial district marked by mixed-use buildings in Regency and early Victorian era styles.

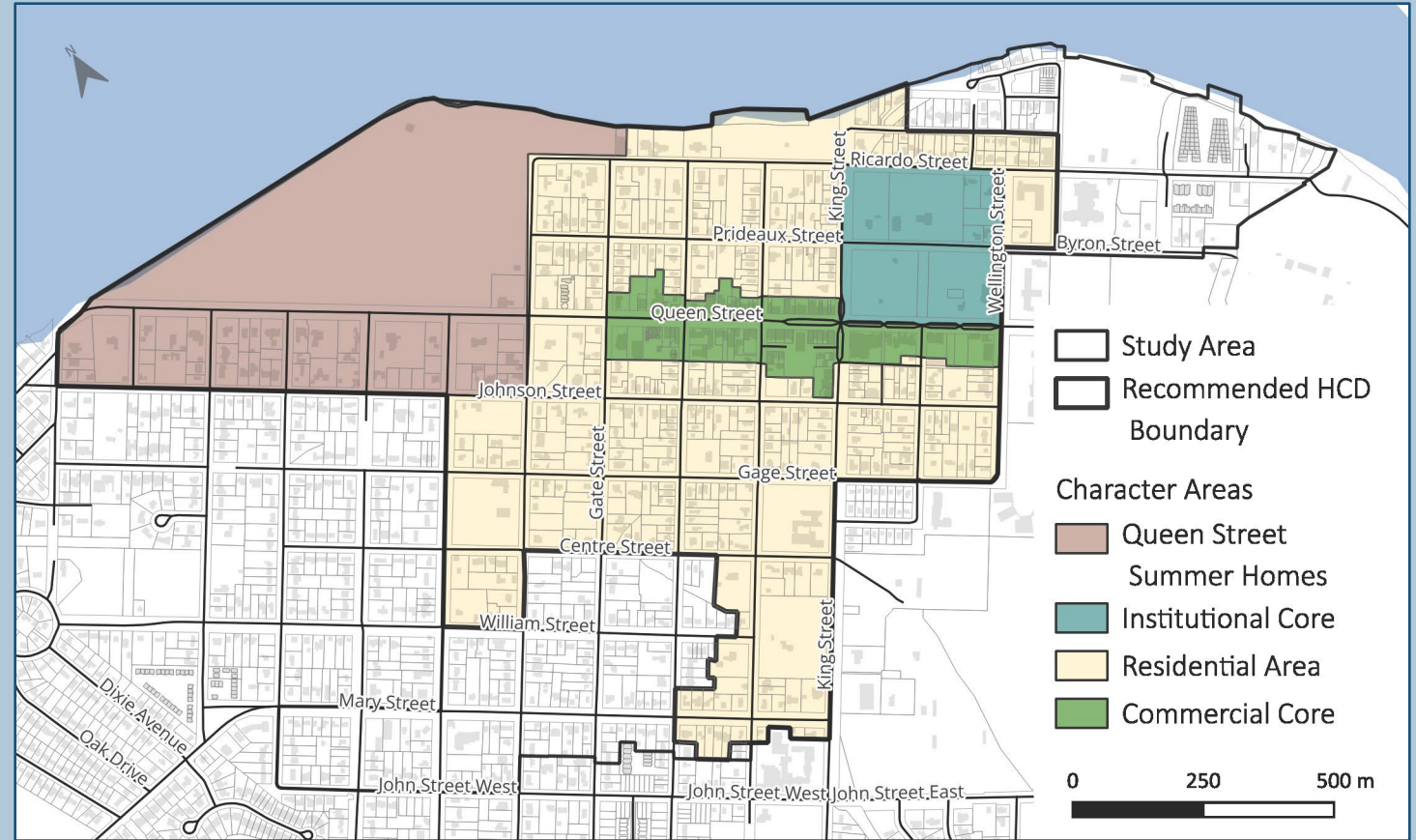
- **Prosperity (c. 1860 – c. 1914)**

Peak tourism era with cultural and architectural flourishing, influenced by wealthy visitors and the rise of leisure infrastructure marked by grand residences and public buildings in Queen Anne Revival, Second Empire, and Edwardian styles.



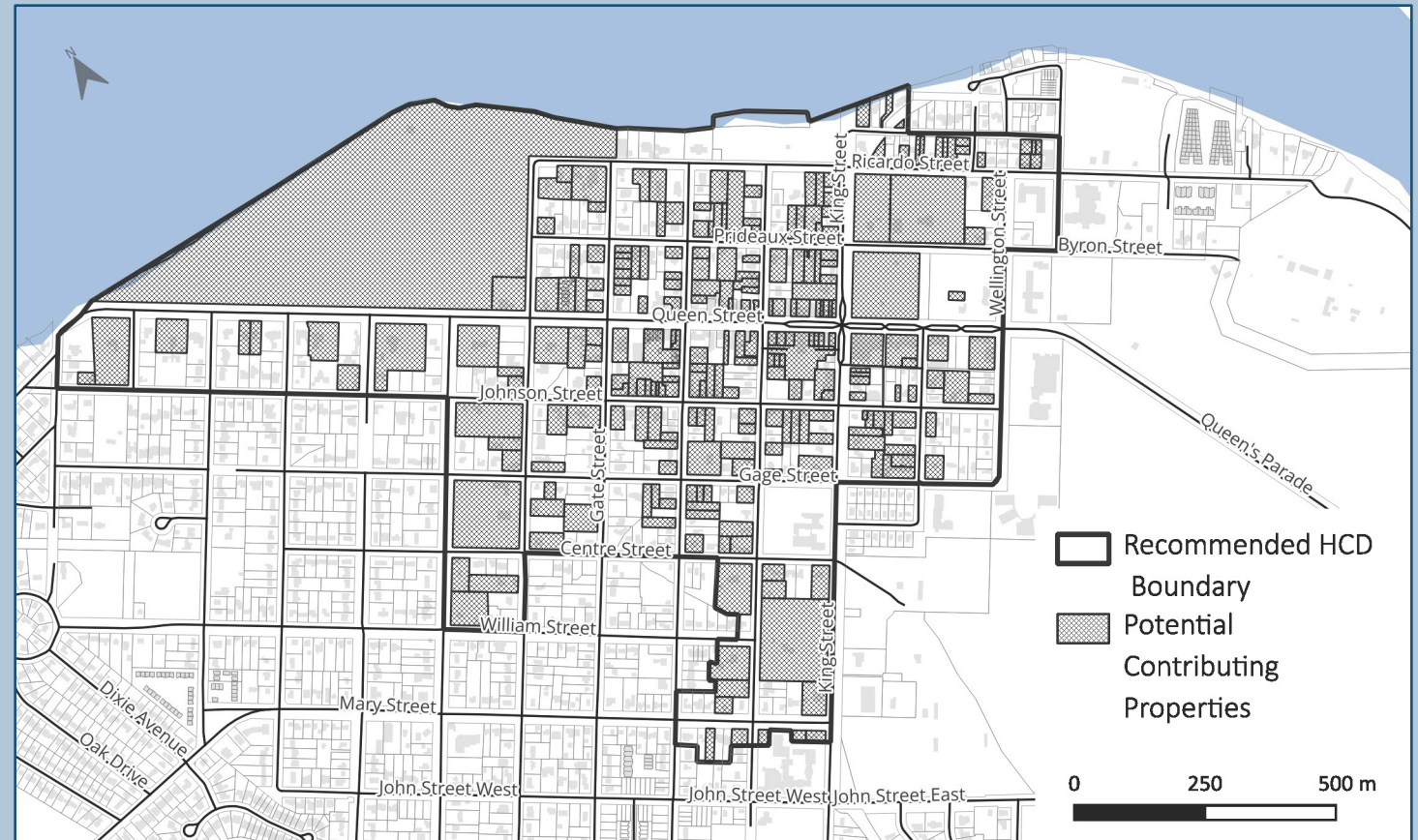
Recommended Boundary

- **527 properties**, including contributing and non-contributing.
- **4 character areas** to better represent and manage the type of heritage they include:
 - **The Residential** : residential neighbourhoods developed around the commercial, and institutional cores.
 - **The Commercial Core** : historic core of Niagara-on-the-Lake, featuring 19th and 20th century commercial buildings that reflect the town's economic evolution, while supporting ongoing commercial activity.
 - **The Queen Street Summer** : properties built along Queen Street and the Golf course built in the same period and still operating today.
 - **The Institutional Core** : concentration of religious and institutional establishment in the Town.



Contributing Properties

- The number of potential contributing properties within the proposed boundary is **257 out of 527**.
- Buildings that have been identified as contributing to the heritage character of the Study Area include those that:
 - were constructed **during the District's periods of significance**, including Rebuilding (c. 1814 – c. 1829), Growth (c. 1830 – c. 1859), Prosperity (c. 1860 – c. 1914); and
 - are an example of **a prevailing architectural style** such as Georgian, Neoclassical, Regency, Classic Revival, Gothic Revival, Picturesque, Italianate, Second Empire, Queen Anne Revival, Edwardian, and the Ontario Cottage; and
 - **maintain their integrity** and/or has contextual value as part of an ensemble of historic buildings.



3.

Recommendations

Objectives and recommendations

Recommendations

Heritage Conservation District (HCD) Designation: It is recommended that a portion of the Study Area be designated as an HCD under Part V of the Ontario Heritage Act, as it meets OHA regulations, with at least 25% of properties contributing to its heritage value.

Proposed HCD Boundary: It is recommended that the proposed HCD boundary, which includes 257 potentially contributing properties, be approved to reflect and manage the area's heritage values.

HCD Plan: It is recommended that an HCD Plan be prepared to guide conservation efforts and manage future change within the designated district.

Statement of Significance: It is recommended that the provided Statement of Significance be adopted to define the heritage values, attributes, and justification for the proposed HCD designation.

Individual Property Designations: It is recommended that properties outside the proposed HCD boundary, particularly those in the Mary Street and Dock Area, be considered for individual designation under Part IV of the Ontario Heritage Act.

Municipal Policy Alignment: It is recommended that the Town review and update municipal policies, including the Official Plan, Zoning By-laws, and existing HCD Plan By-law, to align with the objectives of the proposed HCD.

4.

Next Steps

1. Should Council approve, **prepare HCD Plan**
2. Objectives, **design guidelines** to guide change
3. **Public engagement** to help craft the plan

Thank You!



Cultural Spaces

People and Places



Town of Niagara-on-the-Lake

1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0
905-468-3266 www.notl.com

REPORT #: CDS-25-083

COMMITTEE DATE: 2025-06-03

DUE IN COUNCIL: 2025-06-24

REPORT TO: COTW-Planning

SUBJECT: Queen-Picton (Old Town) Heritage Conservation District Study: Phase 1 Study Report

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 Council **RECEIVE** the Queen-Picton (Old Town) Heritage Conservation District Study: Phase 1 Study Report;
- 1.2 Council **ENDORSE** the recommended expanded Heritage Conservation District (HCD) boundary as shown on **Appendix I** to this report;
- 1.3 Council **DIRECT** Staff to amend the HCD Study Area By-law 2025-025 to revise the study area boundary to reflect the recommended expanded HCD boundary, and bring the amended by-law to the next Council meeting;
- 1.4 Council **APPROVE** the recommendations of the Queen-Picton (Old Town) Heritage Conservation District Study: Phase 1 Study Report; and,
- 1.5 Council **DIRECT** Staff to commence Phase 2, the Plan Phase of the Heritage Conservation District Study, and prepare an updated HCD Plan for the expanded HCD in accordance with the *Ontario Heritage Act*.

2. EXECUTIVE SUMMARY

- The Queen-Picton Heritage Conservation District (“HCD”) was established in 1986 to protect the heritage character of the commercial core of Niagara-on-the-Lake’s Old Town area (“Old Town”).
- Section 40 of the *Ontario Heritage Act* provides that the Council of a municipality may undertake a study of any area of the municipality for the purpose of designating a heritage conservation district and may pass a by-law establishing an HCD study area for a period of one year.
- The Town awarded the contract for the HCD Study to Cultural Spaces, an Ottawa-based heritage consultancy firm. Based on their initial research, Cultural Spaces recommended a geographical boundary to define the Study Area. In February 2025, Council passed a by-law placing restrictions on alterations to property within the HCD study area for the period of one year.

- At a public open house held on April 1, 2025, a recommended boundary for an expanded HCD was presented, together with information on the analysis of the contributing and non-contributing properties, and age of construction tied to the statement of significance for the 1814 to 1914 development of the Old Town.
- Cultural Spaces prepared a draft Phase 1 Study Report summarizing their findings and expanded boundary for the district, which was presented to the Municipal Heritage Committee on May 7, 2025.
- Meetings were also held with the Niagara Foundation and Niagara-on-the-Lake Conservancy, and with Staff of the Niagara-on-the-Lake Museum to receive input on the draft Phase 1 Study Report.
- The MHC adopted the recommendations of Staff Report CDS-25-073 that the MHC endorse the findings and recommendations of the Study report, and support Staff bringing the Study Report forward to Council for consideration and direction to commence the Plan phase of the project. The draft Study Report is attached as **Appendix II** to this report.

3. PURPOSE

The purpose of this report is to present the draft Phase 1 Study Report to Council and seek the endorsement of Council on the findings and conclusions of the Report, and direction for Staff and the consultant to proceed to the Phase 2 of the project involving the preparation of an updated HCD Plan for the proposed expanded HCD.

4. BACKGROUND

The scope of the first phase of a heritage conservation district study is outlined in Section 40 (2) of Part V of the OHA:

The study shall:

- examine the character and appearance of the area that is the subject of the study, including buildings, structures and other property features of the area, to determine if the area should be preserved as a heritage conservation district;
- examine and make recommendations as to the geographic boundaries of the area to be designated;
- consider and make recommendations as to the objectives of the designation and the content of the heritage conservation district plan required under section 41.1; and
- make recommendations as to any changes that will be required to the municipality's official plan and to any municipal by-laws, including any zoning by-laws.

The consultant, in consultation with Heritage Planning Staff, has completed a draft HCD Study report for Phase 1 of the HCD Study, in accordance with the requirements of the OHA. The draft report is attached as **Appendix II**. The report is organized into the following sections:

1. Introduction
2. Inventory and Analysis of Heritage Value and Resources
3. Legislative and Policy Framework
4. Recommendations

5. DISCUSSION / ANALYSIS

5.1 Rationale for expanded HCD boundary

The Study recommends an expanded HCD including areas surrounding the current HCD centred on the Queen and Picton Streets commercial core, including the Queen Street Summer Homes character area, a portion of the Dock Area character area, and the residential areas surrounding the existing HCD. The map showing the recommended HCD boundary is attached as **Appendix I** to this report.

The recommended expanded HCD represents the complete sequence of periods from the rebuilding of the town after the War of 1812 to World War I:

- Rebuilding (1814-1829)
- Growth (1830-1859)
- Prosperity (1860-1914)

The expanded HCD is divided into character areas: Residential Area; Commercial Core; Queen Street Summer Homes, and Institutional Core. The Commercial Core consists of the commercial properties fronting on Queen and Picton Streets in the existing Queen-Picton HCD, while the Institutional Core includes the concentration of churches and institutional uses bounded by King Street, Ricardo Street, Wellington Street and Picton Street, including Simcoe Park.

5.2 Statement of Significance

Section 4.2 of the draft HCD Study Phase 1 Report contains a detailed Statement of Significance on which the recommended expanded HCD is based. It is related directly to the requirements for HCD designation in Part V of the Ontario Heritage Act and its regulations, focused on: design and physical value, historical and associative value and contextual value.

The recommended expanded HCD's design and physical value is based in its rich architectural landscape of buildings primarily from the 1814 to 1914 period, highlighting an evolving character from Loyalist settlement to an economic, commercial and tourism hub. The grid pattern laid out in 1794, with wide tree-lined streets, characteristic of the Imperial model for British military towns has been maintained, together with integral green spaces such as Simcoe Park, Queen's Royal Park and the Niagara-on-the-Lake golf course.

The historical and associative value of the recommended expanded HCD is related to Ontario's military, political and social history. This history includes the Town's establishment by Loyalists and Indigenous allies fleeing war in the United States, continued by its designation as the first capital of Upper Canada, and extending to the burning of the town in 1813. Also important was the Town's role in the Underground Railroad as a refuge for slaves seeking freedom in Canada.

The contextual value of the area is in the relationship between the history and physical development of the town following the War of 1812 into a hub for shipping, industry and tourism. The original grid street pattern maintains a connection between the town and the waterfront. The commercial core contains commercial structures highlighting the growth of the town through a consistency of Georgian, Regency and Victorian architectural styles.

5.3 Contributing and Non-contributing Properties and HCD Plan Objectives

An analysis of all properties within the study area, has identified 257 of 527 (over 48 percent) properties in the recommended HCD boundary as contributing to the area's heritage value.

Contributing properties exhibited the following characteristics:

- a) were constructed during the district's period of significance from 1814 to 1914;
- b) are an example of a prevailing architectural style such as Georgian, Neoclassical, Regency, Classic Revival, Picturesque, Italianate, Second Empire, Queen Anne Revival, Edwardian, and the Ontario Cottage, and
- c) maintain their integrity and/or have contextual value as part of a concentration of historic buildings.

The draft report also outlines a set of objectives for a new HCD Plan for the proposed expanded HCD, including general objectives, social and community value objectives, development objectives and character area focused objectives. These objectives will be used to guide the development of a draft HCD Plan for the consideration of Council, if Council directs that Staff proceed to Phase 2, the Plan Phase of the project.

5.4 Report Recommendations

The draft report contains several recommendations that require a decision of Council, after consultation with the Municipal Heritage Committee (which occurred in April and May 2025):

1. **HCD Designation** – it is recommended that a portion of the Study Area be designated as an HCD under Part V of the Ontario Heritage Act, as it meets OHA regulations, with at least 25% of properties contributing to its heritage value.
2. **Proposed HCD Boundary** – it is recommended that the proposed HCD boundary, which includes 257 potentially contributing properties, be approved, to reflect and manage the area's heritage values. The boundary includes 79 listed properties on the Town's Municipal Heritage Register which would be protected once a new HCD Plan and by-law is approved.
3. **HCD Plan** – it is recommended that an HCD Plan be prepared to guide conservation efforts and manage future change within the designated district.
4. **Statement of Significance** – it is recommended that the provided Statement of Significance be adopted to define the heritage values, attributes, and justification for the proposed HCD designation.
5. **Individual Property Designations** – it is recommended that properties outside the proposed HCD boundary, particularly those in the Mary Street area and Dock Area, be considered for individual designation under Part IV of the Ontario Heritage Act.
6. **Municipal Policy Alignment** – it is recommended that the Town review and update municipal policies, including the Official Plan, Zoning By-law, and existing HCD Plan and By-law (to be replaced by a new HCD Plan and By-law), to align with the objectives of the proposed HCD.

5.5 Public comments

A public open house was held on April 1, 2025, at the Community Centre in Old Town on both the Official Plan Update and Heritage Conservation District Study projects. A series of display boards presented information on the research and analysis conducted by Cultural Spaces, and maps showing the periods of construction, Contributing and Non-contributing Properties, and the recommended expanded HCD boundary.

Public comments received were focused on the importance of also protecting the Chautauqua neighbourhood and the Victory Homes. These concerns are discussed in Section 5.6 of this report. The public also noted concerns with parking challenges in the existing HCD, and some indicated concern with the 1-year pause on alterations to property within the HCD Study Area.

5.6 Consultation with Municipal Heritage Committee

On May 7, 2025, Cultural Spaces presented the draft HCD Study Phase 1 Report to the Municipal Heritage Committee. The MHC endorsed the findings and recommendations of the draft report, after providing comments and asking questions.

Recommended HCD Boundary:

It was noted that the block bounded by Wellington Street, Castlereagh Street, Davy Street and Platoff Street contains only two Contributing Properties and 14 Non-contributing Properties and it was suggested that the HCD boundary could be drawn mid-block between Wellington and Davy Streets, rather than along Wellington Street.

Response: The two Contributing Properties front on different streets, and while most properties in this block are non-contributing properties, it is important for any future development or alterations to property within this block to complement the heritage character of the district. It is not recommended that the HCD boundary be changed in this location.

The MHC also noted that a portion of the Dock Area of Old Town has been excluded from the recommended expanded HCD boundary, even though this area is where the military, fishing and boat building history of Old Town began.

Response: The Dock Area is an important part of the Town's past and present, and the portion of the Dock Area that contains a significant concentration of Contributing Properties has been recommended for inclusion in the expanded HCD boundary. For the remainder of the Dock Area there are 7 Contributing Properties which are recommended to be considered for individual property designation under the Ontario Heritage Act (Part IV), while all other properties have undergone significant change that impact the heritage character of the area. It is important to note that heritage conservation district designation under the Act is intended to guide change in an area of heritage character in a manner that conserves that heritage, but the portion of the Dock Area outside the recommended expanded HCD boundary has already experienced change that has adversely impacted its heritage character. A future review of the Dock Area Secondary Plan can consider other mechanisms to protect the remaining heritage character of the area.

The MHC also questioned why the Victory Homes in the block bounded by Castlereagh Street, Davy Street, King Street and the Legion property have not been included within the recommended expanded HCD boundary and asked how these homes can be protected from pressure for demolition if not within an HCD.

Response: The Victory Homes were constructed post-World War II to provide housing for veterans and represent a period outside of, and not contiguous with, the 1814 to 1914 period(s) of significance which align with the statement of significance and rationale for the recommended expanded HCD. Since the Victory Homes were not constructed during the

period(s) of significance on which the recommended HCD is based, they would be Non-contributing Properties, even if within the HCD, and would not be protected from the threat of demolition. Options which can be considered to protect the Victory Homes include: individual property designation; a separate HCD; and/or character area policies in the Town's Official Plan.

The MHC also asked about the protection of the heritage character of the Chautauqua neighbourhood.

Response: The Chautauqua neighbourhood is not contiguous with the Old Town heritage character areas that were the basis for determining the boundaries of the study area and was not analysed by Cultural Spaces for potential inclusion in an expanded HCD. This neighbourhood has a history and character distinct from the rest of Old Town deserving of a separate project/study. The Adopted 2019 Official Plan contains a direction to complete a secondary plan for the Chautauqua neighbourhood. As part of the Official Plan Update, Staff has met with members of the Chautauqua Residents Association and is currently reviewing relevant policies to determine if changes are needed.

The MHC commented that the discussion in the Study Report on architectural styles seems to not have considered all architectural styles represented in the study area (i.e. all Regency styles).

Response: The review by Cultural Spaces concluded that very few properties in the recommended expanded HCD are pure examples of one architectural style but instead represent a blending of architectural styles over the 1814-1914 periods of significance. The analysis undertaken focused on identifying architectural elements of a property that were predominant and assigned an architectural style based on that analysis.

5.7 Consultation with Local Heritage Organizations

Staff and the consultant also met with representatives of the Niagara Foundation and Niagara-on-the-Lake Conservancy, to receive their input on the draft HCD Study Report.

At this meeting, the consultant was asked to explain the rationale for choosing the 1814-1914 period as the period of significance for a recommended expanded HCD. It was noted that a major period of construction activity in Old Town extended into the 1920's, according to the draft Study Report, including the construction of the former hospital on the 176 Wellington Street site.

Response: The Cultural Spaces team noted that they did not find evidence of a high concentration of new construction immediately post-1914 that contributed meaningfully to shaping the development of Old Town. The World War I period was characterized by a pause or even decline in construction. The next significant building phase was after World War II. The former hospital at 176 Wellington Street was built in 1951. The Cottage Hospital at 175 Queen Street was built as a residence in the 1820's and converted to a hospital in 1920. It is within the recommended expanded HCD boundary and is also designated individually under Part IV of the Ontario Heritage Act.

Comments were also provided that the policy wording of the future HCD Plan for the expanded HCD will need to strike a balance between ensuring the protection of the heritage of Old Town, while also managing change within the HCD. Staff and the consultant committed to meeting with these important heritage organizations after a draft HCD Plan is prepared to receive their input before finalizing an HCD Plan for the consideration of Council.

Staff and the consultant also met with the Curator and Assistant Curator of the Niagara-on-the-Lake Museum, who have provided valuable historical research assistance in the preparation of the draft HCD Study Report.

NOTL Museum Staff also expressed concerns with the exclusion of the Victory Homes, the Chautauqua neighbourhood, and a part of the Dock Area, from the recommended expanded HCD. Responses to these concerns are provided under Section 5.6 of this report. Staff and the consultant committed to meeting with NOTL Museum Staff after a Draft HCD Plan is prepared to receive their input before finalizing an HCD Plan for the consideration of Council.

5.8 Amendment to the Study Area By-law

On March 27, 2025, Study Area By-law 2025-010 came into effect, pausing alterations to property within the Study Area for a period of 1-year from the date of passage (February 25, 2025), while the HCD Study is underway. This by-law has been appealed to the Ontario Land Tribunal by two property owners with respect to three properties within the Study Area. On May 21, 2025, Staff was advised that one of the appeals with respect to two of the properties has been withdrawn, with one appeal remaining in place.

Although the HCD Study is not yet concluded, and Council direction is required to proceed to the Plan Phase (Phase 2) of the Study, this report is recommending that Council endorse a recommended expanded HCD boundary, which does not include the entire study area. The expanded HCD boundary would not come into effect until Council adopts a final HCD boundary and HCD Plan at the conclusion of Phase 2 of the HCD Study.

Provided that Council endorses the recommended expanded HCD boundary, it is the opinion of Staff that the Study Area By-law could be amended to reduce the Study Area to the recommended expanded HCD boundary. Therefore, it is recommended that Staff be directed to bring forward an amendment to the Study Area By-law to the next Council Meeting, revising the boundary of the study area to match the recommended expanded HCD boundary. This would allow applications for alterations to property to proceed in the area excluded from the study area, and would likely resolve the one outstanding appeal of the Study Area By-law.

5.9 Next Steps

If Council approves the recommendations of this report, Staff and the consultant will commence the next phase of the project, in which an updated HCD Plan is drafted for the proposed expanded HCD, and released for consultation with the MHC, public and heritage organizations, before being brought to Council for consideration.

6. STRATEGIC PLAN

The content of this report supports the following Strategic Plan initiatives:

Pillar

1. Vibrant & Complete Community

Priority

1.1 Planning for Progress

Action

1.1 b) Planning for Progress Initiatives

7. OPTIONS

- 7.1 Option 1: Council endorses the recommended expanded HCD boundary, approves the findings and recommendations of the Draft Queen-Picton (Old Town) Heritage Conservation District Study: Phase 1 Report, directs Staff to bring forward an amended Study Area by-law, and directs Staff to commence Phase 2, the Plan Phase of the project. (***Recommended***)
- 7.2 Option 2: Council refers the Draft HCD Study Report back to Staff for further consideration of comments provided by Council (***Not Recommended***)

8. FINANCIAL IMPLICATIONS

There are no financial implications arising directly from this report. The HCD Study is a funded project.

9. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications arising from this report.

10. COMMUNICATIONS

A project webpage has been created on the Town website to provide the public with information and updates on the HCD Study. LINK: Queen-Picton Heritage Conservation District Study | Town of Niagara-on-the-Lake (<https://www.notl.com/heritage-planning/queen-picton-heritage-conservation-district-study>).

A significant component of this HCD Study is the emphasis on engagement with local heritage experts, advocates, researchers, and the public. Upcoming engagement opportunities will be communicated in a timely manner.

11. CONCLUSION

The purpose of this report is to present the draft HCD Study Report to Council and seek the endorsement of Council of the findings and conclusions of the Report, including the recommended expanded HCD boundary, and direction to proceed to the Plan Phase of the project.

12. PREVIOUS REPORTS

- CDS-24-190: Queen-Picton Heritage Conservation District Study – Phase 1 Update
- CDS-24-164: Heritage Conservation District Study Volunteer Group – Summary of Findings and Next Steps
- CDS-25-043: Queen-Picton HCD Study – Revised Study Area By-law.
- CDS-25-073: Queen-Picton (Old Town) HCD Study Status Update

13. APPENDICES

- **Appendix I** – Recommended Expanded HCD Boundary and Character Areas
- **Appendix II** – Final Draft HCD Study Report

Respectfully submitted:

Prepared by:



Steve Burke, MCIP, RPP
Manager of Policy and Heritage Planning
Community Development Services

Recommended by:

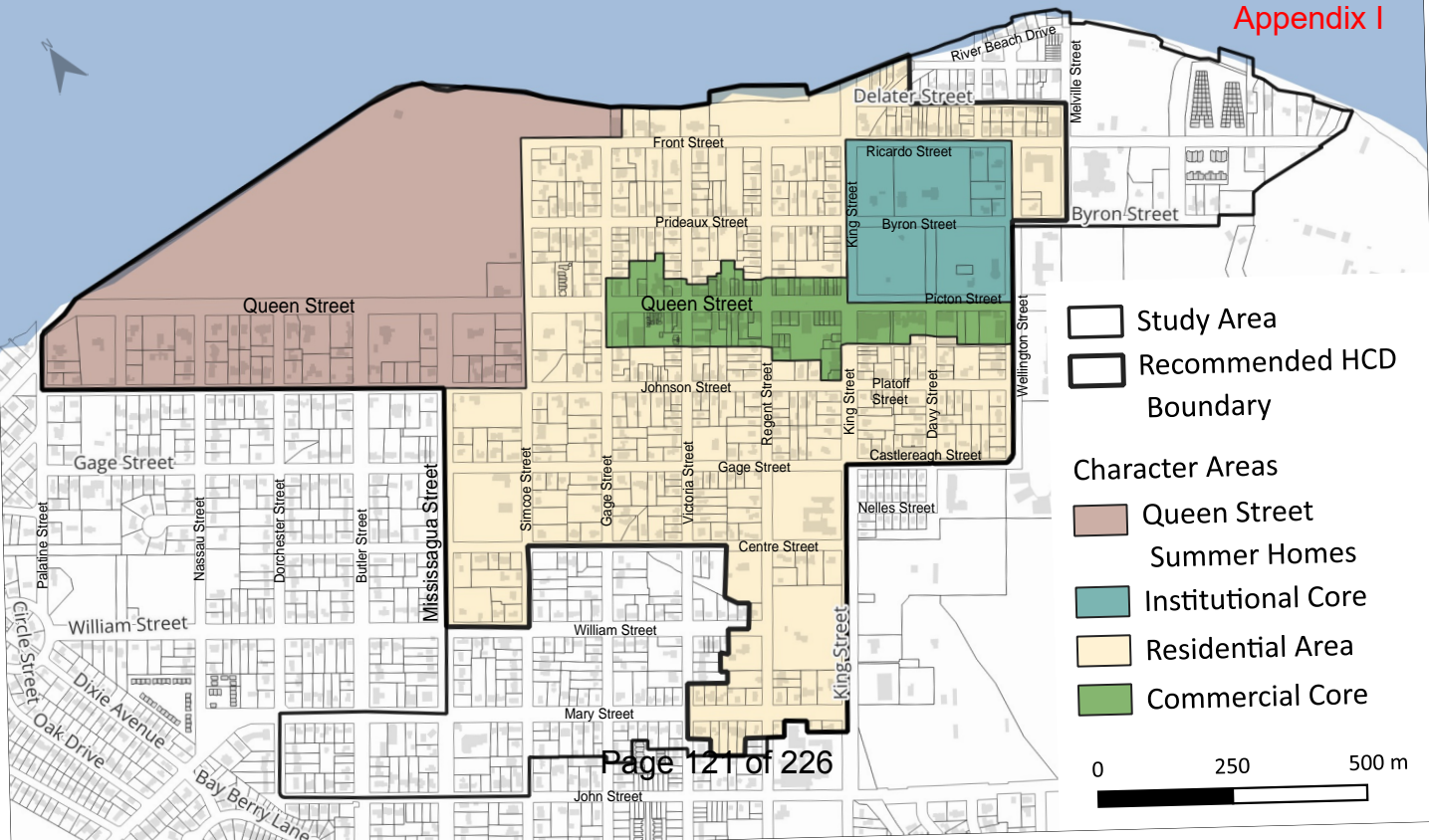


Kirsten McCauley, MCIP, RPP
Director, Community Development
Services

Submitted by:



Bruce Zvaniga
Chief Administrative Officer (Interim)





Cultural Spaces
People and Places



DRAFT REPORT - FINAL

QUEEN-PICTON (OLD TOWN) HERITAGE CONSERVATION DISTRICT PHASE 1: STUDY REPORT

NIAGARA-ON-THE-LAKE

JUNE 2025

This report was prepared by Cultural Spaces, a firm based in Ottawa that is dedicated to envisioning human and natural spaces differently for a sustainable future. Specialized in strategies for sustainable urban environments, protected areas, and heritage conservation.

Christophe Rivet, Principal

Tania Contrucci

Valentina Samoylenko

Leanna Wigboldus

Cover Illustration:
Cultural Spaces, 2024.

TABLE OF CONTENTS

EXECUTIVE SUMMARY

1

INTRODUCTION

1.1.	What is a Heritage Conservation District?	1
1.2.	Purpose of the HCD Study	2
1.3.	Existing HCD	2
1.4.	Study Area Description	2
1.5.	Methodology and Approach	4
1.6.	Limitations	6
1.7.	Context and Setting	7
1.8.	Key Historical Themes and Events	8
1.9.	Historical Development of the Area	11

2

INVENTORY AND ANALYSIS OF HERITAGE VALUE AND RESOURCES

2.1.	Designation within Study Area	13
2.2.	Built Form and Landscape Analysis	15
2.3.	Periods of Significance	27
2.4.	Criteria for Determination of Cultural Heritage Value	30
2.5.	Integrity	34

3

LEGISLATIVE AND POLICY FRAMEWORK

3.1.	Review of Current Planning Framework	35
3.2.	Zoning By-law	39
3.3.	Current Queen-Picton HCD By-law	42

4

RECOMMENDATIONS

4.1.	General Recommendations	44
4.2.	Statement of Significance	45
4.3.	Proposed HCD Boundary	47
4.4.	Potentially Contributing and Non-Contributing Properties	49
4.5.	Recommendations for Planning	50
4.6.	Objectives for HCD Plan	51
4.7.	Summary of Recommendations for Decision-Making	53

Appendix

A	BIBLIOGRAPHY	I
B	FIELD WORK AND STAKEHOLDER MEETING SUMMARY.....	VII
C	NOTL OFFICIAL PLAN PUBLIC CONSULTATION SUMMARY.....	XX
D	CONTRIBUTING AND NON-CONTRIBUTING PROPERTIES.....	XXII
E	DESIGNATED PROPERTIES	XXVII
F	ORDNANCE BOUNDARY STONE REPORT	XXIX

EXECUTIVE SUMMARY

This report presents the proposed expansion of the Queen-Picton Heritage Conservation District (HCD) in Niagara-on-the-Lake, with the goal of preserving the town's distinctive architectural and cultural heritage while supporting sustainable and thoughtful growth. The expansion aims to incorporate adjacent historically significant areas not currently protected under the existing HCD, ensuring the long-term conservation of Niagara-on-the-Lake's valuable heritage resources. This initiative is driven by increasing development pressures and a strong community interest in heritage stewardship, aligning with provincial planning policies—including the Ontario Heritage Act—and the Town's Official Plan.

The purpose of the HCD Study was to explore several key themes: evaluating the heritage character of the town, identifying potential boundaries for an expanded HCD and the broader Study Area, establishing conservation objectives and management guidelines, ensuring alignment with municipal policy frameworks, and engaging local staff and community members throughout the process.

The study provides a historical overview, identifying key periods of development and significance and highlighting gaps in existing heritage data. Fieldwork completed in November 2024, combined with archival research into the town's history, architecture, and development patterns, informed the built heritage analysis and the assessment of cultural value. The research also evaluated current planning tools to identify opportunities for enhancing heritage protection.

The analysis of built form focused on three primary elements:

Date of Construction, identifying properties within key historical periods—Rebuilding (c. 1814–1829), Growth (c. 1830–1859), and Prosperity (c. 1860–1914);

Architectural Style, highlighting properties that reflect distinct styles such as Georgian, Neoclassical, Gothic Revival, Italianate, and Queen Anne Revival; and

Integrity and Contextual Value, evaluating whether properties contribute meaningfully to the historic fabric of the district.

Based on these criteria, properties were classified as either contributing or non-contributing to the district's heritage value. The proposed HCD boundary was then divided into distinct character areas—Residential, Commercial, Queen Street Summer Homes, and Institutional—to better reflect and manage the unique qualities of each area.

Of the 527 properties within the proposed boundary, 257 have been identified as contributing to the district's cultural heritage and architectural integrity. Following a secondary review for architectural integrity, the final recommendation is to designate a portion of the Study Area as a Heritage Conservation District under Part V of the Ontario Heritage Act, as it exceeds the 25% threshold of contributing properties required for designation.

The study further recommends individual heritage designation for properties of merit located outside the proposed HCD boundary, particularly within the historically significant Mary Street and Dock Area. To implement these recommendations effectively, the Town should develop a comprehensive Heritage Conservation Plan for the HCD and update relevant municipal policies—including the Official Plan, Zoning By-laws, and existing HCD By-law—to align with current planning standards and sustainability objectives.

Finally, the report emphasizes the importance of public engagement, education, and accessibility. It recommends ongoing outreach initiatives such as workshops and educational materials to foster community awareness and support for heritage conservation. The overarching objectives of the proposed HCD are structured into General, Social and Community, Development, and Character Area-Focused categories, providing a framework to balance heritage preservation with the evolving needs of the community and the Town.

1 INTRODUCTION



1.1. What is a Heritage Conservation District?

A Heritage Conservation District (HCD) is a defined area within a municipality that holds cultural, historical, or architectural significance and is legally protected under Part V of the *Ontario Heritage Act* (OHA). These districts are designated to conserve the unique character and heritage values of areas such as residential or commercial neighborhoods, main streets, rural landscapes, institutional campuses, or natural spaces.

HCDs often include a combination of heritage buildings, streetscapes, landscapes, and features like trees, open spaces, and historical development patterns. They convey a cohesive sense of time and place through characteristics like building scale, materials, and proportions. Each HCD is distinct and reflects its specific cultural heritage resources.

Once designated, an HCD is governed by a by-law and an HCD Plan, which provides policies and guidelines to manage change, ensuring conservation and allowing for contextually appropriate growth. Recent updates to the *Ontario Heritage Act* introduce new requirements for HCDs, with at least 25% of the properties within the defined area meeting at least two of the nine criteria for determining cultural heritage value as outlined in this report under Chapter 2, Section 2.4, *Criteria for Determination of Cultural Heritage Value*. The HCD plan helps protect the district from incompatible development while fostering renewal through cultural and economic vitality. By safeguarding their unique identity, HCDs contribute to the sustainability, livability, and appeal of communities across Ontario.

1.2. Purpose of the HCD Study

The purpose of a Heritage Conservation District (HCD) study under the *Ontario Heritage Act* is to evaluate an area within a municipality to determine whether or not it warrants designation as a heritage conservation district. This process aims to safeguard and manage the area's cultural heritage value while balancing development and planning objectives. Key goals of the study include:

- **Assessing Heritage Character:** The Study examines the area's character, including buildings, structures, and other features, to determine its cultural heritage significance and need for preservation.
- **Defining Boundaries:** The Study identifies and recommends clear geographic boundaries for the proposed district based on heritage attributes.
- **Establishing Objectives and Guidelines:** The Study outlines objectives for the designation and maps out the content for the required HCD plan, providing clear guidance for conservation and management.
- **Aligning with Municipal Policies:** The Study recommends updates to the municipality's Official Plan and Zoning By-law to align with the objectives of the district designation.
- **Information and Discussion Meetings:** The process consults with the municipal heritage committee and town staff, ensuring the Study integrates local perspectives and expertise.

1.3. Existing HCD

The current Queen-Picton HCD, in effect since 1986, includes the eight square blocks between Gate Street and Wellington Street, and between Prideaux Street and Johnson/Platoff Streets and Simcoe Park. The HCD consists of the central

business artery of Old Town and the contiguous residential area. It attests to the historical settlement pattern of the town and displays a concentration of classical British architectural tradition before the 20th century. An expansion area was established in 1991 for examination as a potential expansion of the Queen-Picton HCD (see figure 1).

1.4. Study Area Description

Niagara-on-the-Lake (NOTL) is recognized for its historical and cultural importance in Canada. Established in the late 18th century, it served as the first capital of Upper Canada and was a key battleground during the War of 1812. Part of Old Town is designated as a National Historic Site of Canada overlapping with a town section protected under the *Ontario Heritage Act* for its well-preserved 19th-century streetscape and architectural heritage. At the municipal level, the town recognises various character areas as culturally significant in the area of Old Town. These boundaries overlap each other but do not offer a tool for heritage protection and are all considered in this HCD study.

The Study Area includes a significant concentration of buildings that are evidence to the historical development and evolution of Old Town until 1914. This area includes the National Historic District, the Downtown character areas, the Old Dock character area, the Queen Street Summer Homes character area, and the HCD Expansion area. The period before 1914 includes Old Town development patterns and architectural expressions which were inspired by British Classical and European styles, which give the distinct character to the Town.

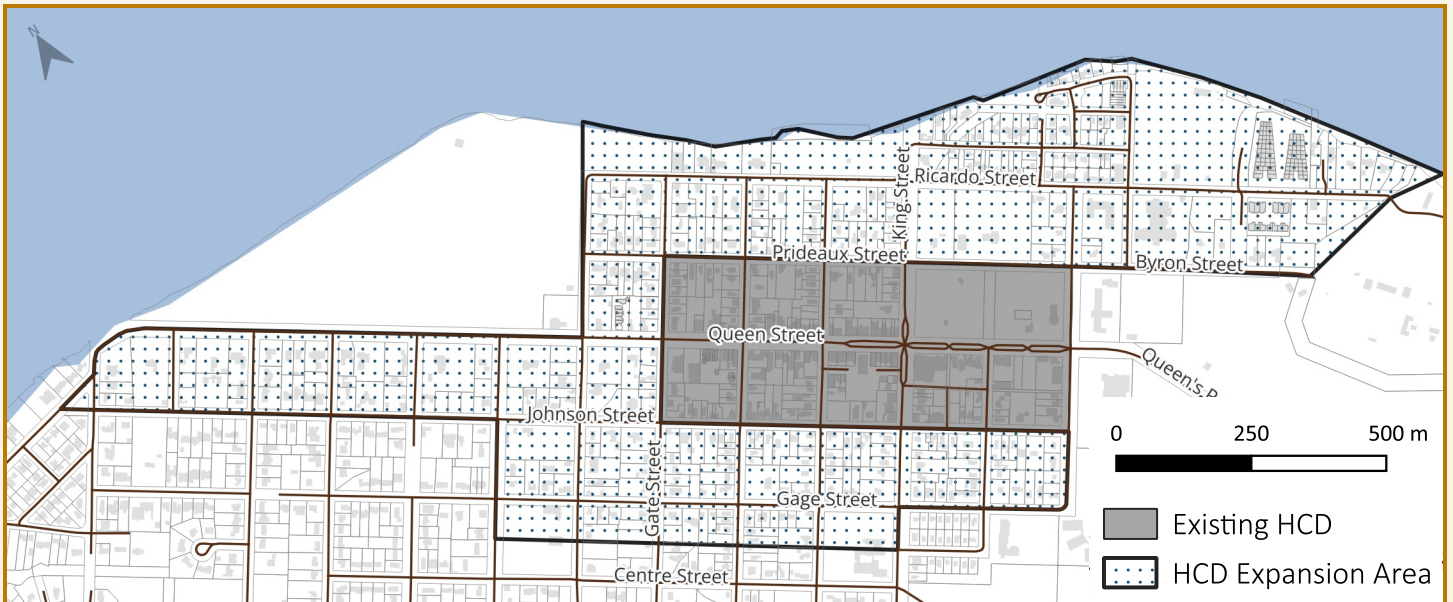


Figure 1- Existing HCD Boundary and Expansion Area

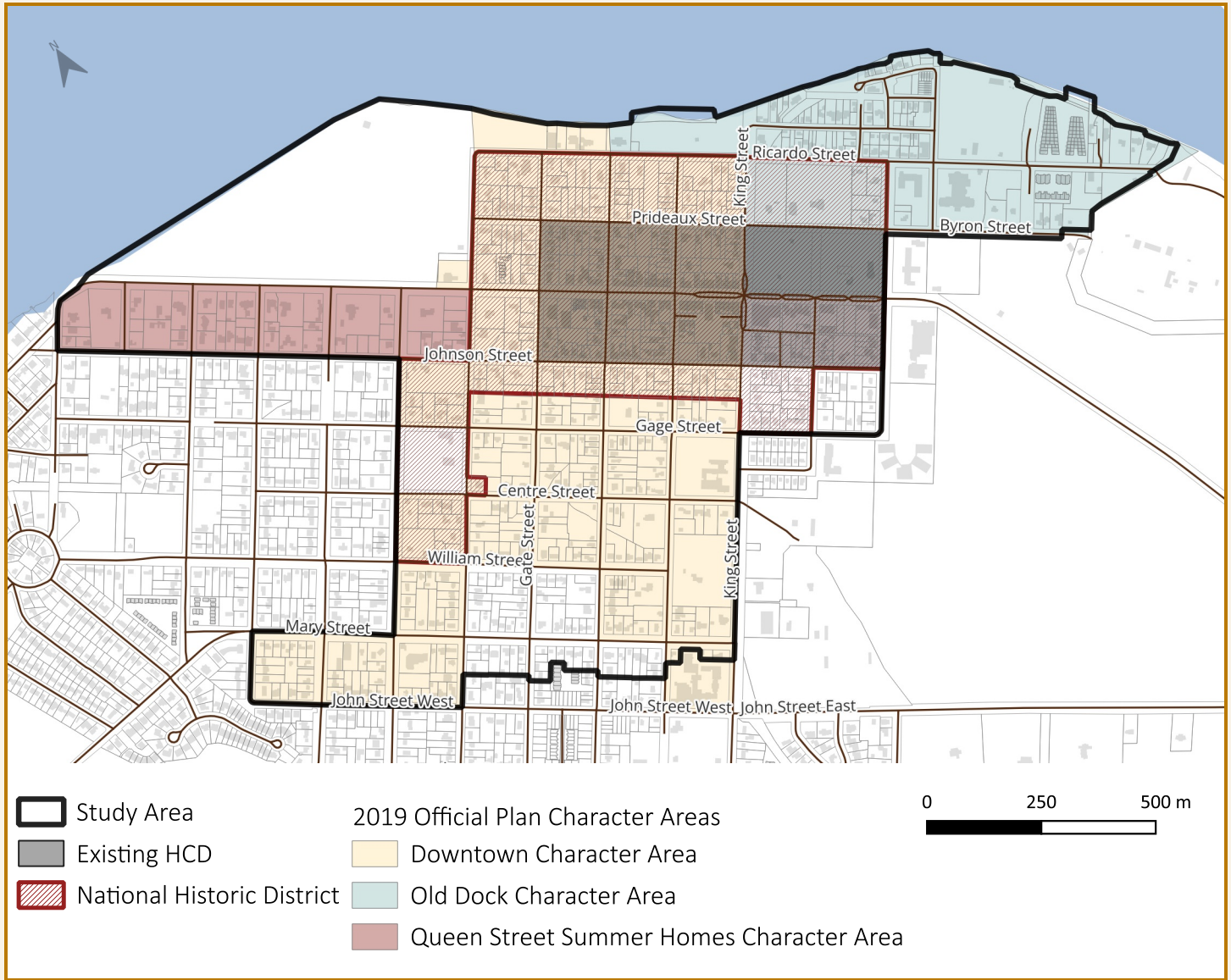


Figure 2- Study Area and Existing Heritage Boundaries

Within the Study Area, the mandate is to identify whether an expansion of the existing Queen-Picton HCD is possible and coherent based on the defined cultural value that is already protected under the existing HCD.

1.5. Methodology and Approach

The study methodology followed a structured approach to evaluate the heritage significance of the proposed Study Area in relation to the current Queen-Picton HCD. The process began with an **initial review of documentation**, historical sources, and inventories provided by the town. The team analysed sources such as historical maps, archival photographs, municipal records, and secondary literature to establish a foundational understanding of the area's historical and cultural significance. There were four surveys that provided the foundational information for the study:

- *Inventory performed in 1986 by the Town and consultants in relation to the designation of the current HCD.* This inventory follows the direction of the OHA at the time and does not include a statement of significance nor does it identify contributing properties. Instead, it assesses properties based on three categories (A, B, and C), with A having the highest interest and B and C not having historical significance. There is no explicit mention of a period of significance.
- *Inventory performed in 1996 by the Town in relation to a potential expansion of the HCD.* This inventory applied the same four categories to the properties in the potential expansion area. The information only partially meets the current expectations of the OHA.
- *Draft report completed in 2016 for the Historic Old Town Heritage Conservation District Plan.* The draft report for a Heritage

Conservation District Plan examined a district expansion study for the Queen-Picton HCD. It included a review of local policies and of buildings and properties within the potential HCD expansion area. Analysis included a Statement of Cultural Heritage Value or Interest, property surveys, and policies related to existing and future construction.

- *Ordnance Boundary Stones Appendices 2021. Appendices related to the 'Proposed Plan for Conservation and Commemoration of the Ordnance Boundary Stones'.*
- *Inventory performed in 2004 by Parks Canada and the Town in relation to the designation of the district of national significance.* This inventory applied a different framework as it follows the direction for the designation of places of national significance by providing a statement of national significance and listing the properties that are character-defining. The emphasis is on the architectural qualities of the town up until 1900 which overlaps and is slightly different from the HCD.
- *Survey performed in 2024 by volunteers and the Town to identify potential heritage properties.* The objective of that survey is to identify properties of potential heritage interest. It only partially meets the current expectations of the OHA.

Additionally, the HCD study reviewed the properties that had an identified CHVI Statement, including those properties that were neither listed on the register nor designated, to consider their potential contribution to an expanded HCD.

The HCD study provides an overview of the historical context with a focus on identifying periods of significance, patterns of development, and identifying gaps in the available information.

The team conducted **fieldwork** in November 2024 to complement the community-initiated survey and collect comprehensive documentation of the Study Area. Each property within the Study Area, which excludes the current HCD, was assessed for its contribution to the district, and photographs were captured to provide a detailed record of the district's physical character. This fieldwork confirmed the accuracy of the preliminary inventory and filled in missing information, ensuring the integrity of the data used for the analysis. A cursory visit of the current HCD was also undertaken to assess whether significant changes may have occurred over time and to get a better understanding of the evidence that supports the stated significance.

The team reviewed the **current planning framework** to identify gaps and opportunities for improving heritage protections. The analysis included in chapter 4 is an overview of the regional and municipal official plans, the municipal Zoning By-law, the current HCD By-law and other relevant secondary plans or policies to determine their effectiveness in protecting heritage in the Study Area. Findings from this analysis informed the development of targeted recommendations to strengthen heritage conservation within the district.

A heritage value assessment was conducted based on previous steps. A Statement of Significance was prepared to articulate the District's historical, cultural, and architectural importance, including the identification of key periods of significance. Properties within the district were evaluated to determine their contribution to the integrity of the District and were mapped accordingly. District boundaries were delineated to encompass the highest concentration of contributing elements while

maintaining compliance with OHA requirements. It should be noted that the current HCD does not provide a statement of significance that meets today's requirements of the OHA. As such, the Statement of Significance is built on the argument that is expressed in the original 1986 HCD Plan for the significance of the current HCD. This provides a jumping off point for the new assessment, allowing the heritage value of the expansion area to be assessed based on similar reasoning to the reasoning which provided value to the current HCD.

Although not required for the preliminary assessment, Cultural Spaces completed two initial information and discussion meetings with relevant stakeholders of Niagara-on-the-Lake during the fieldwork in November 2024. Participants included representatives from the Town staff, the Niagara-on-the-Lake Museum, the Municipal Heritage Committee, the Niagara Foundation, and the Niagara-on-the-Lake Conservancy. An additional discussion was completed by Town staff at the public open house on April 1, 2025, as part of the Official Plan Public Information Centre. A further summary of all three events can be found in Appendix B.

The study concludes with a set of **recommendations** to guide the expansion and management of the Queen-Picton Heritage Conservation District. This includes a proposed new boundary, the identification of potential contributing and non-contributing properties, recommendations for planning and objectives for a revised HCD plan.

1.6. Limitations

The findings and recommendations presented in this report were developed based on the best information available as supplied by the Town and where possible complemented by the consulting team.

Information related to the properties within the Study Area came from multiple municipal inventories carried out over the course of four decades by different people applying different templates and methodologies. As such, the consistency of information was an issue that was addressed by adjusting and validating where possible the information currently available to the Town.

Niagara-on-the-Lake is renowned for its diversity of architectural styles, a reflection of change over time and adaptation to new opportunities. These changes are particularly apparent in the residential properties which often illustrate how aesthetics and needs influenced architectural form and details. Few properties demonstrate a purity of architectural style. Most have dominant key characteristics which are helpful to guide characterization but come short of demonstrating typical styles. Some properties have lost integrity of characteristics which makes them not contributing. For the properties that were retained, the form, volume, proportions, size and distribution of openings, materials, and shape and pitch of roofs have all played a role in determining whether they were contributing.

1.7. Context and Setting

The strategic setting of the town of Niagara-on-the-Lake was a key part of the area's settlement, particularly with its proximity to the Niagara River and to Niagara Falls, both of which attracted Indigenous peoples to the region for millennia. The presence of geological landforms like the Niagara Escarpment influenced the flow of water patterns and contributed to the creation of the landscape today.

The Niagara River acted as a transportation and trade route, as well as provided abundant natural resources. Once national borders were established, the Niagara River served as a boundary between Canada and the United States, playing an important role in the movement of trade and in conflict, especially during European Colonial settlement in the 17th, 18th and early 19th centuries. In 1832, the

Niagara Harbour and Dock Company altered the river structure by draining the original wetland in what is now Niagara-on-the-Lake to create docks, harbour infrastructure, and shipping warehouses, which increased trade and transportation both into Lake Ontario and along the Niagara River (see figure 3 for the location of the Niagara-on-the-Lake Old Town location).

The Niagara Peninsula's fertile soil, particularly along the banks of the Niagara River, supported agriculture and a variety of flora and fauna. The region's temperate climate, influenced by its location near the Great Lakes and the protection of the Niagara Escarpment, created a microclimate with moderate temperatures and longer growing seasons. Eventually the combination of rich soils and temperate climate made the area important for agriculture, particularly for fruit orchards and vineyards which developed from the 1800s onwards.

Figure 3- Niagara-on-the-Lake Setting. Google Earth.



The area's natural beauty and temperate climate played an essential role in the Town becoming a tourism attraction. The Town's early inclusion of green spaces for recreational uses in its urban design, such as the town parks and the Niagara-on-the-Lake golf course, reflected its evolution from a trade hub to a leisure destination.

1.8. Key Historical Themes and Events

Pre-European Contact and Settlement

Archaeological evidence shows Indigenous presence in the region dates from approximately 13,000 years ago. The area now known as Niagara-on-the-Lake was originally the traditional lands of the Chonnonton or Onguiaahra, also called the Neutral Nation by early French missionaries. These people lived in the region

until the mid-17th century, when they were displaced and dispersed by conflict with the Haudenosaunee and sickness. The Ojibway (ancestors to the current Mississauga people) moved to the region for hunting and gathering, as well as for the area's connection to Niagara Falls, which holds cultural and spiritual significance for many groups in the region. The traditional territories and boundaries of local Indigenous groups, as well as the stories, oral traditions, and cultural values associated with the history and heritage of the Niagara region, require further information. This will be encouraged through ongoing relationship building with the Indigenous groups of Niagara as part of a process to build understanding and recognition for all heritage within the area.

Figure 4- Painting: The Foot of King Street from the Land and from the Niagara River, by Grainger, Francis Hincks. Courtesy of the Niagara-on-the-Lake Museum.



Post-European Contact and Settlement

Europeans first arrived in the area in 1626, and in the following decades, it became significant for British and Indigenous relations and resource use, particularly in relation to the fur trade. In 1764, the 'Treaty of Niagara' was signed following meetings between Sir William Johnson and representatives from 24 First Nations. The Treaty formalized British presence in the Great Lakes and provided one of the first significant land cessions along the Niagara River in exchange for trade goods and the return of prisoners. The Treaty was seen as foundational for the relationship between Indigenous groups and the British Crown and endured in times of conflict, including the American Revolution and the war of 1812.

A permanent European settlement was established in the 1780s by British Loyalists and their Indigenous allies fleeing the United States in the aftermath of the American Revolution to settle along the Niagara River. The establishment of the town located at the mouth of the Niagara River, then named Newark, made it strategically

significant for military and trade purposes, and the construction of Fort George provided defense against American forces.

The political and military importance of the Niagara Region was again highlighted in 1792 when Newark hosted the first provincial parliament and was designated as the capital of Upper Canada by Lieutenant-Governor John Simcoe. This period solidified Niagara-on-the-Lake's role as the nucleus of political and governance activity for the province, a position it maintained until 1796 when the capital was moved away from the American border to York (Toronto). Newark was renamed 'Niagara' in 1798.

Niagara played a critical role in the War of 1812, with the area being of strategic military importance for both American and British forces. American troops occupied the town and erected fortifications in 1813. However, as the British retook the town in 1813, the retreating American troops burned the area of what is now recognized as 'Old Town'. Little was left of



Figure 5- 1904: View from Queenston Heights. Courtesy of the Niagara-on-the-Lake Museum.



Figure 6- Year Unknown: Wharf and Harbor. Courtesy of the Niagara-on-the-Lake Museum.

the town after the American departure, but the residents quickly began to rebuild.

Agricultural development around Niagara-on-the-Lake began after the war in the early 1820s through a combination of field crops, orchards, and viticulture. The town's harbour and waterfront became more active in the 1830s, particularly with the establishment of the Niagara Harbour and Dock Company in 1832, leading to the construction of docks, mills, and shipping industries along the Niagara River. Increases in trade, shipping, and transport further boosted the economic success of the Niagara region, with Niagara-on-the-Lake at the forefront of these developments. The commercial hub of Queen Street and Picton Street expanded at this time, as did the surrounding residential areas.

Changes to railway lines and shipping practices in the mid- to late-1800s changed the economic focus of the town and surrounding area from trade to tourism, and the town became a well-known spot for visitors and summer residents, particularly from the United States. Leisure

spaces and recreational activities grew in popularity, defining Niagara-on-the-Lake as a unique destination. This prosperity continued until WWI when tourism began to decline, and the Town of Niagara-on-the-Lake once again became the site of a military outpost and training centre. The Great Depression and the onset of WWII further reduced the number of tourists to the Niagara region.

Post-WWII, Niagara-on-the-Lake once again established itself as a tourism centre and leisure hub, gaining popularity through the internationally recognized Shaw Festival (launched in 1962). By the late 1980s, Niagara-on-the-Lake enhanced its tourism draw as part of the Niagara wine region, with vineyards and wineries becoming an important part of the local economy. Heritage preservation became an important part of Niagara-on-the-Lake's identity, with residents encouraging efforts to protect the 19th century architecture, historical landmarks, and the town's unique heritage.

QUEEN'S ROYAL GOLF CLUB HOUSE,
NIAGARA-ON-THE-LAKE, CANADA.

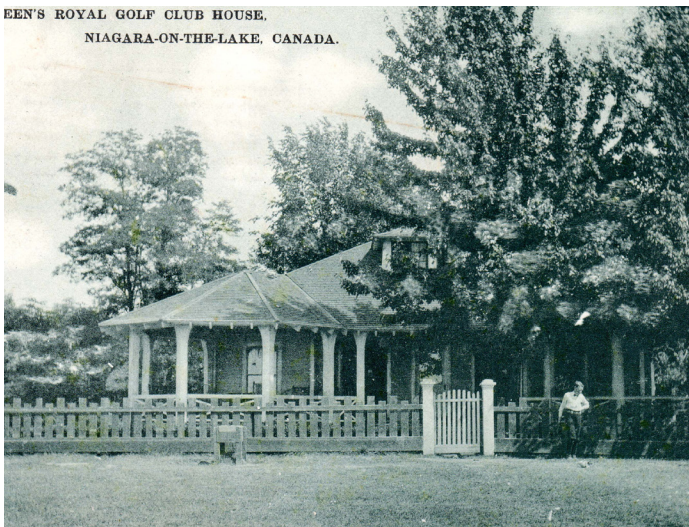


Figure 7- 1911: Queen's Royal Golf House. Courtesy of the Niagara-on-the-Lake Museum.



Figure 8- 1920s: Queen Street. Courtesy of the Niagara-on-the-Lake Museum.

1.9. Historical Development of the Area

Niagara-on-the-Lake was originally established as a strategic military region at the mouth of the Niagara River, with multiple fortifications in place to protect the interests of Upper Canada along the border. The surrounding residential area originated in the late 18th century, and supported the United Loyalists and their Indigenous allies who had settled in the area after fleeing the United States.

The settlement plan of Niagara-on-the-Lake follows a grid pattern which was originally completed in 1794 and followed the Imperial model plan (1788-89) for British colonial and military towns. This consisted of a series of four-acre blocks which began at the banks of the Niagara River and expanded inland, following the watercourses and established military fortifications. Despite the destruction following the War of 1812, the original settlement pattern was maintained during the rebuilding of the Town and can still be seen in the town planning today. The wide, tree-lined streets of the downtown core continue to create harmonious streetscapes, linking the waterfront, residential neighbourhoods and commercial area together.

The establishment of the Niagara Harbour and Dock Company in 1832 dramatically influenced the area's development. The waterfront and harbour areas were expanded along the Niagara River for shipping and industrial uses, with trade and transport becoming important elements of the Town's burgeoning economic success. Residential areas developed around the docks, catering to the increased number of sailors, merchants, shipbuilders, and labourers who were involved with shipping. As the Town grew, institutional buildings, like churches and schools, became established parts of the Town's physical makeup. The development of the commercial

district along Queen Street was based heavily on the increased economic activity, trade, and transportation services, as is reflected in the architecture and wide-open streets which make up the district. Subsequent expansion of the surrounding residential areas extended the physical fabric of the town both inland and along the available waterfront.

Figure 9- 1852: Canada, Niagara Verification Plan. Town of Niagara-on-the-Lake.



1- INTRODUCTION

New hotels, leisure areas, parks, and summer residences emerged along with the area's reputation as a tourism hub which began in the early 1860s and extended into the early 1900s. The introduction of tourist accommodations, along with the establishment of parks and a golf course, signaled the Town's evolution into a cultural resort. This development was particularly prevalent in the northeast corner

of the town, close to Fort Mississagua. The lands immediately surrounding the fort had been set aside for military use until the 1870s. These lands were then converted into a golf course in 1875, the oldest still in operation in Canada. South of the golf course, lands that had once been reserved for a hospital and religious communities were sold to wealthy families who built exceptional summer homes.





2

INVENTORY AND ANALYSIS OF HERITAGE VALUE AND RESOURCES

2.1. Designation within Study Area

The Study Area includes a number of properties with various levels of heritage recognition. These include **Part IV designated properties, listed properties**, and those with **cultural heritage value or interest (CHVI)**. As a first step in the inventory and analysis process, it is important to identify and categorize the types of heritage recognition within the Study Area to evaluate how properties contribute to the district's character and determine the best course of action for their protection.

Part IV Designated Properties

Section 29 of the OHA protects individual properties that are considered important for their cultural heritage value or interest. These are buildings or sites that stand out because of

their unique architecture, connection to historical events or figures, or their importance as landmarks. These properties cannot be altered, demolished, or removed without approval from the municipality, ensuring their key heritage features are preserved.

Listed Properties

Listed properties are included on the municipal heritage register, under Section 27(3) of the OHA, but are not formally designated as Part IV properties under Section 29. Listing provides some protection, requiring owners to notify the municipality 60 days before demolishing the property. These properties often serve as a starting point for potential future designation or inclusion in the HCD. The most recent OHA was updated in 2024.

Cultural Heritage Value or Interest (CHVI) Statements

Properties with CHVI Statements are identified based on specific criteria prescribed in Ontario Regulation 9/06, including, but not limited to, their design or architectural features, historical connections, or how they fit into the area's character. CHVI Statements are required to be prepared for Listed and Designated Properties on the municipal heritage register. Properties with identified CHVI Statements that have not been formally designated or listed under the

OHA currently lack protection. As a result, any alterations or demolition can take place without requiring municipal review or approval.

In the Study Area, there are 48 properties designated Part IV and 77 listed properties. Most of those properties are concentrated around the existing HCD boundary. See figure 10 for the distribution of the properties with heritage significance in the Study Area.

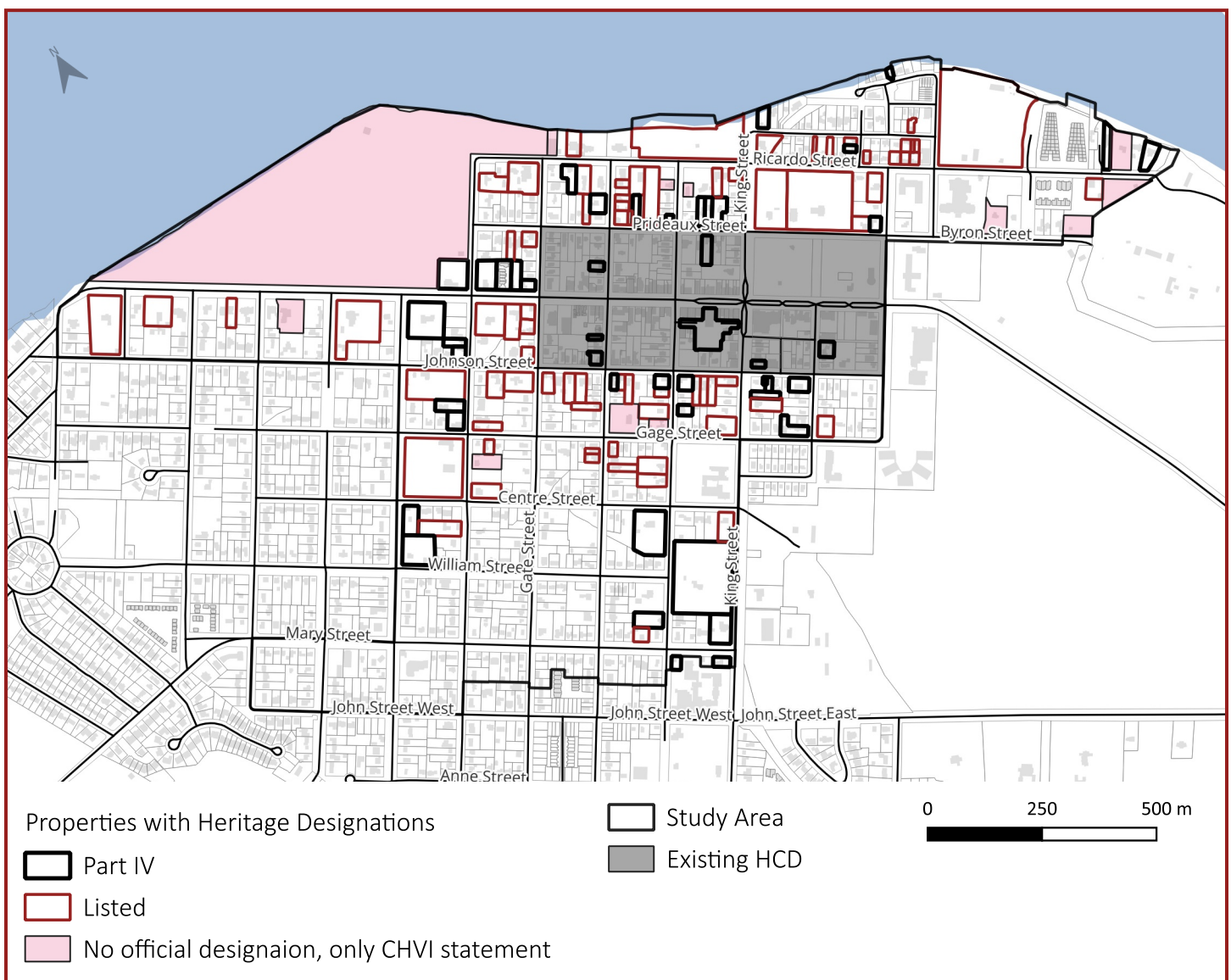


Figure 10- Properties with Heritage Significance

2.2. Built Form and Landscape Analysis

2.2.1. Methodology

The character analysis of the HCD Study Area was conducted in three stages. The Town, with the help of volunteers, conducted the first step which consisted of the documentation and survey of the buildings in the Study Area. The Cultural Spaces team mapped and analysed the compiled data provided from municipal documentation and the data recorded by the Town. This data included date of construction, building material, building height, stylistic influences, and historical notes.

All properties in the Study area that contained at least one building as well as green spaces, excluding empty lots, were retained for the built form survey. Those parcels that contained more than one building were counted as one legal property for the sake of the Study. Land parcels where ownership was shared, such as condominiums, were also only counted once. The total number of properties analysed in the Study Area is 742 properties.

In the second phase, Cultural Spaces developed a Data Collection and Site Visit Strategy based on an initial understanding of the historical context and the significance of the current HCD. Considering the historical, architectural and contextual values of the existing Queen-Picton HCD, the work focused on the analysis of properties of potential significance to the expanded District, namely those identified as category “A” or “B” buildings in the 1996 survey of the HCD expansion area and those built before 1914.

Although this report focuses primarily on the expansion of the current HCD, the entirety of the existing HCD is included and its conservation will be addressed in an updated HCD Plan. It should be noted that a number of significant buildings, such as churches, are now included in the expansion. Their individual qualities are not discussed in this section.

2.2.2. Dates of Construction

The date of construction analysed in the Study Area range between 1815 (the earliest recorded property) and 1914 (the cutoff years for analysis). Major periods of growth happened after the War of 1812 to reconstruct the community, and between 1860 and 1914 as the Town experienced a period of prosperity due in large part to an increase in tourism and economic growth.

2- INVENTORY AND ANALYSIS

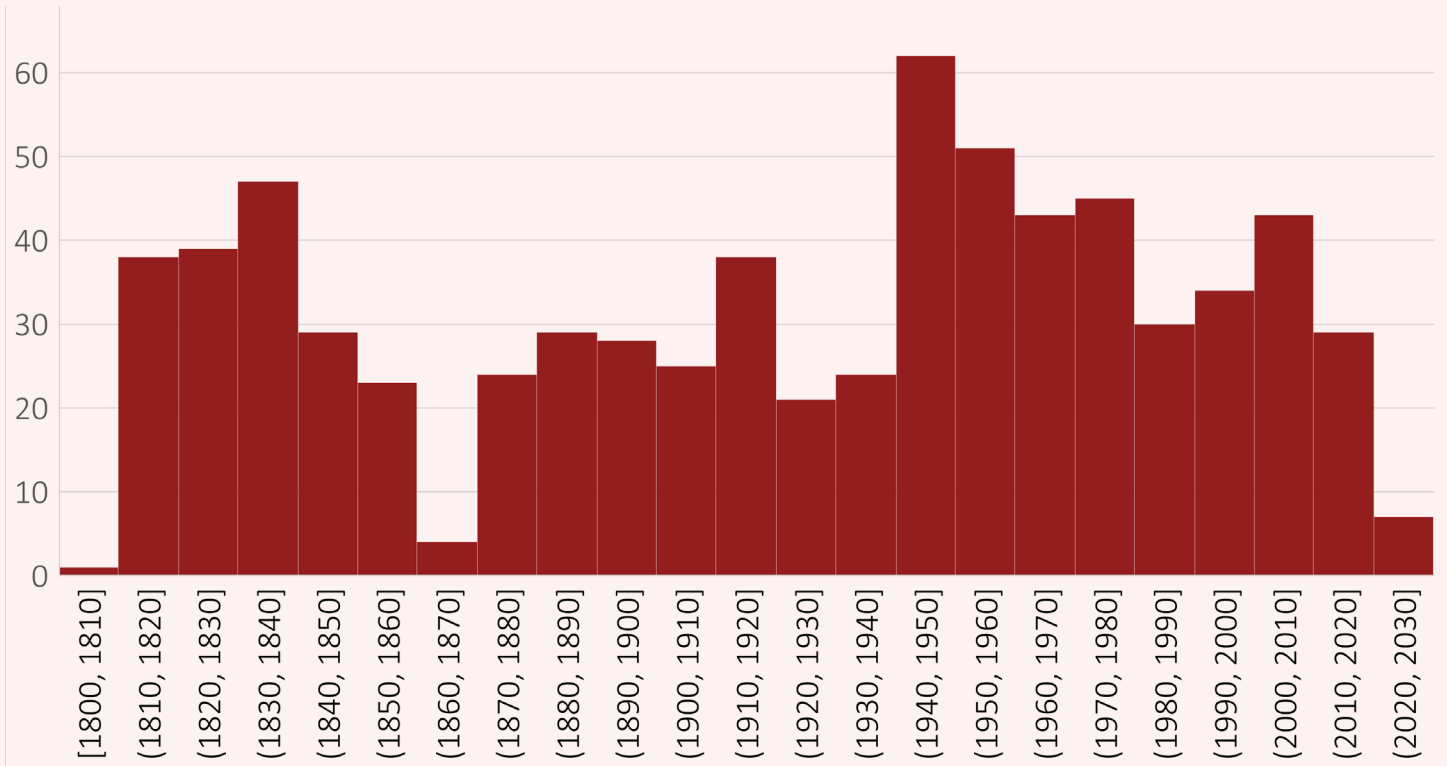


Figure 11- Number of Properties Constructed Throughout the Years

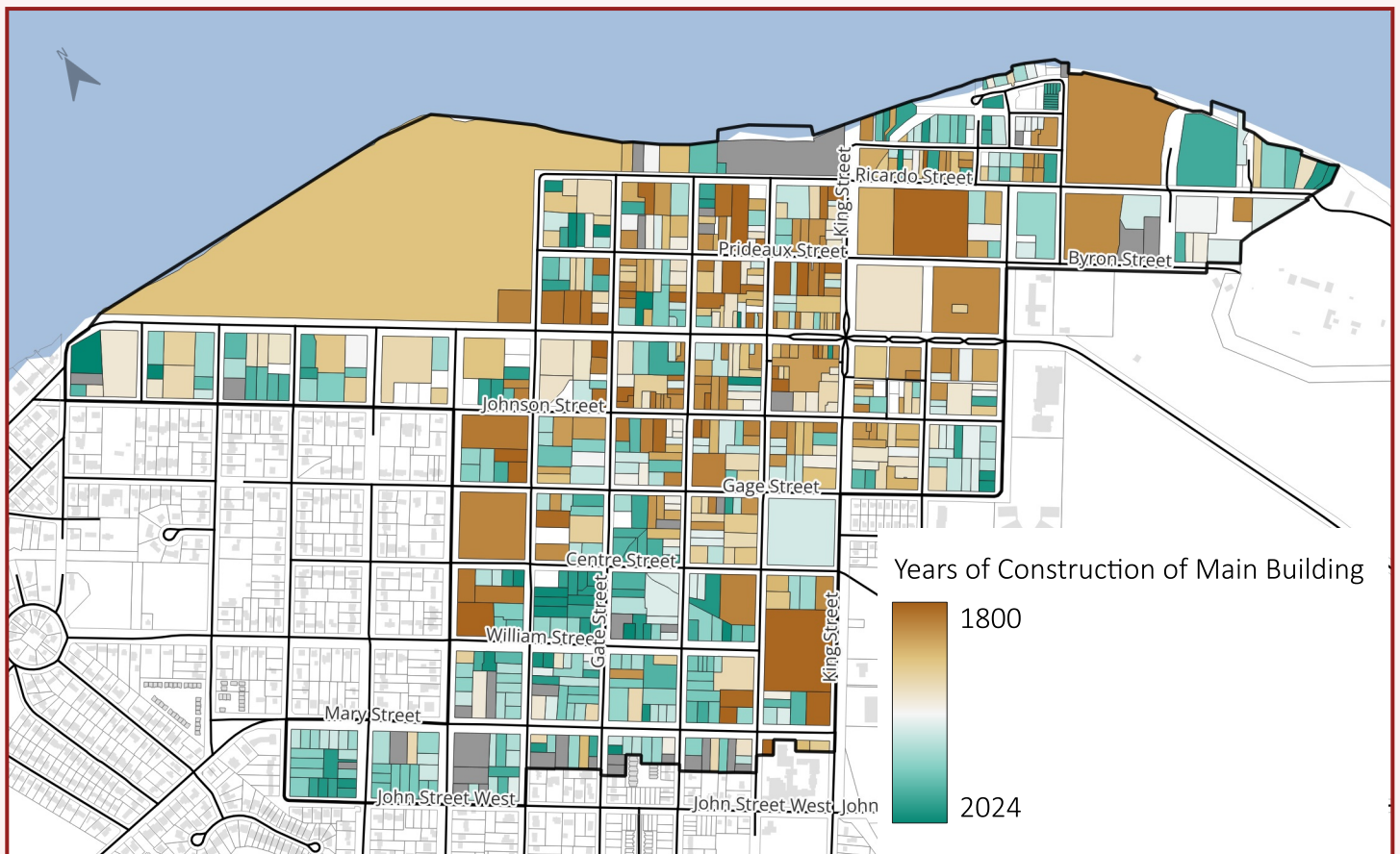


Figure 12- Distribution of Properties in the Study Area According to Their Year of Construction

2.2.3. Architectural styles

The HCD Study Area contains a range of architectural styles representative of its peak of development in the 19th century and deriving from the British and Loyalist architectural traditions. The most common architectural styles in the Study Area are by far the Georgian and the Neoclassical styles. Ontario Cottages, and Colonial Revival buildings are also very prevalent and derive from the original colonial styles.

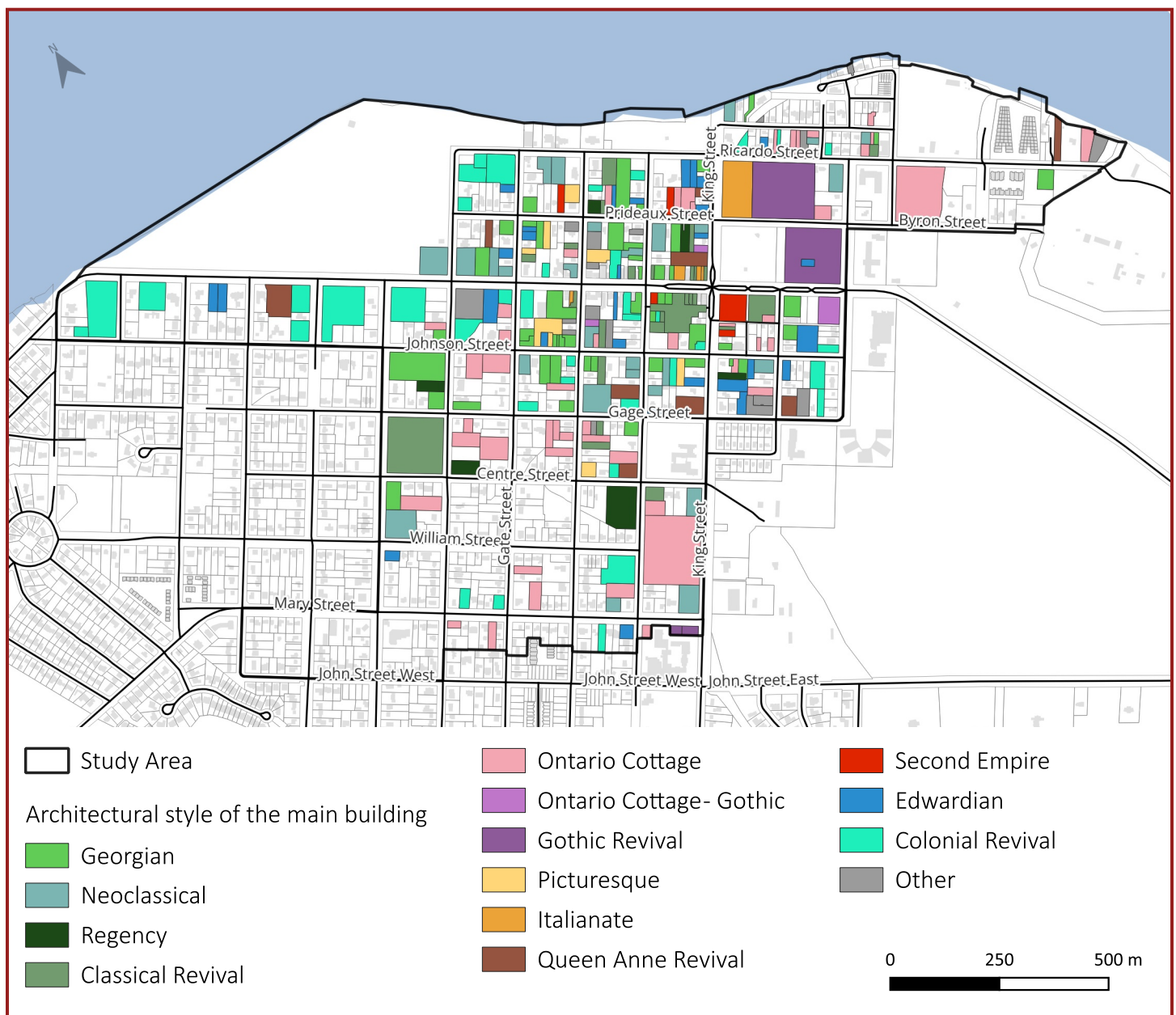


Figure 13- Distribution of Architectural Styles in the Study Area

Georgian (1750s-1860s)

The Georgian style, introduced to Ontario by Upper Canada Loyalists reflects the simple elegance of British architectural traditions. In the Niagara region, these buildings are often constructed of wood, though brick and stone became common over time. Georgian houses are characterized by their balanced proportions, symmetry, and simplicity. They usually include a central formal entry and two-storey façade with three to five bays. Entrances are sometimes embellished with sidelights, transoms, and/or a simple wood trim, and sometimes have a Palladian window above the main entrance on the second floor. The roofs of Georgian homes are usually medium pitched gable or hipped, with paired chimneys and sometimes dormer windows.

In the Study Area Georgian buildings are mostly concentrated around the current HCD boundary, particularly on Johnson Street. A few individual examples can also be seen south of Centre Street.



Figure 14- Example of Georgian Architectural Style, 240 Centre Street. Cultural Spaces, 2024

Neoclassical (1800s-1860s)

The Neoclassical style in Ontario originated as a refined continuation of the Georgian style. Neoclassical houses have symmetrical facades with rectangular windows, typically with

shutters. Houses are typically two or two-and-a-half storeys high, with three or five bays, low-pitched gable or saltbox roofs or square with hip roof, projecting cornices, and return eaves. The distinguishing feature of the style is this design of the entrance that is usually decorated with a semi-elliptical fan transom and delicate glass sidelights. Decorative features, such as finer, sometimes fluted, pilasters with decorated capitals (ionic, doric or Corinthian), provide a lighter and more refined look than Georgian designs.



Figure 15- Example of Neoclassical Architectural Style, 392 Mississauga Street. Cultural Spaces, 2024

In the Study Area, Neoclassical buildings are largely concentrated at the corner of Johnson Street and Regent Street, and on the north side of Queen Street adjacent to the current HCD.



Figure 16- Example of Regency Architectural Style, 342 Simcoe Street. Cultural Spaces, 2024

Regency Cottage (1820s-1860s)

The Regency style is distinguished by its low-profile buildings, which are typically planned as cottages or villas. Regency cottages are typically one-storey buildings with symmetrical facades, low hipped roofs, and tall chimneys. Their square or compact layouts are intended to create visual harmony and are typically positioned to take advantage of views. A Regency home may have wide verandas supported by thin columns, French doors, and large windows. Entrances frequently have Neoclassical ornamentation.

In the Study Area, Regency Cottages are spread out in different locations.

Classical Revival 1820-1860

The Classical Revival style, which includes Greek Revival, is characterized by its symmetrical facades, prominent cornices, and gabled roofs reproducing classical forms such as the Greek temple. Entrances often feature transoms, sidelights, and columns or pilasters with Doric or Ionic capitals. Typically constructed from brick or wood, this style reflects a simplified interpretation of ancient Classical or Greek architecture, emphasizing bold, clean lines and a sense of permanence. The Classical Revival style was widely used for both residential and public buildings during this period.

In the Study Area, the St-Andrews Presbyterian Church is a single notable Greek Revival building.



Figure 17- Example of Classical Revival Architectural Style, 85 Johnson Street. Google Maps, 2024



Figure 18- Example of Gothic Revival Architectural Style, 463 King Street. Cultural Spaces, 2024

Gothic Revival (1830s-1900s)

The Gothic Revival Style originated in Europe. It borrows from medieval European decorative elements such as the characteristic pointed arched openings, buttresses, pinnacles, crenellations (parapet indentations, also known as battlements), and ornamental hoodmoulds over doors and windows. Elements of the style were translated into smaller residences, such as the Ontario Cottage typology where the Gothic Revival detail could consist of Gothic detailing including pointed arched windows, ornamental hoodmoulds, bay windows, verandas, and gable roofs with ornamental roof trim.

The Study Area contains several Gothic Revival buildings, several of which are located along Mary Street.

Picturesque (1850-1870)

The Picturesque style is inspired by 18th-century English landscape and architectural ideals, emphasizes asymmetry, irregularity, and harmony with the natural environment. Common features include steeply pitched roofs, varied gables, decorative bargeboards, and verandahs, often paired with rustic materials and intricate detailing. This style was frequently applied to rural cottages and villas, blending architectural design with the surrounding landscape to create visually appealing and romantic settings.

A notable example in the Study Area is the Part IV designated residence at 129 Victoria Street.

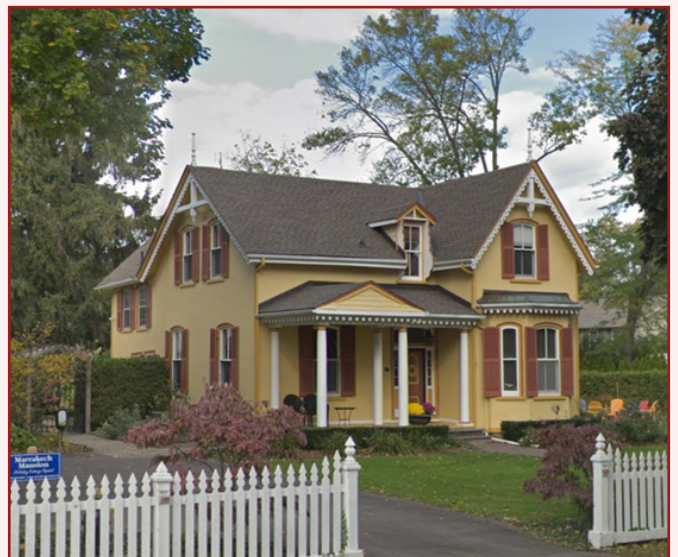


Figure 19- Example of Picturesque Architectural Style, 129 Victoria Street. Google Maps, 2024

Italianate (1850s-1900s)

The Italianate style was popular for both commercial and residential structures in the mid-to late nineteenth century. Residential Italianate architecture is loosely inspired by traditional Italian urban and country houses, with classical decoration. These residences are typically two or two-and-a-half storeys high, with low- to medium-pitched hipped roofs and large overhanging eaves supported by decorative paired brackets, which are frequently duplicated on bay windows. Façades can be symmetrical or asymmetrical, with square or L-shaped designs, and they are occasionally topped with square towers or projecting frontispieces. Tall, thin windows with arched or rectangular openings are frequently paired and topped with ornate moldings. Verandas with fashionable wood details are popular, adding refinement to the design.



Figure 20- Example of Italianate Architectural Style, 17 Byron Street. Google Maps, 2024

In the Study Area there are two Italianate buildings: a section of the Museum and Saint-Mark's Rectory

Second Empire (1860s-1900s)



Figure 21- Example of Second Empire Architectural Style, 31 Prideaux Street. Google Maps, 2024

Second Empire buildings were derived from the period of the "Second Empire" in France (1852-1870) when Napoleon III was ruler, and the style was used in the redesign of Paris with the goal of evoking the prestige and grandeur associated with various periods of French Classical architecture. The style is characterised by mansard roofs with gabled or elliptical dormers, rich ornamentation, and a higher degree of articulation of the façade. Buildings are frequently square in layout, with projecting center towers or end pavilions to enhance grandeur. Smaller buildings and residences in this style are less elaborate but retain ornate details, including tall windows with decorative moldings and roofs or balconies adorned with iron cresting.

In the Study Area one notable Second Empire cottage is located at 31 Prideaux Street.

Queen Anne Revival (1880s-1900s)

The Queen Anne Revival style combines classical and Medieval English elements to create opulent and ornate residences. These large, asymmetrical homes have characteristic offset towers, significant chimneys, and steep hipped roofs. Their eclectic character is enhanced by wide verandas and a variety of external cladding materials. Gothic, Tudor, and Greco-Roman elements are used in ornamentation, such as sculpted terracotta, leaded windows, and carved wood fascia boards.

Six examples of Queen Anne Revival are present in the Study Area, with several grouped only a block away from the current HCD.



Figure 22- Example of Queen-Anne Revival Architectural Style, 277 Regent Street. Google Maps,

Edwardian (1890 – 1930)

The Edwardian style uses classical motifs. However, it diverges from the academic demands of rigidity to classical rules which results in a freer use of ornament and arrangement. For residential constructions, the style is noted for its simplified and restrained classical detailing including its regular

window rhythm, pediments, columned entrances or porticos, simple rooflines (sometimes with subtle classical details like dentil moldings), bay windows, and dormers.

This style includes two variants:

The American Four Square, which can be characterized by its square floor plan, pyramidal hipped roof, centered dormer on the front façade, and simple yet functional design, became a popular variation of the Edwardian architectural style.

Edwardian Arts and Crafts architecture emphasizes handcrafted details, natural materials, and simplicity, blending traditional craftsmanship with a more functional and modern aesthetic. A few houses in the study area also include Tudor features.



Figure 23- Example of Edwardian Architectural Style, 133 Regent Street. Google Maps, 2024

Colonial Revival (1860 – c. 1914)

Colonial Revival architecture draws inspiration from earlier Loyalist architecture, specifically Georgian and Neoclassical styles. These designs often feature symmetrical facades, classical detailing, and references to the cultural influences of early settlers. Modern Colonial Revival buildings adapt these historical forms using contemporary materials and construction methods.

Many Colonial Revival buildings can be found in proximity to water, along Queen Street and in the blocks between Front and Prideaux streets.



Figure 24- Example of Colonial Revival Architectural Style, 228 Queen Street. Google Maps, 2024



Figure 25- Example of Ontario Cottage Architectural Style, 46 Mary Street. Google Maps, 2024

Ontario Cottage (19th century)

The Ontario Cottage, a popular residential form in the mid-19th century, is a modest, one-and-a-half-storey house characterized by its symmetrical façade and central entrance located on the long side of the cottage. Typically built with local materials such as wood, brick, or stone, these cottages reflect practicality and simplicity while incorporating vernacular decorative elements like bargeboards and verandahs. Additionally, they may incorporate elements of the Gothic Revival style by featuring a central pointed gable and Gothic-inspired pointed window. In the Study Area, most Ontario Cottages incorporate colonial decorative elements and resemble a miniature version of the Georgian Style residences.

2.2.4. Height

Most buildings in the Study Area range between 1 and 2 ½ storeys. Buildings of bigger stature are associated with institutional uses.

Residential Height

Residential buildings within the Study Area usually range from 1 to 2 ½ storeys, depending on the architectural style and construction of the building.

Commercial Height

Commercial buildings, mainly concentrated within the Queen-Picton area, are often higher than those in the residential areas. They usually range from 2-3 storeys, with lower levels larger than upper levels.

Institutional Height

Institutional buildings, such as those built as schools or churches, are usually larger buildings with between 2-3 storeys. They often, although not always, have defining features and specific characteristics which mark them as institutional buildings.

Summer Homes Height

The Summer Homes along Queen Street vary in size and height depending on their architectural styles, although they generally are between 1 ½ and 2 ½ storeys in height and expand across a large area of land.

2.2.5. Streetscape Analysis

The streetscapes in the Study Area reflect a range of setbacks, densities, and landscape features, contributing to the distinct character of each area.

Residential Area

The residential character area includes shallow to moderate setbacks, creating a more compact layout compared to other areas. In most cases, 19th-century properties in this area tend to have shallower setbacks compared to those built in later periods, reflecting changing preferences over time. Tree-lined sidewalks are a common feature, providing a sense of continuity throughout the neighborhood. Roads in this area range from modest to moderate widths, reinforcing the area's residential character.

Commercial Area

The commercial area is concentrated around Queen Street and Picton Street. The area includes a variety of architectural styles, all of which are generally 3 storeys or fewer. The streetscape has consistent storefronts on the ground floor of most buildings, with a large, open roadway and wide, tree-lined sidewalks. There is often a very shallow setback for these buildings from the sidewalks.

Summer Homes Area

The summer homes area is characterized by deep setbacks and large plots of land, creating a low-density environment with an abundance of trees. This natural and private environment reflects its seasonal and recreational use as well as the prominence of the families once associated with them.

Institutional Area

The institutional area streetscape features deep setbacks and expansive plots of land, surrounded by mature tree coverage. This arrangement emphasizes the importance and permanence of the institutional buildings while maintaining an open and formal character.

There are a number of parks within the proposed HCD which are now a defining aspect of the historic environment. Simcoe Park was originally a military reserve which once it was removed from that reserve in the 1930s was officially transformed into a park. Prior to that, the Town and its residents had introduced various elements, such as a bandstand in the 1900s, that shows that for many years, it was treated as a park, even if done so unofficially. Queen's Royal Park was once the site of the Queen's Royal Hotel built in 1868. The hotel was demolished in 1930 after years of declining tourism and the site became a park. As for the golf course, it is the most prominent green space in Niagara-on-the-Lake. Originally a military reserve, it became a golf course in 1875.

2.2.6. Viewscape Analysis

Viewscape refers to visual or landscape elements which can be observed from specific locations, often highlighting natural, cultural, or historical features. These may include specific vistas that contribute to the character areas of Niagara-on-the-Lake and can provide a sense of place which help maintain the visual integrity of the areas.

Residential Area

The views from Front Street to Queen's Royal Park, and beyond to Lake Ontario, directly link the residential area to the waterfront. These views, found specifically between King Street and Victoria Street, show the importance of the waterfront and the lake to the development of the town. The open green space of Queen's Royal Park, the promenade along the water, and the link between Front Street and King Street bordering the park provide picturesque vistas which are linked to tourism in Niagara-on-the-

Lake today. Direct view lines are also provided to Fort Niagara which sits across the mouth of the river in the United States and is a reminder of the origins and history of the Town.

Commercial Area

Within the commercial district, two notable viewscape both extend from the intersection with King Street. The first is the view from King Street along Picton Street and includes the Prince of Wales hotel and a number of other contributing properties on Picton Street, many of which can be linked to the growth and prosperity of the region as a thriving cultural and tourist hub. The view is bordered by Simcoe Park, an open green space in the heart of downtown Niagara-on-the-Lake.

The second view of note is from King Street along Queen Street. This area was historically the commercial district and continues to have mainly commercial ties in the streetscape today. The wide road and sidewalks connect to the area's history as a commercial zone, and the view towards the Cenotaph and Court House connects to political and historical monuments.

Summer Homes Area

The main views of the Queen Street summer home character area connect the large residential houses and lots to the golf course, Fort Mississauga and the waterfront of Lake Ontario. Historically, these connections show the progression of the region from military hub to a place of recreation, tourism, and prosperity. The wide, open green space of the golf course, previously used as a military reserve and training ground, was adapted for recreational pursuits in 1875 and connects to the prosperity of the region from the 1860s until the 1910s. The continued connection between the residential homes, the recreational green space, and Fort

Mississagua as a military heritage point, should be maintained as part of the Town's unique views

Institutional Area

While there are many notable and important institutional buildings in Niagara-on-the-Lake, there are no distinct institutional views which have been associated with the region.



Figure 26- View of the Queen's Royal Park. Google Maps, 2024



Figure 27- View of the Queen Commercial Street. Google Maps, 2024

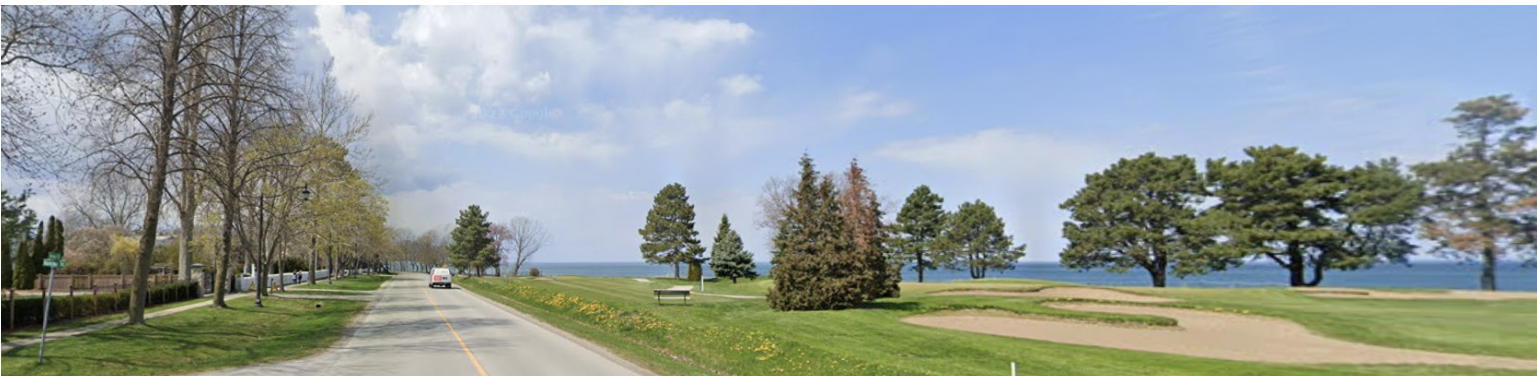


Figure 28- View of the Queen Street Summer Homes Area Including the Golf Course. Google Maps, 2024

2.3. Periods of Significance

2.3.1. Rebuilding (c. 1814 – c. 1829)

From about 1814 to 1829, Niagara-on-the-Lake was being rebuilt following its destruction during the War of 1812. Indeed, in December 1813, American sympathizers and armed forces had captured the town and set fire to nearly all its buildings, including government structures and homes, to prevent it from falling into enemy hands. As a result, the town was left in ruins, with only a few buildings surviving.

Over the next several decades, the town was rebuilt, which gave shape to the first transformative period and impacted its design and architecture. The architecture during this period was heavily influenced by Georgian and Neoclassical styles, which were common in British colonial architecture. Georgian buildings were predominant in the town's residential areas. Some elements of Regency styles also appeared in Niagara-on-the-Lake at this time.

St. Mark's Anglican Church, restored in 1827, was one of the most notable structures from this time, reflecting the Georgian style. Several private homes also contributed to the Town's new architectural character.

By the late 1820s, Niagara-on-the-Lake was not only rebuilding its physical fabric, but also emerging as a cultural and agricultural hub, with its architecture playing a key role in shaping its identity.

2.3.2. Growth (c. 1830 – c. 1859)

As Niagara-on-the-Lake continued to recover from the impact of the War of 1812, key developments in infrastructure and tourism during the 1830s led to an increase in growth and

economic importance for the area surrounding Niagara-on-the-Lake that lasted until the late 1850s.

The establishment of the Niagara Harbour and Dock Company played a crucial role in the town's economic revitalization by improving its waterfront infrastructure, enhancing shipbuilding practices, and placing Niagara-on-the-Lake at the forefront of trade and transportation in the region. The increased accessibility to shipping and goods attracted new businesses and commercial opportunities to the dock area, including shipbuilding, a tannery, basket factories, and canning operations. These economic advancements promoted a shift of business towards the downtown core, with the establishment of the Queen-Picton Street commercial area centered around Queen Street, Picton Street, King Street, and Regent Street, which became the heart of the town's governmental, commercial, and institutional activities. The consistency of settlement pattern along with the diversity of building types and styles are illustrative of the shaping of this commercial district in the Queen-Picton Street area and serves as evidence of the Town's newfound prosperity and growth during the 19th century. Residential areas continued to expand between the dock area and the commercial district, extending further west along the waterfront and south towards agricultural areas.

As the town experienced an economic boom, residential architecture began to reflect more elaborate styles with additional decorative features. Regency and early Victorian styles began to appear in the late 1830s, introducing softer, more asymmetrical designs, rounded windows, and ornamental details.

By the late 1840s and early 1850s, the construction of the Welland Canal, the disappearance of the Dock and Harbour Company, and the decline of the shipping industry led to the disuse of the shipping and dock area. During this time, Niagara-on-the-Lake was also part of the Underground Railroad network of routes and safehouses which assisted enslaved people fleeing the United States and seeking freedom in Canada. The Town became an area for previously enslaved people to settle and put down roots in the Niagara region.

During the 1850s, Niagara-on-the-Lake shifted its focus as a trade hub to becoming a tourist destination, capitalizing on its natural beauty and historical significance. The establishment of the railroad from Niagara-on-the-Lake in 1854 once again boosted the town's tourism sector, making it easier for visitors to access. This development, combined with the increasing prominence of the orchards and viticultural industries and the town's appeal as a summer retreat, contributed to Niagara-on-the-Lake's economic boom in the mid-19th century.

During the late 1850s, wealthy families, drawn to the area by tourism and commerce, built homes with Gothic Revival and Italianate structures which often featured pointed arches, steep pitched roofs, ornamental cornices, and balconies.

This period of growth and economic improvement allowed for the expansion of religious institutions around Niagara-on-the-Lake, with the construction of St. Andrew's Presbyterian Church (1859) and renovations to St. Mark's Anglican Church. The economic influx supported a revitalized cultural life, with a rise in artistic and theatrical activities, mainly supported by the steady increase in tourism.

2.3.3. Prosperity (c. 1860 – c. 1914)

From 1860 to 1914, Niagara-on-the-Lake experienced significant prosperity, transitioning to a cultural and architectural hub, particularly as a major tourist destination. By the late 1860s and 1870s, the town saw an influx of wealthy visitors, particularly from the United States, drawn to its lakeside setting, cultural attractions, and historical sites. During this time, tourism infrastructure expanded with an increase in hotels, guesthouses, and boarding houses, to support the growing tourism industry. Public buildings along with several entertainment and theatrical venues, were also completed. Additionally, recreational spaces and leisure areas became popular, such as the Niagara-on-the-Lake Golf Course which was opened in 1875 on the previous military reserve of Fort Mississauga.

Wealthy visitors and locals expanded both the size and elaborateness of their residences, with larger homes and plots, particularly along the waterfront, reflecting the town's growing status as a resort community. New architectural styles included Late Victorian and Edwardian influences, such as the Queen Anne Revival. This style was used in some hotels and residences which was characterized by asymmetry, decorative woodwork, turrets, decorative trim, and vibrant colours. Second Empire elements also gained popularity, with dormer windows and mansard roofs, and were typically used in larger public buildings.

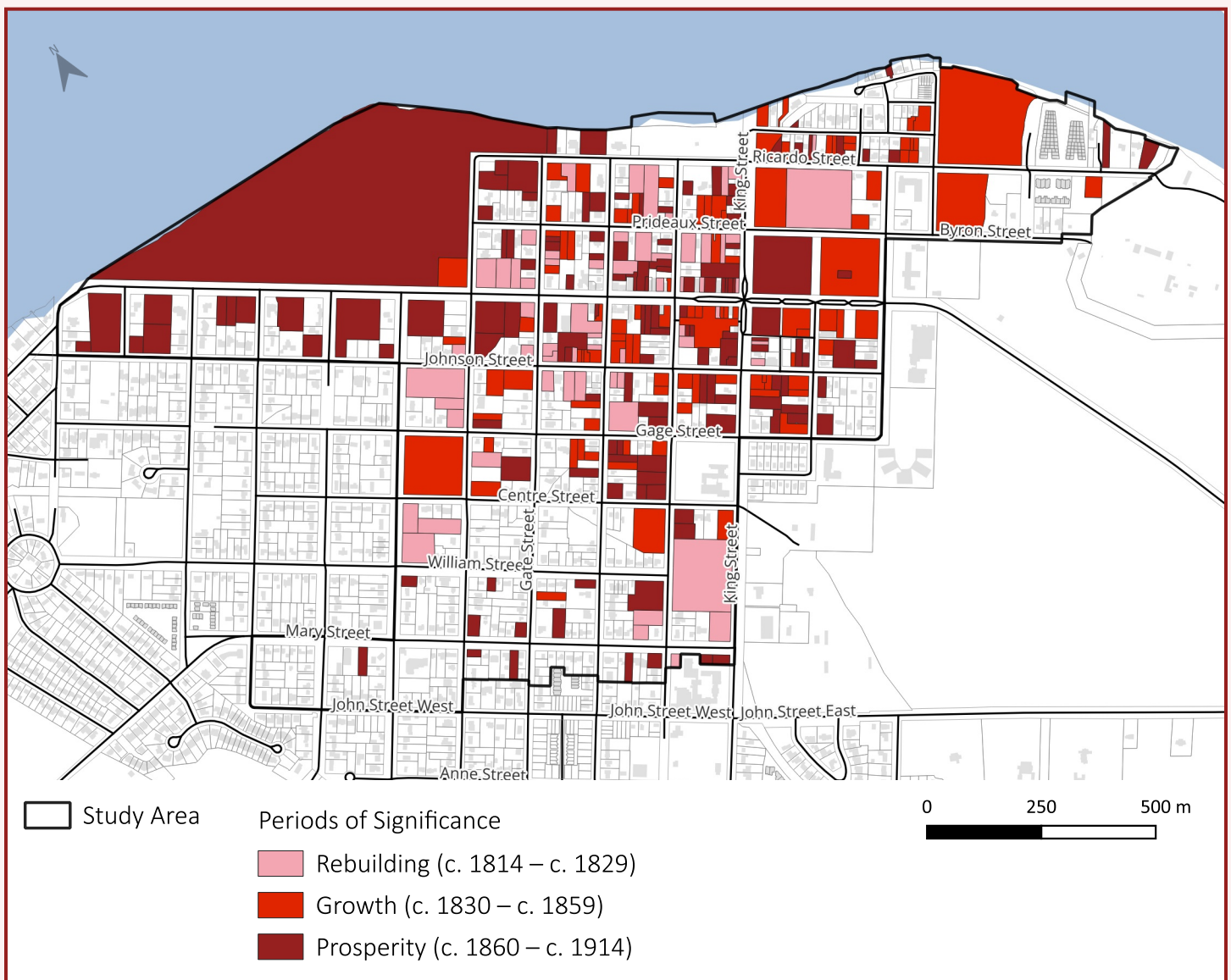


Figure 29- Distribution of Properties in the Study Area According to Their Period of Significance

2.4. Criteria for Determination of Cultural Heritage Value

2.4.1. Current HCD value definition

The current HCD was designated under the original direction of the *Ontario Heritage Act* which did not mandate a statement of significance or the identification of contributing properties. As such, this HCD study considered the statements of value made in the current HCD plan to derive the intent of heritage significance at the time. From that evaluation, the key arguments are related to the combination of quality architectural styles covering most of the 19th century, the commercial buildings, the residential properties surrounding them, and the general layout of the Town.

Furthermore, the assessment of value for each property included in the current HCD needed to be translated from the four categories at the time to the assessment as a contributing or non-contributing property, in compliance with today's requirements in the OHA.

Category "A" buildings have architectural and / or historical value as they contribute to the visual integrity of the district streetscape, and they support and define the character of the area and the individual building. Historical value is defined, in the guidelines, in relation to building features of the classical British architectural traditions until 1900. This includes the identification of notable architectural styles such as Georgian (1785-1820), Neo-Classical (1810-1830), Classical Revival (also known as Greek Revival) (1830-1860), Gothic Revival (1850-1870), Picturesque (1850-1870), Italianate (1850-1870), and Queen Anne (revival) (1885-1900).

Under the current OHA regulation, **type "A" buildings** satisfy criteria i., and/or iv., vii, and viii, as outlined in section 2.4.2 of this report. Most

of these buildings can be defined as contributing.

Category "B" buildings have contextual value as they contribute to the visual integrity of the district streetscape, and they support and define the character of the of the area, although they do not necessarily have individual historic or heritage value.

Under the current OHA regulation, type "B" buildings might satisfy some of the OHA criteria or none of them. Each building needs to be assessed individually.

Category "C" buildings are both new and old and are unrelated to the historic or visual character of the street. These buildings can be defined as non-contributing.

2.4.2. Ontario Heritage Act (OHA) Criteria

The following criteria are requirements of the *Ontario Heritage Act* as stated in Section 41 (1) (b) of the Act, for the Designation of Heritage Conservation District under the Act. O. Reg. 569/22, s. 1. Under subsection 41 (1) of the Act, a municipality or any defined area or areas of it may be designated as a heritage conservation district if it meets the following criteria:

- At least 25 per cent of the properties within the municipality or defined area or areas satisfy two or more of the following:
- The properties have design value or physical value because they are rare, unique, representative or early examples of a style, type, expression, material or construction method.
- The properties have design value or physical value because they display a high degree of craftsmanship or artistic merit.

- The properties have design value or physical value because they demonstrate a high degree of technical or scientific achievement.
- The properties have historical value or associative value because they have a direct association with a theme, event, belief, person, activity, organization or institution that is significant to a community.
- The properties have historical value or associative value because they yield, or have the potential to yield, information that contributes to an understanding of a community or culture.
- The properties have historical value or associative value because they demonstrate or reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
- The properties have contextual value because they define, maintain or support the character of the district.
- The properties have contextual value because they are physically, functionally, visually or historically linked to each other.

The properties have contextual value because they are defined by, planned around or are themselves a landmark. O. Reg. 569/22, s. 1.

CRITERION	YES/NO	SIGNIFICANCE
i. The properties have design value or physical value because they are rare, unique, representative or early examples of a style, type, expression, material or construction method.	Yes	<p>The Study Area represents the residential, industrial, commercial, and institutional development of Niagara-on-the-Lake during the 19th and early 20th centuries.</p> <p>Niagara-on-the-Lake includes buildings representative of a variety of architectural styles and characteristics, including Georgian, Neoclassical, Regency, Classical Revival, Gothic Revival, Italianate, Second Empire, Queen Anne Revival, Tudor Revival, Edwardian, Picturesque, and Colonial Revival. Building materials mainly consist of brick or clapboard and are representative of the style of their construction.</p> <p>Following the destruction of the town during the War of 1812, the town grew into a hub of trade and tourism, with the harbour and commercial areas developing alongside the residential spaces. The town plan maintains the original grid pattern which was representative of early colonial settlements, lending to a consistency of design and structure in early town planning.</p> <p>Religious and institutional buildings in the area include St. Mark’s Church (one of the oldest Anglican churches in Canada), St. Andrew’s Presbyterian Church, and St. Vincent de Paul Roman Catholic Church, all of which represent different styles of construction for the growing local community.</p> <p>The Study Area contains three examples of open green spaces, designed during a time of growth and prosperity. Simcoe Park, Queen’s Royal Park and the Niagara-on-the-Lake golf course, all of which are reflective of a time where increased tourism and prosperity in the region required the establishment of leisure and recreational areas.</p>

CRITERION	YES/NO	SIGNIFICANCE
ii. The properties have design value or physical value because they display a high degree of craftsmanship or artistic merit.	No	N/A
iii. The properties have design value or physical value because they demonstrate a high degree of technical or scientific achievement.	No	N/A
iv. The properties have historical value or associative value because they have a direct association with a theme, event, belief, person, activity, organization or institution that is significant to a community.	Yes	<p>The Study Area is closely associated with the settlement and prosperity of the Niagara region, including a number of important events and periods of development for the town of Niagara-on-the-Lake.</p> <p>Rebuilding (c. 1814 – c.1829) War of 1812; burning of the Town in 1813; original grid settlement pattern and street layout maintained; Georgian and Neoclassical styles maintained as part of colonial settlement; residential areas developed close to the waterfront.</p> <p>Growth (c. 1830 – c. 1859) Establishment of Niagara Harbour and Dock Company (1832); waterfront development, shipbuilding, increased trade and transportation; new business opportunities attracted by commercial opportunities; enhancement of Queen-Picton Street commercial area; residential areas expand from harbour to commercial district and along waterfront; construction of Welland Canal and decline of shipping industry; shift from trade to tourism destination; establishment of railroad in 1854; increase in agriculture and viticulture.</p> <p>Prosperity (c. 1860 – c. 1914) Area becomes a large tourism hub; increase in tourism infrastructure; wealthy families, particularly from the United States, build elaborate summer homes; areas for leisure and recreation, like the Niagara-on-the-Lake golf course, become popular; town becomes a resort community.</p>

CRITERION	YES/NO	SIGNIFICANCE
v. The properties have historical value or associative value because they yield, or have the potential to yield, information that contributes to an understanding of a community or culture.	No	N/A
vi. The properties have historical value or associative value because they demonstrate or reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	No	N/A
vii. The properties have contextual value because they define, maintain or support the character of the district.	Yes	The properties constitute the historic and geographic heart of the town of Niagara-on-the-Lake, and the area's related development. The selected character areas of the residential area, summer homes, and institutional spaces reflect the historical development, growth, and prosperity of the region over 100 years of evolution.
viii. The properties have contextual value because they are physically, functionally, visually or historically linked to each other.	Yes	Many of the buildings maintain historical connections to each other and the Town as a whole. The residential, commercial, and institutional architecture display a cohesive narrative, showing the historical evolution of Niagara-on-the-Lake from 1814 through to 1914. A wide variety of architectural styles attests to the ongoing development of the Niagara-on-the-Lake region, cohesively displaying the growth and changes to the Town which happened during different eras of development.
ix. The properties have contextual value because they are defined by, planned around or are themselves a landmark.	No	N/A

2.5. Integrity

In addition to the criteria listed in the *Ontario Heritage Act* under Section 41, a criterion of integrity was developed to evaluate the coherence and authenticity of the Study Area. Although the OHA does not specifically define requirements for integrity of built forms within the HCD, it is identified in Section 5.3 of the Ontario Heritage Trust's Toolkit on Heritage Property Evaluation. The Toolkit states that:

Integrity is a question of whether the surviving physical features (heritage attributes) continue to represent or support the cultural heritage value or interest of the property (OHTK, Heritage Property Evaluation, 26).

This Study considers that the designation of a Heritage Conservation District depends, in part, on observations regarding both the

overall integrity and character of the area and a completeness of heritage attributes. This is reflected in how consistent the buildings, spaces, and resources are with the district's cultural heritage values. With these guidelines, the determination of integrity for individual properties within the Study Area were classified under three categories:

- Altered (slight alterations to exterior, small additions, modifications or upgrades that could be seen on the exterior, etc.)
- Significantly altered (alterations which changed the physical look or footprint of the house)
- Lost (alterations were so extensive that the original fabric is unrecognizable, and the character and value of the house is gone)

Once individual integrity is established, a determination of general integrity for the district can be reached.

CRITERION	SIGNIFICANCE
Integrity can be determined through an analysis of a district's physical fabric to ensure that common characteristics/features of the district (architectural, associative, thematic, etc.) continue to reflect and communicate the values and character that make the area significant.	<p>Many areas show a high level of historical and architectural coherence, particularly in relation to the Periods of Significance. The consistency of architectural styles, streetscapes, and historic importance throughout all character areas provides a narrative centered around the evolution of Niagara-on-the-Lake from just after the War of 1812 to the beginning of World War I. The consistency of narrative spans from the harbour area, through the Queen-Picton commercial region, and expands out through the surrounding residential areas.</p> <p>The residential, institutional, and summer home character areas all maintain a high degree of historical and architectural coherence, reflecting styles such as Georgian, Neoclassical, Regency, Classical Revival, Gothic Revival, Italianate, Second Empire, Queen Anne Revival, Tudor Revival, Edwardian, Picturesque, and Colonial Revival. These styles, constructed between 1814 and 1914, are distinguished by their consistency of features and their continued prevalence to the historic character of the entire area.</p>



3 LEGISLATIVE AND POLICY FRAMEWORK

3.1. Review of Current Planning Framework

3.1.1. Provincial Planning Statement (PPS), 2024

The *Ontario Planning Act* is the provincial legislation that governs land use planning. It provides strong policy direction that includes cultural heritage conservation as part of municipal and provincial decision making. Issued under section 3 of the *Planning Act*, the most recent PPS came into effect October 20, 2024. The statement provides policy direction for planning authorities and directs them to generate PPS-consistent and conforming official plans, policies, and zoning bylaws.

Regarding heritage protection, the vision of the PPS highlights cultural heritage and archaeology in Ontario as a tool to promote a sense of

place and recognises the role of meaningful engagement and knowledge-sharing with Indigenous communities for decision making in land use and planning.

In the PPS, Section 2.6 “Cultural Heritage and Archaeology” encourages conservation of built heritage resources and cultural heritage landscapes and prohibits development and site alteration on lands adjacent to protected heritage property, unless it is demonstrated that the heritage attributes of the protected heritage property can be conserved. Additionally, where there may be Indigenous cultural heritage or archeological resources, planning authorities must engage with Indigenous communities.

Protected heritage property: means property designated under Part IV or VI of the Ontario Heritage Act; property included in an area designated as a heritage conservation district under Part V of the Ontario Heritage Act; property subject to a heritage conservation easement or covenant under Part II or IV of the Ontario Heritage Act; property identified by a provincial ministry or a prescribed public body as a property having cultural heritage value or interest under the Standards and Guidelines for the Conservation of Provincial Heritage Properties; property protected under federal heritage legislation; and UNESCO World Heritage Sites.

The PPS focuses on Protected Heritage Property under the OHA which by extension applies to an HCD. Policies in the PPS apply to the HCD.

3.1.2. Regional Official Plan, 2024

The Regional Official Plan is a strategic policy framework for managing growth in Niagara. It guides general policy for development and sets the base for local municipalities' own official plans. The region's vision for 2051 is:

Niagara is a region of distinct, vibrant and connected urban and rural communities. Niagara Region will support and grow a sustainable and diversified economy while providing exceptional quality of life for all, and protecting our beautiful natural landscape.

In relation to planning policies within the Old Town area in Niagara-on-the-Lake, the Regional Official Plan addresses built-up areas, the protection of cultural heritage and archaeological resources.

Built-up areas

The Old Town urban area is a designated built-up area in the Regional Official Plan, which is intended to accommodate the forecasted population growth through intensification. Out of the four other urban areas in the Town, 2.5 are also designated as built-up areas (see figure 30). The minimal residential intensification target for NOTL municipality is set to 1,150 units, which can be distributed across all designated built-up areas (2.2.2.6). The regional plan advises local municipalities to conserve and reuse (2.2.1.1.j) cultural heritage resources when managing growth in urban areas.

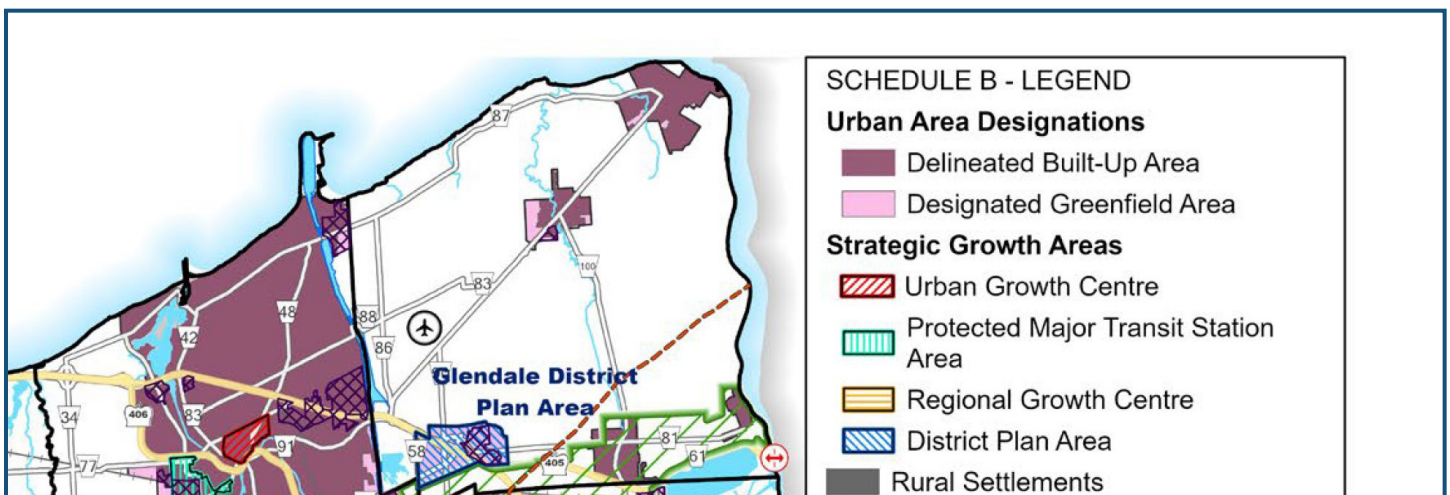


Figure 30- Extract from "Schedule B- Regional Structure", Regional Official Plan 2024

Considering that the regional policies are very recent, the Town has not drafted its own policies for intensification in response to the regional plan. It is important to recognise where the HCD can accommodate intensification and how to manage development to respect and complement the historical value of the district.

Cultural Heritage Resources

The region is committed to supporting culture-based tourism by promoting high quality urban design to foster a sense of place through the conservation of significant heritage resources (4.5.2.1.e.iv.). The regional plan gives responsibility to the Region to manage infrastructure maintenance and projects with utility providers to minimise impacts to cultural heritage resources.

Section 6.5 of the regional plan is dedicated to cultural heritage and requires the conservation and promotion of cultural heritage resources.

Archaeological resources

As part of a policy in the Official Plan (6.4.1.1), the region of Niagara has prepared an Archaeological Master Plan. This masterplan requires local municipalities to impose an archaeological assessment for all developments that submit a planning application within areas of archaeological potential. If the development only needs a building permit, the archaeological assessment is not needed. Roughly the entirety of the Study Area has been identified as having archaeological potential.

Additionally, the Official Plan requires local municipalities to engage with First Nations and Indigenous communities when identifying, protecting, and managing cultural heritage resources, as well as keeping an updated list of Indigenous communities' contacts (6.4.2.8).

As such, any planning application within the current and future HCD will trigger an archaeological assessment as well as the requirement to engage with First Nations and Indigenous communities. It will be important to consider this process as part of the HCD plan.

3.1.3. Current NOTL Official Plan, 2017

The current Official Plan (OP) was last consolidated in 2017. In 2019, City Council adopted the draft 2019 Official Plan, but it is not yet in force.

Urban Structure

In the current OP, the Old Town urban area is designated as Built-up Area, including a few intensification parcels outside the Study Area. These policies may be outdated since new intensification policies were published by the Niagara Region in 2024.

Heritage Resources

The Official Plan sets goals and objective for the heritage resources management and protection in the Town. The main goals and objectives, of which the first five directly affect any existing or future HCD, focus on:

- Protecting architectural and historical integrity within the town;
- Promoting new designs that harmonize with the historical character without imitating it;
- Discouraging actions that could harm heritage resources;
- Ensuring developments near HCDs complement the heritage character;
- Finding sustainable and adaptive uses for heritage properties;
- Incentivizing private initiatives for designation under the Ontario Heritage Act; and
- Recognizing the importance of archaeological sites.

Specific heritage policies identify criteria for designating and managing HCDs and for assessing new development that might affect heritage resources.

Land Use

Several Land uses are designated in the official plan within the Study Area, namely Established Residential, General Commercial, Open Space, Marina, Marine Commercial and Medium-Density Residential. The policy outlines for each Land use are described below.

Established Residential

Policies for established residential areas emphasize maintaining low-density development, including single-detached, semi-detached, and duplex dwellings, while ensuring compatibility with the existing character. Heritage protection is central to these policies, as developments must preserve the historical integrity of the area. Conversions such as accessory apartments or bed-and-breakfast establishments are allowed but regulated to maintain the residential and

heritage qualities. Larger-scale changes are scrutinized to ensure they do not compromise the neighborhood's historical value.

General Commercial

Commercial areas support a mix of uses that serve local and tourist needs. Policies require that developments align with the historical character of the area, particularly in heritage-sensitive zones like Old Town. Architectural design, signage, and streetscapes must respect the historic setting, and adaptive reuse of heritage buildings for commercial purposes is encouraged. Protection of views and integration with surrounding historical contexts is a key consideration.

Open Space

Open space policies prioritize the preservation of natural and cultural heritage features which contribute significantly to the town's character. Developments in or near open spaces must respect historical landscapes, avoid disrupting viewsheds, and incorporate measures for conservation. Should lands be deemed

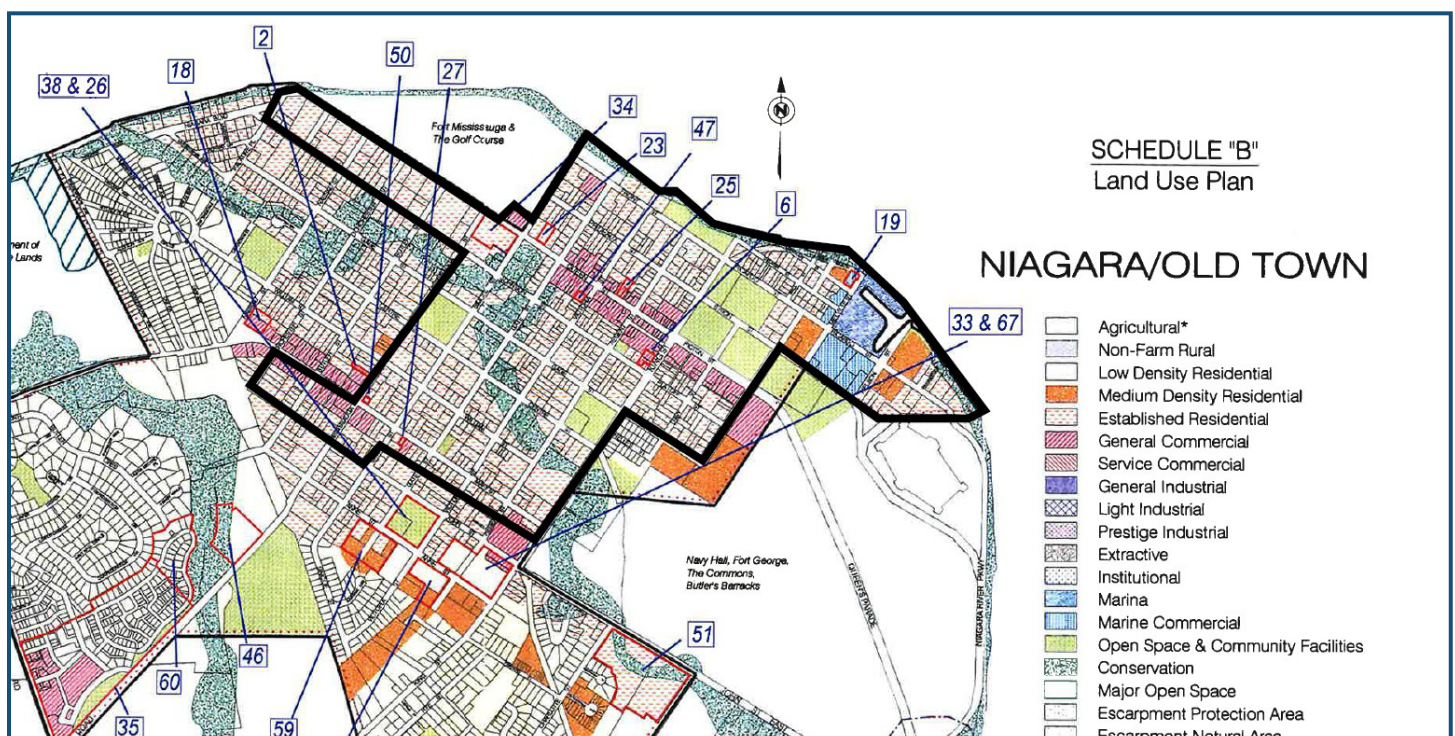


Figure 31- Extract from Schedule B: Old Town Land Use, Official Plan 2017

surplus, efforts must ensure they remain publicly accessible and contribute to heritage conservation goals.

Marina

Policies for marina land use emphasize their role in tourism and recreational activities while safeguarding the waterfront’s historical and environmental integrity. Developments must minimize disruption to historical views and respect the area’s cultural significance. Adaptive reuse of historical structures for marina-related purposes is supported, provided they align with the heritage character of the waterfront.

Marine Commercial

Marine commercial zones cater to tourism and water-based activities. Policies stress the protection of historical sites and the integration of new developments with the historical and cultural landscape. Building designs must align with the architectural heritage of the area, and developments should prioritize adaptive reuse of historical buildings wherever feasible.

Medium-Density Residential

Medium-density residential areas support townhouses and low-rise apartments, provided they respect the established character and heritage of the community. Developments must be compatible with adjacent heritage sites, maintain appropriate scale and massing, and contribute to preserving the neighborhood’s historical context. Landscaping, setbacks, and design details must align with the heritage value of the area to ensure continuity.

Amendments to the Official Plan regulation can be achieved but require a process of approval from the Municipality and even the region, which take into account the heritage value of designated properties or areas.

Dock Area: Special Policy Area A-8

The official plan includes a special policy area, also referred to as Dock Area Secondary plan, that covers the dock area from King Street to Fort George (see figure 32). The Dock area is divided into seven character areas with distinct guiding principles for development and infill. The protection of the existing fabric in the special policy area was intended with demolition control by recommending a Demolition Control By-law, which has not been enacted since. Nonetheless, although these special policies provide with guidelines that are inline with heritage protection principles, changes to the historic fabric of the Deck were made before the implementation of the Official Plan in 2017.

3.2. Zoning By-law

Zoning regulations are intended to control site development and implement the broader policies set out in the Official Plan. Essentially, zoning translates the higher-level directions of the Town’s Official Plan into specific rules that regulate how land can be used, where buildings and other structure can be located, the types of buildings that are permitted and how they may be used, and building heights and setbacks from the street. These parameters have a direct impact on streetscapes, and the overall visual and historic quality of the District. For that reason, the Zoning By-law is the first development management tool that can support heritage protection and conservation.

3.2.1. Zoning regulations

Following are the most relevant zoning regulations for this study and their definitions from the Town’s Zoning By-law:

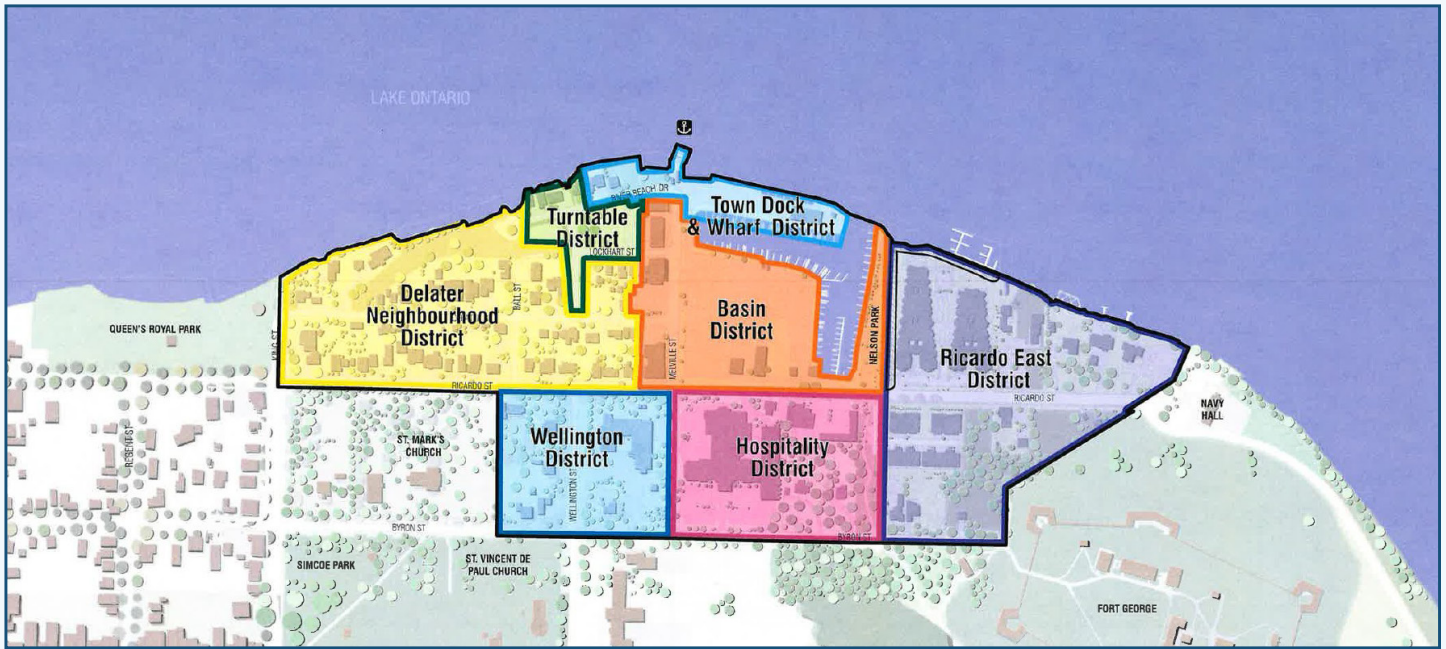


Figure 32- Schedule B2 : Character Area Districts, Official Plan 2017

Building height: when used in reference to a building or structure, means the vertical distance measured from the average finished grade around the structure to the peak, except:

- (a) In the case of a flat or shed roof, the highest point of the roof's surface;
- (b) In the case of a structure not having a roof, the uppermost part of such structure; or
- (c) Where an exterior wall other than a required fire wall extends above the top of the roof of a building, the topmost part of such exterior wall.

Landscaped open space means the area of a lot which is at finished grade or terraced and primarily used or intended to be used for the growth and maintenance of grass, flowers, trees, shrubbery, natural vegetation and indigenous species and other landscaping and includes any buffer strip, surfaced walk, surface patio, swimming pool, but shall not include any access

driveway, ramp, parking area or loading spaces or any open space beneath, above or within any building or structure.

Lot coverage means the percentage of the lot area covered by buildings, including accessory buildings, bay / cantilevered windows, covered porches and verandas, covered decks and covered entrance ways, but not including an in-ground or aboveground swimming pool, satellite dish, uncovered parking areas or driveways, or uncovered and unenclosed decks, porches or patios.

Setback means the minimum horizontal distance, measured at a right angle between a lot line and the nearest part of any building or structure.

Although there are variations and site-specific conditions within each designation, the main parameters are identified below:

ZONE	MAXIMUM LOT COVERAGE	MINIMUM LAND-SCAPED OPEN SPACE	FRONT YARD SET-BACK	BUILDING HEIGHT
Established Residential (ER)	33%	30%	7.5m (for garages, at least 1.0m set-back from the front façade of the main building)	10.0m
Established Residential (ER3)	33%	30%	7.5m (for garages, at least 1.0m set-back from the front façade of the main building)	8.5m
Residential Multiple (RM1)	Plexes: 40% Town/Rowhouses: 50% Apartments: 50%	Plexes: 30% Town/Rowhouses: 25% Apartments: 25%	Plexes: 7.5m Town/Rowhouses: 6m Apartments: 7.5m	Plexes: 10.0m Town/Rowhouses: 10.0m Apartments: 12.0m
Queen-Picton Commercial (QPC)	based on the average of existing building within the same Block Face or 75% (when impossible to calculate average)	NA	No front yard requirements	For new buildings: based on the average of existing building within the same Block Face. Existing building: heights increase not allowed
General Commercial (GC)	50%	20%	4.5m	10.0 m- 10.5m
Marine Commercial (MC)	50%	20%	4.5m	10.5m min to 10.5m max
Institutional (I)	15%	20%	15.0m	10.5m min to 10.5m max
Open Space (OS)	5%	NA	15.0m	8.6m

Heritage Built Form and Zoning

In determining whether zoning is an effective tool to preserve and reinforce the heritage character of the Study Area, it is important to compare policy with practice. The following is an analysis based on the provided information that contrasts the built form of the *contributing* properties within the Study Area with the zoning regulations most relevant to the heritage study described in the previous section. *Contributing* properties are those that help define and preserve the heritage character of the area.

Lot Coverage

A low maximum lot coverage limit ensures that buildings do not dominate the lot, leaving ample space for open areas. This helps maintain the heritage character of the area, where smaller buildings with larger yards are a defining feature. However, higher lot coverage for multi-unit developments may be less effective in preserving the spacious and low-density feel, which might affect the Dock area. Overall lot coverage seems to be widely respected in the Study Area.

Minimum Landscape Open Space

The required maximum lot coverage inherently allows for generous open space on the lot, often twice as much as the minimum required. Considering the definition of lot coverage excludes uncovered parking area and that the landscape open space definition excludes any parking area, it is understood that uncovered parking area is not restricted under any definition. As a result, in the established residential area, uncovered parking could legally take as much as 37% of the lot, which can be detrimental to the visual character of the District.

Building Height and Front Setback

Lower height limits and deeper front setbacks help maintain the traditional scale and proportions of the area and seem to be widely respected in the area.

3.3. Current Queen-Picton HCD By-law

The current HCD plan regulates most development within its boundary, including alterations and demolitions of existing buildings, new constructions, as well as maintenance and alterations regarding parking, treescapes, pedestrian amenities, sidewalks and boulevards, open space, flower gardens, lighting, signage and municipal services. Minor alterations that are allowed by the Queen-Picton HCD By-law (4362-10) without requiring a heritage permit include: minor repairs, and for repainting work, providing it is the same colour or is part of the preapproved colour list.

NOTE: Minor Alterations Exempt from Heritage Permit Approval are:

- Minor repairs such as repairs to a roof, eaves trough (not a box trough) and flashing.
- Painting the same colour as existing and as previously approved by the MHC and Council.
- Repair of siding where the type of siding is not being changed.
- Minor repairs, not replacement, to window components.
- Repairs to broken windowpanes to original specifications.
- Minor repairs, not replacement, to doors.
- Repairs to an existing fence.
- Repairs to shutters where the shutters are not being replaced.

The plan provides general goals for heritage conservation, protection and enhancement and specific objectives and policy for various categories of properties.

The HCD separates the area into two distinct character areas: the Queen-Picton business area and the residential area. Each area is comprised of buildings designated as A, B, or C buildings. Distinct policies apply to the different types of buildings and to new builds in the two areas.

In the Queen-Picton Business area, policies regulate the height, proportion, roof, windows, colours, materials, setback, store fronts, demolition of buildings. Type “A” buildings do not include policies for height and setback. In the residential area, policies regulate height, proportion, roof, windows, colours, materials, verandahs, doors, chimneys, iron work, fences, gardens, and demolition, depending on the type of building.

In both areas, policies focus on:

- Conservation for type “A” buildings;
- Conservation and/or compatible alteration for type “B” buildings; and
- Compatible alteration and new construction for type “C” buildings and new development.

In conclusion, while the existing HCD plan has been instrumental in preserving the character and heritage value of the district, it requires updates to remain effective in addressing contemporary needs and challenges. Incorporating clear distinctions between contributing and non-contributing properties is essential to ensure resources and regulatory efforts are focused where they matter most. Additionally, allowing alterations that do not impact the district’s heritage value or are not visible from the public realm strikes a balance between preservation and property owners’ flexibility. Updating the by-law to reflect these distinctions and introducing design guidelines that accommodate modern building methods and sustainable development practices will enhance the plan’s relevance and efficacy. These changes will ensure the HCD plan continues to protect the district’s heritage while supporting its evolution into a sustainable and vibrant community.



4 RECOMMENDATIONS

4.1. General Recommendations

A portion of the Study Area in Niagara-on-the-Lake merits designation as a Heritage Conservation District (HCD) under Part V of the *Ontario Heritage Act* based on the analysis of its history, character, and appearance. Our initial recommendations indicate that this area meets OHA regulations, with at least 25% of the properties contributing to its heritage value. We recommend designating this area as an HCD, defining a proposed boundary, and developing a Statement of Significance to guide its conservation and management.

It is recommended that a **Heritage Conservation District Plan** be prepared for this area to effectively manage change while conserving its cultural heritage value and significance.

Properties within the Study Area that do not meet the criteria for HCD designation have been analyzed, with some buildings identified for further research. Other planning tools should be considered to preserve the area's character and guide future development in a manner that respects its historical and cultural identity.

Mary Street holds a distinct and significant role in the history of the town. This area is home to several properties associated with the Black settlement, the cannery industry, and the Lincoln militia, reflecting its layered heritage. Among these, the Miller House is already designated under Part IV of the Ontario Heritage Act. These properties may benefit from further individual designations to recognize and protect their unique contributions to the cultural heritage of Niagara-on-the-Lake.

The **Dock Area** reflects Niagara-on-the-Lake's historical role as a gateway to the town and its association with shipping activity. While the area does not qualify as a distinct character area for inclusion in the proposed expanded HCD due to changes that have impacted its contextual integrity, several properties within the Dock Area retain significant heritage value. These properties may benefit for individual designation under Part IV of the Ontario Heritage Act to ensure their preservation and continued recognition as part of the town's rich cultural heritage.

Public engagement and education play a vital role in fostering a shared sense of stewardship and appreciation for the heritage of Niagara-on-the-Lake. It is recommended that the Town implement ongoing initiatives to inform residents and visitors about the historical and cultural significance of the Heritage Conservation District. This could include developing accessible educational materials, hosting workshops, guided tours, or public talks, and using digital platforms to share stories about the district's evolution and significance. These efforts should prioritize inclusivity, diverse perspectives and ensuring voices are represented, while encouraging active participation from the community in shaping and preserving the district's character.

4.2. Statement of Significance

Niagara-on-the-Lake's design and physical value is established through its rich architectural landscape, which includes residential, institutional, commercial, economic, and religious buildings, primarily dating from between 1814 to 1914. These buildings reflect the Town's historical development through a diverse catalog of architectural styles including Georgian, Neoclassical, Regency, Greek Revival, Italianate, Gothic Revival, Queen Anne Revival, Second Empire, and Colonial Revival. These examples of early architectural styles in Ontario provide an exceptional collection of architecture covering the 19th and early 20th century, highlighting the town's evolving character from a Loyalist settlement to an economic, commercial, and tourism hub.

The wide, tree-lined roads of Niagara-on-the-Lake's downtown complement the town's original grid pattern which was laid out in 1794 and was a

key characteristic of the Imperial model plan for British military and colonial settlements. Despite the town's destruction of 1813, this original settlement pattern was maintained during the rebuilding of the town's physical fabric. In addition to the built environment, Niagara-on-the-Lake maintains several green spaces, including parks (such as Simcoe Park and the Queen's Royal Park), recreational areas (such as the Niagara-on-the-Lake golf course, established 1875), and open spaces along the waterfront. These open spaces are closely connected to the town's past as a leisure and tourist destination. Most notable are the parks and promenades along the lake front which offer a link to its 19th-century development as a cultural resort.

The town's historical and associative value is related to Ontario's military, political and social history. The town was originally established in the late 18th century by Loyalist refugees and Indigenous allies fleeing war in the United States, who chose the location for its strategic defensive position. The town's importance was further solidified through its designation as the first capital of Upper Canada. During the War of 1812, the town's role as a political and military centre made it a target for conflicts between the British and American forces, and resulted in its burning in 1813. Post-war architecture related to the town's political and military history can still be seen, underscoring its historic significance as a key area in Canadian history. Additionally, Niagara-on-the-Lake has historical value for its role in the Underground Railroad, as a refuge for escaped enslaved people seeking freedom in Canada. This connection further enriches the town's significance by highlighting its role in broader social movements related to Canadian freedom and human rights.

The town of Niagara-on-the-Lake maintains contextual value by being visually and historically linked to the evolution and physical value of the area. Following the destruction of the War of 1812, the Town developed along the harbour and waterfront, establishing Niagara-on-the-Lake as a regional hub for shipping, industry, and tourism.

The area's visual relationship is linked by consistent architectural details and materials, as well as the layout of the wide, tree-lined streets, creating a harmonious streetscape linking the harbour area, commercial streets and residential neighbourhoods together. The original grid settlement pattern maintains a connection between the Town and the waterfront, ensuring easy accessibility between the various areas, while also preserving the initial importance of Lake Ontario and the Niagara River to the town's history and identity.

The historic contextual value of the area is reflected in the relationship between the commercial, residential, and tourism sectors, highlighting the evolution of Niagara-on-the-Lake's development from 1814-1914.

The commercial Queen-Picton streetscape contains tightly built commercial structures with similar setbacks and a variety of facades, ages, styles, and sizes, which together emphasize a visual evolution of the Town's commercial district. The buildings reflect the area's importance as a commercial centre, highlighting the growth and prosperity of the town during the 19th century through a consistency of Georgian, Regency, and Victorian architectural features.

The surrounding residential streetscapes are defined by one- to two-storey buildings, set close to the road or slightly set back, detached, and

often surrounded by gardens and trees. These residences were once inhabited by merchants, military officers, and trade professionals, and now create a transitional space between the town's waterfront and harbour areas and the Queen-Picton commercial area and surrounding residential spaces.

Hotels, guesthouses, and summer residences began to reflect the Town's emerging identity as a leisure and recreational destination from the 1860s to early 1900s. These tourist accommodations, and the establishment of several parks and a golf course marked the beginning of its transformation into a cultural resort.

4.3. Proposed HCD Boundary

The results of the character analysis and evaluation of significance (Chapter 4) established that the heritage character of the HCD and its expansion area closely reflects the complete sequence of periods from the rebuilding of town after the 1812 War until WWI, namely the Rebuilding period (c. 1814- c. 1829), the Growth period (c. 1830 – c. 1859), and the Prosperity period (c. 1860 – c. 1914).

The proposed HCD boundary includes 528 properties and includes both contributing and non-contributing.

The boundary is divided into character areas to better represent and manage the type of heritage they include:

The Residential Area character area regroups the residential neighbourhoods that developed around the commercial, and institutional cores.

The Commercial Core character area includes the historic core of Niagara-on-the-Lake, featuring 19th and 20th century commercial buildings that reflect the town’s economic evolution, while supporting ongoing commercial activity.

The Queen Street Summer Homes character area include those properties built along Queen Street and the Golf course built in the same period and still operating today.

The Institutional Core character area includes a concentration of religious and institutional establishment in the Town.

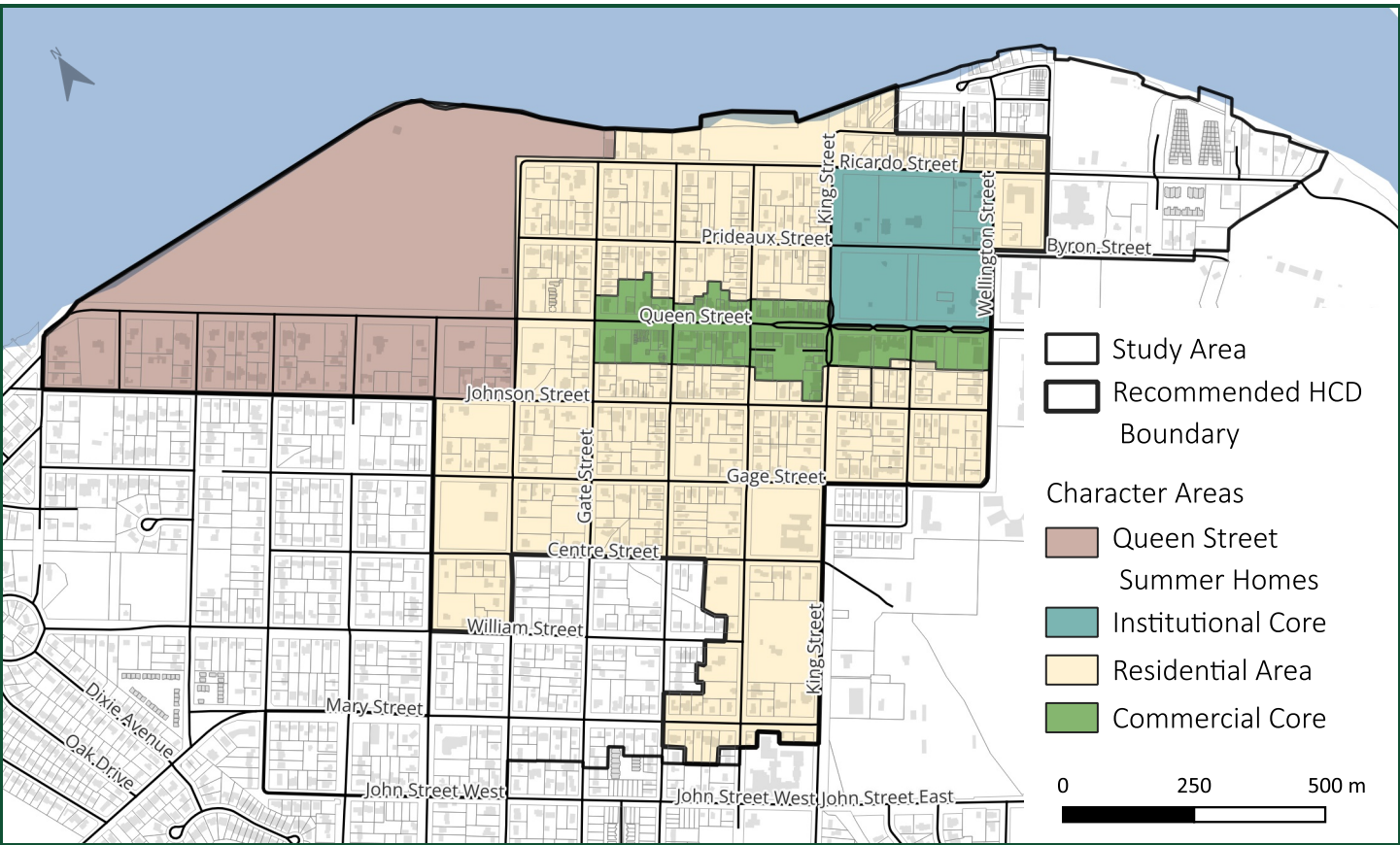


Figure 33- Recommended Boundary and Character Areas

4- RECOMMENDATIONS



Queen Street Summer Homes

Figure 34- Queen Street Summer Homes Character Area. Google maps.



Institutional Core

Figure 35- Institutional Core Character Area. Google maps.



Residential Area

Figure 36- Residential Character Area. Google maps.



Commercial Core

Figure 37- Commercial Character Area. Cultural Spaces.

4.4. Potentially Contributing and Non-Contributing Properties

Properties within the proposed expansion of the current HCD were individually evaluated to determine whether they contribute to the area's heritage value. The buildings that best exemplify the overall themes and periods of significance in the Study Area were mapped and reviewed. These buildings illustrate the history, evolution, physical character, and significant typologies and uses of the district.

Buildings that have been identified as contributing to the heritage character of the Study Area include those that:

- were constructed during the District's periods of significance, including Rebuilding (c. 1814 – c. 1829), Growth (c. 1830 – c. 1859), Prosperity (c. 1860 – c. 1914); and

- are an example of a prevailing architectural style such as Georgian, Neoclassical, Regency, Classic Revival, Gothic Revival, Picturesque, Italianate, Second Empire, Queen Anne Revival, Edwardian, and the Ontario Cottage; and
- maintain their integrity and/or has contextual value as part of an ensemble of historic buildings.

Two categories of properties were identified:

Contributing properties that add to the overall cultural heritage values, character, and integrity of the district, and also possess architectural merit and design value in themselves; and

Non-Contributing properties that do not add to the overall cultural heritage values, character,

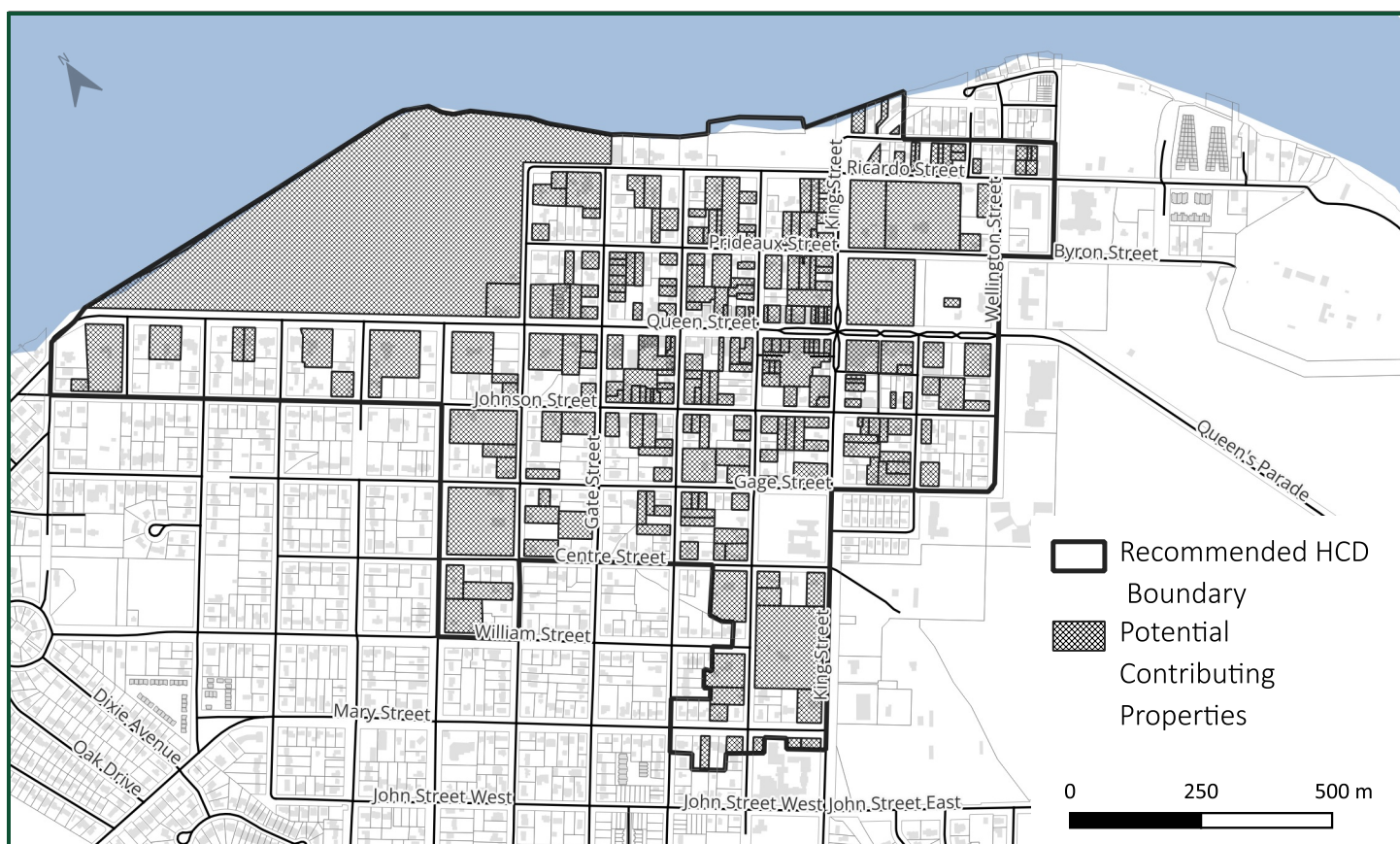


Figure 38- Potential Contributing Properties in the Recommended HCD Boundary

and integrity of the district. Their demolition (in part or in whole) would not negatively impact the cultural heritage value of the district.

Following this sorting, the contributing properties were reviewed again to determine whether they retained enough architectural integrity to effectively contribute to the heritage character of the district. Properties that were determined not to have architectural integrity were classified as non-contributing properties.

In addition to the built form of the district, the street grid, streetscapes, and landscape features have also been identified as a contributing feature to its cultural heritage value. The Golf Course evidences the development and evolution of the Study Area – and as such, it is considered to be an important character-defining feature of the district.

While non-contributing properties do not contribute to the heritage character of the district, their proximity to and evolution alongside contributing properties gives them the potential to significantly impact the heritage character of neighbouring properties and the district as a whole. Both contributing and non-contributing properties within the Study Area are listed in Appendix D.

The number of potential contributing properties within the proposed boundary is **257 out of 527**.

4.5. Recommendations for Planning

The Ontario Heritage Act requires that the Study include recommendations for any changes that will be required to the municipality's official plan and to any municipal by-laws, including any zoning by-laws. These recommendations are intended to capture policies that may conflict and impact the cultural heritage values of the area and the objectives of the HCD plan.

Due to the diversity of the character areas within the Study Area, the Town may consider using the same boundaries of the Queen Street Summer Homes, Institutional Core, Commercial and Residential from the HCD Study to harmonise the various overlapping boundaries related to heritage in the area.

Under the Ontario Heritage Act (41.2), a municipality shall not “pass a by-law for any purpose that is contrary to the objectives set out in the plan”, and “in the event of a conflict between a heritage conservation district plan and a municipal by-law that affects the designated district, the plan prevails to the extent of the conflict, but in all other respects the by-law remains in full force”. During the HCD Plan phase, as the policies are being developed, it will be critical to review the Zoning By-law to ensure that it does not conflict with the objectives of the HCD as defined in this Study Phase.

It is recommended that the Town revise the current HCD Plan By-law to bring it up to date with the OHA requirements and with current construction and sustainable development practices.

As part of future planning objectives, the creation of a secondary plan for the Old Town may be useful. This would be related to the results of

the Study and would be used mainly to guide changes proposed for the area.

4.6. Objectives for HCD Plan

The objectives for the Heritage Conservation District (HCD) Plan for Niagara-on-the-Lake build on the goals outlined in the plan for the existing HCD. These objectives aim to protect the district’s cultural heritage while allowing for compatible development and enhancements. They focus on preserving the historic built environment and ensuring that any new development aligns with the district’s character. The objectives aim to balance heritage conservation with the needs of the community and the broader Town. These objectives will guide the management and development of the district moving forward.

4.6.1. General objectives

Conserve, maintain and enhance the cultural heritage value of the district as expressed through its heritage attributes, contributing properties, public realm, and character areas.

Ensure that archaeological resources are protected until such time as appropriate investigation is required and undertaken.

Conserve and enhance the Part IV designated properties, Listed properties, and those with CHVI Statements that contribute to the value of the district.

Ensure that development and site alterations on lands adjacent to the district conserve its cultural heritage value.

To promote heritage conservation as a consideration in the development of the district.

4.6.2. Social and community value objectives

Conserve, support and enhance the social, cultural and community values of the district to the diverse communities for whom the district is of significance.

Where appropriate, incorporate Indigenous perspectives that may inform the understanding and interpretation of the district’s significance; consider those perspectives when planning for alterations to sites within the district that may be identified as having cultural importance, particularly in the public realm.

Promote design excellence in streetscape, landscape and civic design, including urban furniture, greening initiatives and place making.

Preserve and strengthen the small-town character of the district.

Enhance community pride and identity in the district.

Involve the local community in major issues affecting the district.

Develop the district as a place to live in as well as a place to shop and work.

Foster community recognition of the historic and architectural significance of the district and its origins.

Engage the local community through ongoing public engagement initiatives to ensure their voices are heard in shaping the future of the district.

Foster education and awareness about

the district's heritage, history, and cultural significance through programs and outreach efforts that encourage community participation.

4.6.3. Development objectives

Ensure compatible alterations and additions to contributing properties and prevent the removal of heritage attributes from contributing properties within the district.

Ensure that new development and additions to non-contributing properties conserve and enhance the cultural heritage values of the district.

Support and encourage the adaptive re-use of contributing properties to be compatible with their context and complement the cultural heritage value and interest of the district.

Ensure compatibility of materials between new and old, including constructive systems, type, colours, scale, finishes and details.

Encourage design excellence for new development, additions, and alterations that is complementary to the district's cultural heritage value.

Achieve a cohesive, well-designed district that emphasizes the human scale and historic character of the streetscape.

Encourage the preservation and enhancement of the historic building stock.

Guide the construction of new buildings so that they are of good design, compatible with the historic district.

Ensure that the supporting infrastructure,

including traffic patterns and car parking, complements the human scale, historic character, and businesses in the district.

Introduce positive features that will enhance the atmosphere and visual appeal of the streetscape, including landscaping, streetlights, signage, and pedestrian amenity.

Minimize the impact of tourism and business activity in the commercial district on the surrounding residential areas.

Supplement and support the district's heritage conservation efforts through the use of additional tools such as heritage designations, cultural landscapes, and heritage easements. These tools should work in conjunction with zoning bylaws and other regulations to provide a comprehensive approach to conservation.

4.6.4. Character area focused objectives

Ensure that alterations within the Summer Homes, Commercial, Residential, and Institutional areas are compatible with the character of the contributing properties in that area, including design, setbacks, and materials.

Conserve and enhance the scale and the pattern of building that supports the commercial main street of the district.

Conserve and enhance the well-defined and articulated streetscapes in the district, including the proportions and characteristics of the Summer Homes, Residential, and Commercial areas continuing to the waterfront.

Conserve and enhance visual and physical connections to the character areas that reveal its historic presence, form, and role in the district.

4.7. Summary of Recommendations for Decision-Making

The following recommendations require Council's consideration and decision:

Heritage Conservation District (HCD)

Designation: It is recommended that a portion of the Study Area be designated as an HCD under Part V of the Ontario Heritage Act, as it meets OHA regulations, with at least 25% of properties contributing to its heritage value.

Proposed HCD Boundary: It is recommended that the proposed HCD boundary, which includes 257 potentially contributing properties, be approved to reflect and manage the area's heritage values.

HCD Plan: It is recommended that an HCD Plan be prepared to guide conservation efforts and manage future change within the designated district.

Statement of Significance: It is recommended that the provided Statement of Significance be adopted to define the heritage values, attributes, and justification for the proposed HCD designation.

Individual Property Designations: It is recommended that properties outside the proposed HCD boundary, particularly those in the Mary Street and Dock Area, be considered for individual designation under Part IV of the Ontario Heritage Act.

Municipal Policy Alignment: It is recommended that the Town review and update municipal policies, including the Official Plan, Zoning By-laws, and existing HCD Plan By-law, to align with the objectives of the proposed HCD.

Appendix

A BIBLIOGRAPHY

Bray Heritage (2018). Niagara-on-the-Lake Estate Lots Study. Niagara-on-the-Lake: Corporation of the Town of Niagara-on-the-Lake, pp.1–96.

City of Niagara Falls (n.d.). Cultural History. [online] Empathic Traditions. Available at: <https://empathictraditions.ca/about-the-collection/cultural-history/> [Accessed 3 Dec. 2024].

Hemmings, D. (2019). Some Notes on pre-1840 Structures in Niagara-on-the-Lake Old Town. Niagara-on-the-Lake: Niagara Historical Society, pp.1–241.

Heritage, Arts and Culture, T. of N.-L. (2014). Official Plan Review. Niagara-on-the-Lake: Town of Niagara-on-the-Lake, pp.1–40.

Hill, N. (1986). Queen & Picton Streets, Niagara-on-the-Lake: A Heritage Conservation District Plan. London: Town of Niagara-on-the-Lake, pp.1–120.

JK Jouprien Heritage Resource Consultant Inc. (2018). A Preliminary Assessment of the Heritage & Architectural Value of the ‘Wilderness’. Niagara-on-the-Lake: The Niagara Foundation, pp.1–26.

Niagara Historical Society & Museum and Niagara-on-the-Lake Public Library (2011). The Villages of Niagara-on-the-Lake. [online] Memories of Niagara. Available at: <https://memoriesofniagara.wordpress.com/niagara-on-the-lake/> [Accessed 27 Jan. 2025].

Niagara-on-the-Lake Museum (2025). Online Collections. [online] Catalogaccess.com. Available at: <https://notlmuseum.catalogaccess.com/home> [Accessed 27 Nov. 2024].

Niagara-on-the-Lake Public Library (2015). Niagara-on-the-Lake Heritage Portal. [online] Vitacollections.ca. Available at: <https://vitacollections.ca/notlheritage/search> [Accessed 28 Jan. 2025].

Ontario Heritage Act, R.S.O. 1990, c. O.18.Ontario.ca. [online] Available at: <https://www.ontario.ca/laws/statute/90o18#BK71>.

Ontario Heritage Trust (2021). Heritage Property Evaluation: A Guide to Identifying, Researching and Evaluating Heritage Properties in Ontario Communities. [online] Ontario Heritage Trust. Available at: https://prod-environmental-registry.s3.amazonaws.com/2021-05/HPE_FINAL%20DRAFT-compressed.pdf [Accessed 10 Jan. 2025].

Parks Canada (2025a). Canada’s Historic Places. [online] Historicplaces.ca. Available at: <https://www.historicplaces.ca/en/results-resultats.aspx?m=2&keyword=niagara> [Accessed 28 Jan. 2025].

Parks Canada (2025b). Parks Canada- Niagara-on-the-Lake National Historic Site of Canada. [online] Pc.gc.ca. Available at: https://www.pc.gc.ca/apps/dfhd/page_nhs_eng.aspx?id=11130&i=53198 [Accessed 23 Jan. 2025].

Power, M. and Butler, N. (2000). Slavery and Freedom in Niagara. 2nd ed. Niagara-on-the-Lake: The Niagara Historical Society, pp.5–85.

Ridgway, I. (1989). Sailing out of Niagara...since 1833. 1st ed. Niagara-on-the-Lake: Niagara-on-the-Lake Sailing Club , pp.2–48.

Schneider Heritage Consulting, D. (2023). Cultural Heritage Training Manual: Niagara-on-the-Lake. Niagara-on-the-Lake: Municipal Heritage Committee, pp.1–51.

Scott, C. (1993). Campbell Scott’s Niagara-on-the-Lake. [online] Niagara-on-the-Lake Museum. Available at: <https://notlmuseum.catalogaccess.com/archives/50844> [Accessed 28 Nov. 2024].

Town of Niagara-on-the-Lake (2016). Historic Old Town Heritage Conservation District Plan. Niagara-on-the-Lake: Town of Niagara-on-the-Lake, pp.1–63.

HCD Property By-Laws

Property (in HCD)	By-Law
177 Victoria Street (The Wilson-Guy House)	4175-07
233 Victoria Street (The Frey-Hindle-Appleby House)	2014-89
230 Davy Street (The Bailkie-Jacques-Vint House)	4490-11
105 Johnson Street (Varey-Hendrie House)	983-79
244 King Street (Moore-Bishop-Stokes House)	984-79
28 Prideaux Street (Muirhead-McQueen House)	4002-06
26 Queen Street (Court House)	813-77

HCD Expansion Property By-Laws

87 Ball Street (Chapman Saltbox)	4849-15
89 Byron Street (The Campbell Scott House)	4360-10
43 Castlereagh Street (Niagara Historical Society Museum)	1463-84
64 Centre Street (The Simpson-Ness House)	1482-84
240 Centre Street (Breakenridge-Ure House)	4832-15
130 Front Street (Kirby House)	2024-024
46 Johnson Street (Barker Hall)	2024-038
58 Johnson Street (The Eckersley-McEwen House)	4492-11
96 Johnson Street (Vanderlip-Hutchings House)	4715-14
66 King Street (Whale Inn)	2961-96
266 King Street (Eedson-Fyfe House)	4205-08
407 King Street (The Wilderness)	2730-94

433 King Street (Powell-Wisch House)	3634-02
463 King Street (Best House)	2024-047
46 Mary Street (The Miller House)	4262-08
392 Mississauga Street (The Breakenridge-Hawley House)	985-79
10 Platoff Street (The Malcolmson-Delie House)	4226-08
20 Platoff Street (Dover-Daly House)	1270-82
40 Platoff Street (Niagara Public School)	3996-05
21 Prideaux Street	5365-21
27 Prideaux Street	5366-21
31 Prideaux Street	5367-21
55 Prideaux Street (The Promenade House)	1964-88
83 Prideaux Street (The Dobie-Campbell Cottage)	4991-17
157 Queen Street (Rogers-Blake-Harrison House)	3318-99
165 Queen Street (The McDougal-Harrison House)	3722-03
175 Queen Street (The Cottage Hospital)	3969-05
209 Queen Street (Richardson-Kiely House)	1660-86
228 Queen Street (Peace Acres/Ketchum-Thomas-Phillips House)	3983-05
278 Regent Street (Barker-O'Connor-Rocchi House)	4671-13
433 Regent Street (Eagleson-Buyers House)	4227-08
164 Ricardo Street (Niagara Harbour and Dock Company Office)	3027-96
247 Ricardo Street (Niagara Waterworks and Electric Light Plant)	2960-96
289 Ricardo Street (King's Landing)	4234-08
99 River Beach Road (Fog Signal Station)	2241-91
229 Simcoe Street (Fagan-Garrett-Hummel House)	3922-05
235 Simcoe Street (Morley-Gallagher House)	3724-03
285 Simcoe Street (The Butler House)	2136-90
289 Simcoe Street (Storrington, Lockhart-Moogk House)	3168-97
129 Victoria Street (The Walkerby-George House)	4905-16

General By-Laws

By-law of intent to define the expanded Queen-Picton street area as an area for study as a Heritage Conservation District	2279-91
By-law to adopt the Queen-Picton streets Heritage Conservation District plan, 1986	4362-10
Original by-law for the HCD	1667-86

Cultural Heritage Value and Interest (CHVI) Statements (Provided by the Town of Niagara on the Lake between November 2024 and March 2025)

- 81 Ball St.
- 87 Ball St.
- 17 Byron St. (St. Mark's Rectory)
- 39 Byron St. (Addison Hall)
- 41 Byron St. (St. Mark's Church)
- 85 Byron St.
- 89 Byron St. (Scott House)
- 177 Byron St.
- 59 Castlereagh St.
- 8 Centre St. (The Lyons House)
- 240 Centre St. (The Breakenridge-Ure House)
- 112 Delater St.
- 115 Delater St.
- 116 Delater St.
- 120 Delater St.
- 10 Front St. (The Old Bank House)
- 26 Front St. (The Black-Simons House / The Black-Picken House)
- 45 Front St. (Queen's Royal Park)
- 80 Front St. (Evans-Rigg House)
- 120 Front St. (The Delatre Lodge)
- 127 Front St.
- 130 Front St. (The Kirby House)
- 143 Front St. (NOTL Golf Club and Military Reserve)
- 160 Front St. (The Oban Inn)
- 168 Front St. (The Oban House)
- 83 Gage St.
- 184 Gage St.
- 216 Gage St. / 323 Simcoe St. (St. Andrews Church)
- 155 Gate St. (The Methodist Meeting House)
- 223 Gate St.
- 243 Gate St.
- 22 Johnson St. (Walnut Tree Cottage)
- 28 Johnson St. (The Bishop House)
- 34 Johnson St.
- 46 Johnson St. (Barker Hall)
- 58 Johnson St. (Brownell-Eckersley House)
- 84 Johnson St.
- 92 Johnson St. (The Pai(y)nter House)
- 96 Johnson St. (Vanderlip-Marcy House)
- 118 Johnson St. (The Twining House)
- 126 Johnson St. (The Platt Carriage Works House)
- 144 Johnson St.
- 164 Johnson St. (The Ball-Davidson House)
- 180 Johnson St. (The Villa Nova)
- 234 Johnson St. (The Clench House)
- 84 King St.
- 255 King St. (Burns House)
- 272 King St.
- 287 King St.
- 463 King St. (The Best House)
- 46 Mary St. (The Miller House)
- 67 Mary St.
- 315 Mississauga St. ('Negro' Burial Ground)
- 10 Platoff St. (Malcomson-Walker House)
- 21 Prideaux St.
- 31 Prideaux St. (Servos-Jones House)
- 69 Prideaux St. (Demeath / Wooll-Kerr House)
- 83 Prideaux St. (Dobie-Campbell House)
- 87 Prideaux St. (The Davidson-Campbell House)
- 93 Prideaux St.
- 115 Prideaux St.
- 168 Prideaux St.
- 154 Queen St.
- 166 Queen St.
- 184 Queen St. (The Mussen-Holmes House)
- 284 Queen St.
- 328 Queen St.
- 368 Queen St. (Morgan-Heath House)
- 428 Queen St. (Magnolias / The Cedars / The Wright House)
- 456 Queen St.
- 117 Regent St.
- 124 Regent St.
- 263 Regent St.
- 277 Regent St. (Dunbar-Takach House)
- 278 Regent St.
- 293 Regent St.
- 317 Regent St. (The Law House)

- 327 Regent St. (The Mud House)
- 433 Regent St.
- 47 Ricardo St.
- 57 Ricardo St. (The Cowan-Ball Hooper House)
- 85 Ricardo St. (Shady Nook)
- 107 Ricardo St.
- 115 Ricardo St.
- 119 Ricardo St. (The Quinn House)
- 242 Ricardo St.
- 265 Ricardo St.
- 282 Ricardo St.
- 289 Ricardo St. (King's Landing)
- 116 Simcoe St.
- 294 Simcoe St. (The Clark-Warner House)
- 322 Simcoe St.
- 363 Simcoe St. (The Creen House)
- 342 Simcoe St. (St. Andrews Manse)
- 116 Victoria St.
- 126 Victoria St.
- 129 Victoria St. (The Winthrop-Rand House)
- 134 Victoria St.
- 279 Victoria St.
- 308 Victoria St. (Rose Cottage)
- 309 Victoria St.
- 315 Victoria St. (The Carlisle-Brook House)
- 324 Victoria St.
- 115 Wellington St.
-
- Grace United Church Cemetery (Gate Street)
- NOTL Harbour
- Back Range Light (Collingwood St.)
- Fort Mississauga

Appendix

B FIELD WORK AND STAKEHOLDER MEETING SUMMARY

Field Work and Stakeholder Meeting Summary

Introduction

The Town of Niagara-on-the-Lake is undertaking a Heritage Conservation District (HCD) Study to evaluate the cultural heritage value of Old Town and assess the potential expansion of the existing Queen-Picton HCD or the creation of a new HCD. The study phase focuses on evaluating the heritage resources in the area, with the goal of informing the development of a HCD Plan in the next phase.

Meetings with Town staff and local heritage organizations were held during this study phase to provide information on the HCD Study process and objectives.

This report summarizes the results of the stakeholder meetings completed on November 18th, 2024.

Approach

To facilitate meaningful discussions, Cultural Spaces conducted **two in-person discussion sessions**. These sessions provided opportunities for Town staff and representatives from local heritage organizations to share their insights, needs, and concerns directly. Each session aimed to offer an open dialogue, fostering collaboration and a deeper understanding of heritage priorities.

Participation Overview

First In-Person Discussion Session – Town Staff and Municipal Heritage Committee

Date: November 18, 2024

Location: Niagara-on-the-Lake Museum

Format: This in-person session began with an open discussion and provided Town Staff an opportunity to share their perspectives, experiences, and concerns related to the current Heritage Conservation District and to a possible expansion, as well as to the character areas. Following the discussion, the Town Staff and Consultant Team embarked on a walking tour of the current HCD. This tour offered a chance for the Consultant Team to observe the heritage features firsthand, discuss challenges and opportunities in context, and connect the earlier conversation to the physical environment.

Participants:

- Candice Bogdanski (Senior Heritage Planner), Town Staff, Project Lead
- Steve Burke (Manager of Policy and Heritage Planning), Town Staff, Project Oversight
- Sumra Zia, Heritage Planner, NOTL
- Sarah Kaufman, Curator, and Shawna Butts, Co-Curator- NOTL Museum
- Tim Balasiuk, Councillor & MHC Committee Member

- Drew Chapman, Chair, MHC
- Amanda Demers, Vice-Chair, MHC
- Christophe Rivet, Tania Contrucci, Leanna Wigboldus, and Valentina Samoylenko, Cultural Spaces, Consultant team

Second In-Person Discussion Session – Local heritage organizations

Date: November 18, 2024

Location: Niagara-on-the-Lake Town Hall

Format: This session consisted of a focused group discussion with local heritage organizations, the Niagara Foundation and Niagara-on-the-Lake Conservancy. The meetings provided an opportunity for these groups to receive information at the outset of the study on the process, objectives, and shared goals.

Participants:

- Candice Bogdanski (Senior Heritage Planner), Town Staff, Project Lead
- Gracia Janes, President, Niagara-on-the-Lake Conservancy
- Lyle Hall, President, Niagara Foundation
- Paul Shepherd, Board Member, Niagara Foundation
- Arlyn Levy, Board Member, Niagara Foundation
- Richard Merritt, Board Member, Niagara Foundation
- Christophe Rivet, Tania Contrucci, Leanna Wigboldus, and Valentina Samoylenko, Cultural Spaces, Consultant team

Key Points

The following key points emerged during the discussion sessions, highlighting the perspectives and priorities of the participants:

1. Design Criteria and Guidelines

Town Staff emphasized the need for clear design criteria and guidelines, particularly for alterations to existing structures and new builds. This clarity is essential to ensure consistency and respect for the heritage character of the area. Additionally, guidance for public spaces and other urban features were discussed to help guide town decisions.

2. Heritage Awareness and Knowledge

There seems to be a lack of awareness in the community about heritage planning. This is particularly apparent regarding existing bylaws, heritage policies, and protection measures. Improved communication and education are needed to build an understanding of heritage conservation tools and legislation and their implications and build the support for the project outcomes.

3. **Tourism vs. Residents**

Concerns were raised about the prioritization of tourism over the needs of residents. Town Staff expressed a desire from residents for a balanced approach that supports tourism while maintaining the quality of life for those who live in the area.

4. **Preserving Viewscapes**

Protecting and enhancing key viewscapes was highlighted as a priority for future planning. Participants noted that views contribute significantly to the area's heritage character and should be carefully considered in any development or conservation work.

5. **Expanding the HCD Boundary**

The current size of the Heritage Conservation District (HCD) was viewed as lacking. Local heritage organizations emphasized the importance of expanding the boundaries to include additional character-defining areas that contribute to the district's cultural significance. In line with the gaps in community understanding of the tools for heritage planning, some stakeholders have expressed the expectation that the HCD will be expanded to encompass the existing character areas as well as the entirety of the National Historic District. These expectations will need to be managed in light of both heritage planning methodologies and the tools available to the Town to achieve the protection of existing heritage fabric.



Town of Niagara-on-the-Lake

1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0
905-468-3266 www.notl.com

REPORT #: CDS-25-073

COMMITTEE DATE: 2025-05-07

DUE IN COUNCIL: 2025-05-27

REPORT TO: Municipal Heritage Committee

SUBJECT: Queen-Picton (Old Town) Heritage Conservation District Study Status Update

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 The Municipal Heritage Committee endorse the findings and recommendations of the Queen-Picton (Old Town) Heritage Conservation District Study;
- 1.2 The Municipal Heritage Committee support bringing the report forward to Council for consideration and direction to commence the Plan phase of the project.

2. EXECUTIVE SUMMARY

- The Queen-Picton Heritage Conservation District (“HCD”) was established in 1986 to protect the heritage character of the commercial core of Niagara-on-the Lake’s Old Town area (“Old Town”).
- Updating the HCD Plan and considering an expansion of the HCD was identified as a priority through the Town’s Planning for Progress initiative (2021) and Council’s Strategic Plan.
- The Town awarded the contract for the Queen-Picton Heritage Conservation District Study (“HCD Study”) to Cultural Spaces, an Ottawa-based heritage consultancy firm.
- The Town provided Cultural Spaces with the findings of the surveys conducted by the HCD Study Working Group (“Working Group”).
- During the week of November 18, 2024, the Cultural Spaces team visited Niagara-on-the-Lake (“NOTL”) to conduct fieldwork in support of the HCD Study.
- On November 18, 2024, the Cultural Spaces team also met in-person with Town Staff, the Chair and Vice-Chair of the Municipal Heritage Committee (“MHC”), the Town Historian, and board members from the Niagara Foundation and Niagara-on-the-Lake Conservancy to obtain local perspectives.
- Section 40 of the *Ontario Heritage Act* provides that the Council of a municipality may undertake a study of any area of the municipality for the purpose of designating a heritage conservation district and may pass a by-law establishing an HCD study area for a period of one year.
- Based on their initial research, Cultural Spaces recommended a geographical boundary to define the Study Area, and in February 2025, Council passed a by-law placing restrictions on alterations to property within the HCD study area for the period of one year.

- At a public open house held on April 1, 2025, a recommended boundary for an expanded HCD was presented, together with information on the analysis of the contributing and non-contributing properties, and age of construction tied to the statement of significance for the 1814 to 1914 development of the Old Town.
- Cultural Spaces has prepared a draft Phase 1 Report summarizing their findings, which is the subject of the presentation on this evening's MHC Agenda. The draft report is attached as **Appendix I** to this report.

3. PURPOSE

The purpose of this report is to present the draft Phase 1 HCD Study Report to the MHC and seek the endorsement of MHC on the findings and conclusions of the Report, including the recommended expanded HCD boundary, the identification of contributing and non-contributing properties, and the proposed statement of significance of the expanded HCD.

4. BACKGROUND

The scope of the first phase of a heritage conservation district study is outlined in Section 40 (2) of Part V of the OHA:

The study will:

- examine the character and appearance of the area that is the subject of the study, including buildings, structures and other property features of the area, to determine if the area should be preserved as a heritage conservation district;
- examine and make recommendations as to the geographic boundaries of the area to be designated;
- consider and make recommendations as to the objectives of the designation and the content of the heritage conservation district plan required under section 41.1; and
- make recommendations as to any changes that will be required to the municipality's official plan and to any municipal by-laws, including any zoning by-laws.

The consultant, in consultation with Heritage Planning staff, has completed a draft HCD Study report as part of the Study Phase of the HCD Study, in accordance with the requirements of the OHA. The draft report is attached as **Appendix I**. The report is organized into the following sections:

1. Introduction
2. Inventory and Analysis of Heritage Value and Resources
3. Legislative and Policy Framework
4. Recommendations

5. DISCUSSION / ANALYSIS

5.1 Rationale for expanded HCD boundary

The Study recommends an expanded HCD including areas surrounding the current HCD centred on the Queen and Picton Streets commercial core, including the Queen Street Summer Homes character area, and the residential areas surrounding the existing HCD. The map showing the recommended HCD boundary is shown on Figure 33 of the draft Study Report.

The recommended expanded HCD represents the complete sequence of periods from the rebuilding of the town after the War of 1812 to World War I:

- Rebuilding (1814-1829)
- Growth (1830-1859)
- Prosperity (1860-1914)

The expanded HCD is divided into character areas: Residential Area; Commercial Core; Queen Street Summer Homes, and Institutional Core.

5.2 Contributing and Non-contributing Properties and HCD Plan Objectives

An analysis of all properties within the study area, has identified 257 of 527 (over 48 percent) properties in the recommended HCD boundary as contributing to the area's heritage value. Contributing properties; a) were constructed during the district's period of significance from 1814 to 1914; b) are an example of a prevailing architectural style such as Georgian, Neoclassical, Regency, Classic Revival, Picturesque, Italianate, Second Empire, Queen Anne Revival, Edwardian, and the Ontario Cottage, and c) maintain their integrity and/or have contextual value as part of an ensemble of historic buildings.

The draft report also outlines a set of objectives for a new HCD Plan for the proposed expanded HCD, including general objectives, social and community value objectives, development objectives and character area focused objectives.

5.3 Report Recommendations

The draft report contains several recommendations that require a decision of Council, in consultation with the Municipal Heritage Committee:

1. **HCD Designation** – it is recommended that a portion of the Study Area be designated as an HCD under Part V of the Ontario Heritage Act, as it meets OHA regulations, with at least 25% of properties contributing to its heritage value.
2. **Proposed HCD Boundary** – it is recommended that the proposed HCD boundary, which includes 257 potentially contributing properties, be approved, to reflect and manage the area's heritage values.
3. **HCD Plan** – it is recommended that an HCD Plan be prepared to guide conservation efforts and manage future change within the designated district.
4. **Statement of Significance** – it is recommended that the provided Statement of Significance be adopted to define the heritage values, attributes, and justification for the proposed HCD designation.
5. **Individual Property Designations** – it is recommended that properties outside the proposed HCD boundary, particularly those in the Mary Street area and Dock Area, be considered for individual designation under Part IV of the Ontario Heritage Act.
6. **Municipal Policy Alignment** – it is recommended that the Town review and update municipal policies, including the Official Plan, Zoning By-law, and existing HCD Plan and By-law (to be replaced by a new HCD Plan and By-law), to align with the objectives of the proposed HCD.

5.4 **Next Steps**

After consultation with the Municipal Heritage Committee, the consultant and staff will consider

any comments received from the committee and revise the draft report as appropriate. Meetings will also be held with the Niagara Foundation and Conservancy, as well as the NOTL Museum to receive feedback.

In June, the revised draft HCD Study Report will be brought to Committee of the Whole-Planning and Council for consideration, endorsement and direction to proceed to the Plan Phase of the project, in which a new HCD Plan will be developed, and further public consultation will be held.

6. STRATEGIC PLAN

The content of this report supports the following Strategic Plan initiatives:

Pillar

1. Vibrant & Complete Community

Priority

1.1 Planning for Progress

Action

1.1 b) Planning for Progress Initiatives

7. OPTIONS

- 7.1 Option 1: The Municipal Heritage Committee endorses the findings and recommendations of the Draft Queen-Picton (Old Town) Heritage Conservation District Study; and supports bringing the report forward to Council for consideration and direction to commence the Plan Phase of the project. (**Recommended**)
- 7.2 Option 2: The Municipal Heritage Committee does not endorse the recommendations of the Draft Queen-Picton (Old Town) Heritage Conservation District Study (*Not Recommended*)

8. FINANCIAL IMPLICATIONS

There are no financial implications arising directly from this report. The HCD Study is a funded project. The HCD Study Area By-law has been appealed by two parties to the Ontario Land Tribunal (OLT). A subsequent report will address the Town's position at the OLT.

9. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications arising from this report

10. COMMUNICATIONS

Write any communication strategies. A project webpage has been created on the Town website to provide the public with information and updates on the HCD Study.

LINK: Queen-Picton Heritage Conservation District Study | Town of Niagara-on-the-Lake (<https://www.notl.com/heritage-planning/queen-picton-heritage-conservation-district-study>)

A significant component of this HCD Study is the emphasis on engagement with local heritage experts, advocates, researchers, and the public. Upcoming engagement opportunities will be appropriately communicated.

11. CONCLUSION

The purpose of this report is to present the draft HCD Study Report to the MHC and seek the endorsement of the MHC of the findings and conclusions of the Report, including the recommended expanded HCD boundary, the identification of contributing and non-contributing properties, and the identification of character areas.

12. PREVIOUS REPORTS

- CDS-24-190: Queen-Picton Heritage Conservation District Study – Phase 1 Update
- CDS-24-164: Heritage Conservation District Study Volunteer Group – Summary of Findings and Next Steps
- CDS-25-043: Queen-Picton Heritage Conservation District Study – Revised Study Area By-law

13. APPENDICES

- **Appendix I** – Queen-Picton (Old Town) HCD Phase 1: Study Report (Draft)

Respectfully submitted:

Prepared by:

A handwritten signature in dark ink, appearing to read "Steve Burke". The signature is fluid and cursive, with the first name "Steve" and last name "Burke" clearly distinguishable.

Steve Burke

**Manager of Policy and Heritage Planning,
Community and Development Services**

Niagara-on-the-Lake Heritage Conservation District:

Meeting between Cultural Spaces, the Town of Niagara-on-the-Lake, the Niagara-on-the-Lake Conservancy, and the Niagara Foundation

Meeting date	Location	Time
May 14, 2025	Teams	11:00 am

1.1 Participants:

Name	Organization	Contact Details
Steve Burke	Town of Niagara-on-the-Lake	steve.burke@notl.com
Sumra Zia	Town of Niagara-on-the-Lake	sumra.zia@notl.com
Leanna Wigboldus	Cultural Spaces	leanna.wigboldus@culturalspaces.ca
Gracia Janes	Niagara-on-the-Lake Conservancy	gracia.janes@bellnet.ca
Lyle Hall	The Niagara Foundation	lyle@lylehall.com
Arlyn Levy	The Niagara Foundation	levy@capitalcommunications.ca
Weston Miller	The Niagara Foundation	weston@notlrealty.com

1.2 Topics of Discussion

The meeting was held as an opportunity for the Niagara-on-the-Lake Conservancy (the Conservancy) and the Niagara Foundation (the Foundation) to provide comments on the draft HCD Study report. The report was created by Cultural Spaces, as a consultant of the Town of Niagara-on-the-Lake, as Phase I of the HCD project. The draft was presented to the Municipal Heritage Council on May 7, 2025.

Key points of discussion were as follows:

- A question was asked for the property of 255 King Street (currently listed as ‘contributing’ by the HCD report) as to whether it was truly a contributing property. The construction date that was provided by the Town was c. 1830 with several renovations over the years (1994, 1997, 2002). However, no records indicate that the property was ever demolished or that a new building was constructed, so the property will continue to be listed in the HCD report as ‘contributing’.
- The Niagara Foundation requested clarification in their role in Section 1.5: Methodology and Approach. The Foundation felt that there was an implication that they were more involved in the process than they were, and they wanted to clarify that they provided no input into this process. Cultural Spaces will confirm that there is no language to suggest that the meeting in November 2024 included input from the Foundation or the Conservancy.
- The Periods of Significance were questioned for their timeline. The Conservancy and the Foundation primarily wanted clarification on the cut-off dates of 1814 and 1914. Cultural Spaces clarified that as the HCD was primarily for built heritage, the cut-off date of 1814 was chosen as

years of ‘rebuilding’ and construction following the destruction of the War of 1812. The 1914 date was selected based on the advent of World War I, and the changes and decline that it brought to Niagara-on-the-Lake, primarily where military activities superseded the ‘prosperity’ period of significance.

- A follow-up question was asked about a cut-off date of 1920, as from 1915 to 1920 the Town went through a period of growth. Again, this was clarified by Cultural Spaces as a change in narrative and architectural style of the Town which did not fit into the selected Periods of Significance.
- There were several questions around the Official Plan and its integration with the HCD plan. It was clarified that the policies in the HCD plan should supersede the Official Plan.
- The timeline for the HCD project, including the different timelines for the Study and the Plan, were clarified. Public consultation was highlighted as part of the next step in the process for the creation of an HCD Plan. It was clarified by Cultural Spaces that the Plan will only begin once the Study has been approved.
- The content of the Plan was questioned. The Town pointed the Conservancy and the Foundation to Section 41.1 of the Ontario Heritage Act (OHA) as to what was required in the Plan. It was once again clarified that the Plan also has some flexibility to be place specific, and that the next step of the project will include public engagement to guide the creation of the Plan.
- The Foundation requested recent HCD plans to review in order to better understand the requirements. The Town directed them to the Ontario Heritage Trust (OHT) database which includes a list of HCD plans. The Foundation also asked for examples of HCD plans completed by Cultural Spaces. Cultural Spaces drew their attention to some examples done by Cultural Spaces staff in the past.
- The Foundation requested clarification on the ‘Open Spaces’ definition under applicable policies on pg. 38 of the report. Cultural Spaces clarified that this was existing policy, and the question was directed to the Town regarding Open Spaces and Community Facilities as part of the Official Plan (2017).

Meeting between Cultural Spaces, the Town of Niagara-on-the-Lake, and the Niagara-on-the-Lake Museum

Meeting date	Location	Time
May 21, 2025	Teams	1:00 pm

1.3 Participants:

Name	Organization	Contact Details
Steve Burke	Town of Niagara-on-the-Lake	steve.burke@notl.com
Sumra Zia	Town of Niagara-on-the-Lake	sumra.zia@notl.com
Christophe Rivet	Cultural Spaces	christophe.rivet@culturalspaces.ca
Leanna Wigboldus	Cultural Spaces	leanna.wigboldus@culturalspaces.ca
Sarah Kaufman	Niagara-on-the-Lake Museum	skaufman@nhsm.ca
Shawna Butts	Niagara-on-the-Lake Museum	sbutts@nhsm.ca

1.4 Topics of Discussion

The meeting was held as an opportunity for the Niagara-on-the-Lake Museum to provide comments on the draft HCD Study report. The report was created by Cultural Spaces, as a consultant of the Town of Niagara-on-the-Lake, for Phase I of the HCD project. The draft was presented to the Municipal Heritage Council on May 7, 2025.

There were three main topics of conversation:

- Victory Homes

The museum inquired as to why the Periods of Significance did not include up to the 1940s as had been originally suggested at the onset of the project. Cultural Spaces responded that the Periods of Significance were created to illustrate the time periods and architectural styles which shaped the significance of the town following the War of 1812. The physical evidence, following the pause and decline during and after WWI, were not considered to be significant enough to be included in this analysis. From a management perspective using the methodology of the Ontario Heritage Act, this would cause a gap from 1914-1945. Cultural Spaces was not comfortable suggesting this dramatic leap in periods of significance.

As such, if the Victory Homes had been included in the Study Area, they would still not be contributing properties in the HCD. The main pressure for the properties would also be related to demolition, rather than change and adaptation. Several other options were provided for the future of the Victory homes including:

- Establishing a character area around the properties;
- Individual designation of properties;
- The creation of an HCD specifically for that area.

- Chautauqua

The museum inquired why the Chautauqua area was excluded from the HCD Study. Cultural Spaces explained that the area had not been included in the general Study Area as it was distinct and different from the rest of the area that had been retained. The spoke layout and quality of architecture may tie to some values presented in the HCD, but would most likely merit its own attention. As the area was not part of the scope of this project, Cultural Spaces cannot make recommendations about the area. It will be addressed in the staff report to be released June 3, 2025.

- Dock Area

The exclusion of part of the Dock Area was also questioned by the museum, given its historic importance to the Town. Cultural Spaces responded that the broader area had been somewhat problematic, particularly as there had been a number of development decisions made in the last few decades that had huge impacts on the area. Apartment buildings and townhouses in particular have reshaped the area, and there are currently only 7 buildings which could be classified as contributing properties which remain outside of the HCD Study Area. Cultural Spaces suggested that other vehicles for protection could be more useful, such as individual designation of properties.

Appendix

C NOTL OFFICIAL PLAN PUBLIC CONSULTATION SUMMARY

Official Plan Public Information Centre – April 1, 2025

The Town hosted an open house for public engagement with regards to the Official Plan update and included an information session about the Heritage Conservation District Expansion Study. The information about the HCD update included panels that had initial analysis prepared by the CS team regarding the proposed boundary of the study area, the different themes of evolution of the area, and the potential contributing properties within the proposed boundaries.

The event was well attended by the public and there was a general interest to learn more about the project. The most asked questions by the public revolved around the reasoning behind the need for the expansion of the existing HCD, the policies changes that would be put in place, the Study area by-law currently in place, and whether the Town had plans to pursue more HCD studies. Specific comments focused on parking challenges within the HCD and the importance of addressing the protection of the Chautauqua area and wartime houses.

To the various inquiries, the public was informed about the historical significance of the Old Town core and were walked through the maps that reflected the information that had been collected to show the different themes. The public was also informed about the Phase 2 of the study and how that phase would focus on the policies that would govern the proposed HCD expansion, if it is approved by Council. There was also some interest by owners who were within the study area boundary but outside the new proposed boundary. They requested to be exempt from being impacted by the one-year development pause from the study area by-law. There was also additional interest in receiving more public information and postings regarding heritage and other planning matters.

Overall, the efforts of the Staff and Council were appreciated by the community in realizing the importance of taking steps to preserve the Town's heritage and there was encouragement from the community to pursue more HCD studies.

Appendix

D CONTRIBUTING AND NON- CONTRIBUTING PROPERTIES

Contributing Properties

81 Ball				
87 Ball	129 Gate	164 Johnson	392 Mississauga	132 Prideaux
245 Butler	155 Gate	180 Johnson	412 Mississauga	168 Prideaux
17 Byron	156 Gate	234 Johnson	Niagara Baptist	4 Queen
39 Byron	160 Gate	473 Johnson	Church Burial	5 Queen
41 Byron	166 Gate	66 King	Ground	7 Queen
85 Byron	172 Gate	123 King	6 Picton	9 Queen
25 Castlereagh	177 Gate	129 King	25 Picton	12 Queen
43 Castlereagh	178 Gate	143 King	30 Picton	13 Queen
59 Castlereagh	184 Gate	153 King	60 Picton	15 Queen
8 Centre	223 Gate	159 King	73 Picton	16 Queen
64 Centre	240 Gate	169 King	92 Picton	20 Queen
69 Centre	243 Gate	177 King	10 Platoff	23 Queen
240 Centre	323 Gate	228 King	20 Platoff	26 Queen
219 Davy	418 Gate	232 King	24 Platoff	29 Queen
230 Davy	22 Johnson	233 King	30 Platoff	32 Queen
279 Davy	28 Johnson	236 King	35 Platoff	38 Queen
287 Davy	29 Johnson	244 King	40 Platoff	43 Queen
25 Delater	34 Johnson	245 King	43 Platoff	44 Queen
35 Delater	46 Johnson	255 King	54 Platoff	45 Queen
112 Delater	58 Johnson	266 King	69 Platoff	54 Queen
115 Delater	65 Johnson	269 King	17 Prideaux	55 Queen
116 Delater	79 Johnson	272 King	18 Prideaux	59 Queen
120 Delater	84 Johnson	287 King	21 Prideaux	66 Queen
10 Front	85 Johnson	407 King	22 Prideaux	69 Queen
16 Front	89 Johnson	433 King	27 Prideaux	75 Queen
26 Front	92 Johnson	463 King	28 Prideaux	76 Queen
80 Front	95 Johnson	38 Market	31 Prideaux	106 Queen
120 Front	96 Johnson	42 Market	42 Prideaux	108 Queen
130 Front	105 Johnson	46 Market	55 Prideaux	109 Queen
168 Front	115 Johnson	20 Mary	69 Prideaux	118 Queen
180 Front	117 Johnson	46 Mary	77 Prideaux	122 Queen
58 Gage	118 Johnson	58 Mary	78 Prideaux	125 Queen
83 Gage	119 Johnson	67 Mary	83 Prideaux	126 Queen
86 Gage	123 Johnson	76 Mary	87 Prideaux	142 Queen
90 Gage	126 Johnson	127 Mary	93 Prideaux	154 Queen
116 Gage	127 Johnson	153 Mary	94 Prideaux	157 Queen
122 Gage	129 Johnson	156 Mary	115 Prideaux	165 Queen
184 Gage	135 Johnson	186 Mary	126 Prideaux	166 Queen
	144 Johnson	10 Melville		

Non-contributing Properties

175 Queen	242 Ricardo	479 Butler	210 Centre	111 Front
184 Queen	247 Ricardo	177 Byron	214 Centre	115 Front
187 Queen	289 Ricardo	189 Byron	220 Centre	127 Front
209 Queen	99 River Beach	263 Davy	226 Centre	135 Front
228 Queen	116 Simcoe	56 Ball	69 Collingwood	143 Front
284 Queen	140 Simcoe	57 Ball	221 Davy	144 Front
328 Queen	229 Simcoe	217 Butler	222 Davy	160 Front
368 Queen	235 Simcoe	227 Butler	238 Davy	188 Front
374 Queen	285 Simcoe	475 Butler	244 Davy	33 Gage
428 Queen	289 Simcoe	477 Butler	267 Davy	39 Gage
456 Queen	294 Simcoe	480 Butler	270 Davy	70 Gage
117 Regent	322 Simcoe	482 Butler	276 Davy	74 Gage
133 Regent	323 Simcoe	485 Butler	21 Delater	75 Gage
157 Regent	342 Simcoe	489 Butler	23 Delater	80 Gage
167 Regent	363 Simcoe	495 Butler	26 Delater	123 Gage
175 Regent	126 Victoria	89 Byron	27 Delater	126 Gage
179 Regent	129 Victoria	113 Byron	36 Delater	127 Gage
223 Regent	153 Victoria	211 Byron	39 Delater	142 Gage
226 Regent	164 Victoria	219 Byron	43 Delater	180 Gage
263 Regent	169 Victoria	227 Byron	47 Delater	215 Gage
277 Regent	177 Victoria	15 Castlereagh	55 Delater	225 Gage
278 Regent	178 Victoria	69 Castlereagh	57 Delater	245 Gage
293 Regent	188 Victoria	79 Castlereagh	61 Delater	116 Gate
294 Regent	222 Victoria	85 Castlereagh	69 Delater	126 Gate
327 Regent	223 Victoria	12 Centre	89 Delater	135 Gate
343 Regent	226 Victoria	36 Centre	90 Delater	169 Gate
356 Regent	235 Victoria	75 Centre	91 Delater	185 Gate
372 Regent	275 Victoria	84 Centre	98 Delater	222 Gate
415 Regent	279 Victoria	90 Centre	108 Delater	233 Gate
433 Regent	289 Victoria	94 Centre	230 Dorchester	270 Gate
21 Ricardo	308 Victoria	113 Centre	235 Dorchester	275 Gate
37 Ricardo	315 Victoria	117 Centre	240 Dorchester	278 Gate
45 Ricardo	318 Victoria	125 Centre	466 Dorchester	279 Gate
47 Ricardo	324 Victoria	135 Centre	468 Dorchester	282 Gate
57 Ricardo	329 Victoria	171 Centre	470 Dorchester	289 Gate
63 Ricardo	342 Victoria	174 Centre	472 Dorchester	292 Gate
67 Ricardo	115 Wellington	175 Centre	32 Front	305 Gate
85 Ricardo	239 Wellington	176 Centre	45 Front	307 Gate
115 Ricardo	Golf Course	178 Centre	99 Front	330 Gate
119 Ricardo				

340 Gate	108 Johnson	106 Mary	35 Melville	118 Prideaux
357 Gate	112 Johnson	108 Mary	37 Melville	119 Prideaux
358 Gate	134 Johnson	109 Mary	39 Melville	120 Prideaux
361 Gate	165 Johnson	110 Mary	41 Melville	125 Prideaux
362 Gate	211 Johnson	115 Mary	61 Melville	129 Prideaux
369 Gate	225 Johnson	119 Mary	85 Melville	143 Prideaux
370 Gate	233 Johnson	124 Mary	243 Mississauga	153 Prideaux
383 Gate	333 Johnson	129 Mary	276 Mississauga	158 Prideaux
384 Gate	357 Johnson	132 Mary	414 Mississauga	159 Prideaux
393 Gate	369 Johnson	140 Mary	424 Mississauga	165 Prideaux
394 Gate	377 Johnson	154 Mary	434 Mississauga	173 Prideaux
407 Gate	421 Johnson	168 Mary	442 Mississauga	174 Prideaux
413 Gate	435 Johnson	170 Mary	459 Mississauga	179 Prideaux
415 Gate	84 King	171 Mary	477 Mississauga	180 Prideaux
420 Gate	115 King	173 Mary	487 Mississauga	188 Prideaux
425 Gate	135 King	175 Mary	494 Mississauga	10 Queen
427 Gate	163 King	179 Mary	496 Mississauga	19 Queen
429 Gate	223 King	180 Mary	224 Nassau	33 Queen
474 Gate	225 King	189 Mary	240 Nassau	57 Queen
475 Gate	240 King	208 Mary	241 Nassau	61 Queen
478 Gate	256 King	214 Mary	245 Nassau	62 Queen
480 Gate	261 King	215 Mary	230 Newark	65 Queen
207 John	277 King	219 Mary	Voices of Freedom Park	68 Queen
209 John	280 King	220 Mary	246 Palatine	79 Queen
213 John	284 King	223 Mary	248 Palatine	80 Queen
223 John	325 King	227 Mary	66 Picton	83 Queen
233 John	108 Lockhart	242 Mary	76 Picton	84 Queen
255 John	110 Lockhart	272 Mary	St Vincent de Paul Ro-	89 Queen
265 John	114 Lockhart	278 Mary	man Catholic Church	92 Queen
275 John	118 Lockhart	284 Mary	29 Platoff	113 Queen
285 John	23 Mary	292 Mary	39 Platoff	114 Queen
295 John	33 Mary	314 Mary	60 Platoff	117 Queen
305 John	62 Mary	322 Mary	66 Platoff	130 Queen
335 John	66 Mary	330 Mary	72 Platoff	135 Queen
345 John	75 Mary	334 Mary	80 Platoff	137 Queen
355 John	80 Mary	336 Mary	33 Prideaux	254 Queen
19 Johnson	85 Mary	340 Mary	36 Prideaux	346 Queen
72 Johnson	90 Mary	1 Melville	59 Prideaux	356 Queen
74 Johnson	95 Mary	31 Melville	66 Prideaux	400 Queen
78 Johnson	105 Mary	33 Melville	86 Prideaux	

408 Queen	277 Ricardo	483 Simcoe	227 Wellington	189 William
450 Queen	282 Ricardo	100 Victoria	231 Wellington	216 William
486 Queen	293 Ricardo	117 Victoria	235 Wellington	225 William
121 Regent	297 Ricardo	118 Victoria	263 Wellington	226 William
124 Regent	85 River Beach	134 Victoria	269 Wellington	236 William
129 Regent	87 River Beach	139 Victoria	277 Wellington	116 Victoria
144 Regent	90 River Beach	157 Victoria	281 Wellington	
153 Regent	93 River Beach	183 Victoria	285 Wellington	
163 Regent	105 River Beach	219 Victoria	55 William	
178 Regent	113 River Beach	229 Victoria	65 William	
184 Regent	140 River Beach	263 Victoria	71 William	
227 Regent	142 River Beach	267 Victoria	76 William	
231 Regent	144 River Beach	268 Victoria	84 William	
235 Regent	146 River Beach	276 Victoria	89 William	
243 Regent	148 River Beach	285 Victoria	90 William	
266 Regent	128 Simcoe	305 Victoria	91 William	
269 Regent	172 Simcoe	309 Victoria	93 William	
276 Regent	225 Simcoe	323 Victoria	94 William	
290 Regent	242 Simcoe	330 Victoria	101 William	
317 Regent	262 Simcoe	335 Victoria	115 William	
432 Regent	268 Simcoe	336 Victoria	123 William	
434 Regent	278 Simcoe	339 Victoria	124 William	
435 Regent	286 Simcoe	355 Victoria	126 William	
442 Regent	310 Simcoe	373 Victoria	127 William	
475 Regent	360 Simcoe	379 Victoria	128 William	
481 Regent	366 Simcoe	385 Victoria	160 William	
31 Ricardo	370 Simcoe	393 Victoria	161 William	
33 Ricardo	387 Simcoe	406 Victoria	164 William	
41 Ricardo	389 Simcoe	407 Victoria	165 William	
51 Ricardo	390 Simcoe	410 Victoria	170 William	
75 Ricardo	411 Simcoe	411 Victoria	176 William	
84 Ricardo	416 Simcoe	420 Victoria	180 William	
89 Ricardo	418 Simcoe	427 Victoria		
91 Ricardo	426 Simcoe	430 Victoria		
107 Ricardo	427 Simcoe	474 Victoria		
155 Byron	429 Simcoe	475 Victoria		
186 Ricardo	435 Simcoe	120 Wellington		
222 Ricardo	464 Simcoe	129 Wellington		
225 Ricardo	469 Simcoe			
265 Ricardo	474 Simcoe			

Appendix

E DESIGNATED PROPERTIES

Part IV

87 Ball	229 Simcoe
89 Byron	235 Simcoe
43 Castlereagh	285 Simcoe
64 Centre	289 Simcoe
240 Centre	129 Victoria
230 Davy	177 Victoria
130 Front	223 Victoria
46 Johnson	
58 Johnson	
96 Johnson	
105 Johnson	
66 King	
244 King	
266 King	
407 King	
433 King	
463 King	
46 Mary	
392 Mississauga	
10 Platoff	
20 Platoff	
40 Platoff	
21 Prideaux	
27 Prideaux	
28 Prideaux	
31 Prideaux	
55 Prideaux	
83 Prideaux	
26 Queen	
157 Queen	
165 Queen	
175 Queen	
187 Queen	
209 Queen	
228 Queen	
278 Regent	
433 Regent	
247 Ricardo	
289 Ricardo	
99 River Beach	

Listed

81 Ball	10 Melville
17 Byron	69 Prideaux
39 Byron	87 Prideaux
41 Byron	93 Prideaux
85 Byron	115 Prideaux
59 Castlereagh	168 Prideaux
8 Centre	154 Queen
112 Delater	166 Queen
115 Delater	184 Queen
116 Delater	284 Queen
120 Delater	368 Queen
10 Front	428 Queen
26 Front	456 Queen
45 Front	263 Regent
80 Front	277 Regent
120 Front	317 Regent
127 Front	327 Regent
160 Front	47 Ricardo
168 Front	57 Ricardo
184 Gage	85 Ricardo
155 Gate	107 Ricardo
223 Gate	115 Ricardo
243 Gate	119 Ricardo
22 Johnson	242 Ricardo
28 Johnson	116 Simcoe
34 Johnson	294 Simcoe
84 Johnson	323 Simcoe
92 Johnson	342 Simcoe
118 Johnson	363 Simcoe
126 Johnson	116 Victoria
144 Johnson	126 Victoria
164 Johnson	134 Victoria
180 Johnson	279 Victoria
234 Johnson	308 Victoria
84 King	309 Victoria
255 King	315 Victoria
272 King	324 Victoria
287 King	115 Wellington
325 King	
67 Mary	

Appendix

F **ORDNANCE BOUNDARY STONE REPORT**

The Corporation of the Town of Niagara-on-the-Lake Information Report to Council

SUBJECT: Restoration of Ordnance Boundary Stones – Updates
DATE: 2024-06-05
REPORT #: CDS-24-088
PREPARED BY: Sumra Zia
DEPARTMENT: Community & Development Services

BACKGROUND INFORMATION

The Town of Niagara-on-the-Lake was originally founded as a British military Town. The British military maintained their presence in Town through the early to mid-1800s. During this time, four parcels of land were reserved for military use and a total of 37 OBSs were installed to mark these reserves. Military reserve lands included Simcoe Park, Queen's Royal Park, the Niagara-on-the-Lake Golf Course, several (now) residential lots, and the Commons. Of these 37 stones, 19 have since been discovered (blue) and 18 are currently missing (red). A map of the locations is included as **Appendix IV**.

The Municipal Heritage Committee (the "MHC"), in collaboration with Dr. Ted Rumble, has initiated a plan to restore the Ordnance Boundary Stones (the "OBS") located in the Town. As a result of efforts of the Town Staff, Ted Rumble and Niagara-on-the-Lake Museum (the "NOTL Museum") the following milestones have since been accomplished on this project since it commenced in 2020:

- The NOTL Museum has set up a webpage containing a brief history and information of all the stones that have been discovered (<https://www.notlmuseum.ca/ordnance-boundary-stones/>).
- A request for budget approval was approved by Town Council in 2023 to initiate the restoration program for the OBS. A budget of \$5,000 was approved for the restoration of OBS 32, on the corner of Simcoe Park at the intersection of King Street and Byron Street. The proposed work included restoration, resetting and cleaning of the OBS, together with the installation of a fence to ensure long-term protection of the stone.
- The proposal for the restoration of OBS 32 also included installation of a bronze plaque to commemorate the significance of the OBS. The text for the OBS 32 plaque was prepared in partnership with the Niagara-on-the-Lake Museum staff, Town's Heritage Planner, MHC member Alex Topps and Ted Rumble. The text reads:
The British Army maintained a military presence in the Town of Niagara until 1865, to guard against another American invasion from Fort Niagara. Between 1823 and 1854 the British Army Royal Engineers placed 37 Ordnance Boundary Stones around the perimeter of the four military reserves in the town of Niagara. Military reserve lands

included Simcoe Park, Queen's Royal Park, the Niagara-on-the-Lake Golf Course, and the Commons. Each Ordnance Boundary Stone is carved with the initials BO (Board of Ordnance) under the Broad Arrow symbol, which identifies military property of the British Government. Many of these stones can still be seen today.

The Town of Niagara-on-the-Lake is committed to a program of restoration and protection of the Ordnance Boundary Stones as an important part of Town's history and heritage.

- Initially a fence design with vertical and horizontal posts was proposed in consultation with the MHC. The design of the fence was reconsidered to make it less cluttered and visually jarring to the stone. A new design of four posts with moulded capping connected through a chain link is being considered. The details of the fence design and the details of the restoration of the stone are attached as **Appendix I**.
- An additional budget of \$7,500 has been approved by the Council in 2024 for the restoration of additional OBS. The additional budget is anticipated to allow for the restoration of a total of 6 OBS. The stones that are currently being considered for restoration are attached as **Appendix II**. Similar to OBS 32, these stones would be restored, reset and cleaned. A small plaque would also be installed with each of these stones that would contain a QR-code. The QR-code would connect the visitors to the webpage set up by the NOTL Museum about OBS.
- The Larocque Group of Surveyors have volunteered their time for the project and to produce locates for the OBS.

NEXT STEPS

- Town Staff, in collaboration with Dr. Rumble, is currently seeking permissions from the property owners for the restoration of OBS that are located on private property or Parks Canada lands. Staff are investigating the use of an easement or agreement to be signed with the owners to address ownership of the fence and the QR code plaque, as well as the future maintenance responsibility of the installations.
- The staff is also working towards finalizing a contractor for the restoration work together with a vendor for small QR code plaques and the posts and chain link fence. The contractor currently being considered for the work is Memorial Restoration from Sarnia.
- Input from the MHC is requested for the 5 additional OBS shortlisted for restoration in 2024.
- MHC's input is also needed to shortlist OBS that could be considered for restoration in 2025 (**Appendix III**) and requested through the 2025 budget process.

ATTACHMENTS

- **Appendix I** – Fence Design and Restoration of Stone
- **Appendix II** – OBS Restoration 2024
- **Appendix III** – Complete List OBS with Required Work
- **Appendix IV** – Map of Location of OBS

The Corporation of the Town of Niagara-on-the-Lake Information Report to Council

SUBJECT: Restoration of Ordnance Boundary Stones – Updates
DATE: 2024-10-02
REPORT #: CDS-24-165
PREPARED BY: Sumra Zia
DEPARTMENT: Community & Development Services

BACKGROUND INFORMATION

An update to the Ordnance Boundary Stones (the “OBS”) project was requested by the Municipal Heritage Committee (the “MHC”) at its meeting on September 4, 2024. This report provides a status update following milestones have since been accomplished on this project since the last update report [CDS-24-088](#) to the MHC on June 5, 2024 (report linked).

The MHC in collaboration with Dr. Ted Rumble, has initiated a plan to restore the Ordnance Boundary Stones (the “OBS”) located in the Town. As a result of the coordinated efforts of the Town Staff, Ted Rumble and Alexander Topps, the following has been accomplished:

- Locates for OBS 32 (Simcoe Park), OBS 25 and 26 (Charles Inn), OBS 33 (corner of Queen and Dorchester Street), OBS 36 (corner of Queen and Nassau Street) and OBS 23 (corner of Prideaux and Simcoe Street) have been ordered. The Larocque Group of Surveyors have volunteered their time for the project and to produce locates for the OBS.
- The details about the design of the fence and the specifications of the restoration work have been finalized (**Appendix I**).
- The inspiration for design, size and the material of the main plaque, to be installed at Simcoe Park, has been derived from the existing plaques at Simcoe Park, see **Appendix II** for reference. The plaque is proposed to be:
 - Bronze material
 - 18” by 24” in size and 28” high
 - Mounted on a post
 - Proposed text for the plaque was provided to the MHC in the June report

Note: Due to budgetary and timing restrictions the Staff are considering installation of a temporary plaque at Simcoe Park, but the design for the permanent plaque is also being finalized in collaboration with the Communications department.

- The Staff is currently in contact with multiple fence vendors to get a fair price on the fences being proposed to be installed around the stones.
- Expectations have been discussed with the Town’s Operations department about the maintenance of the fences and the restored OBS.

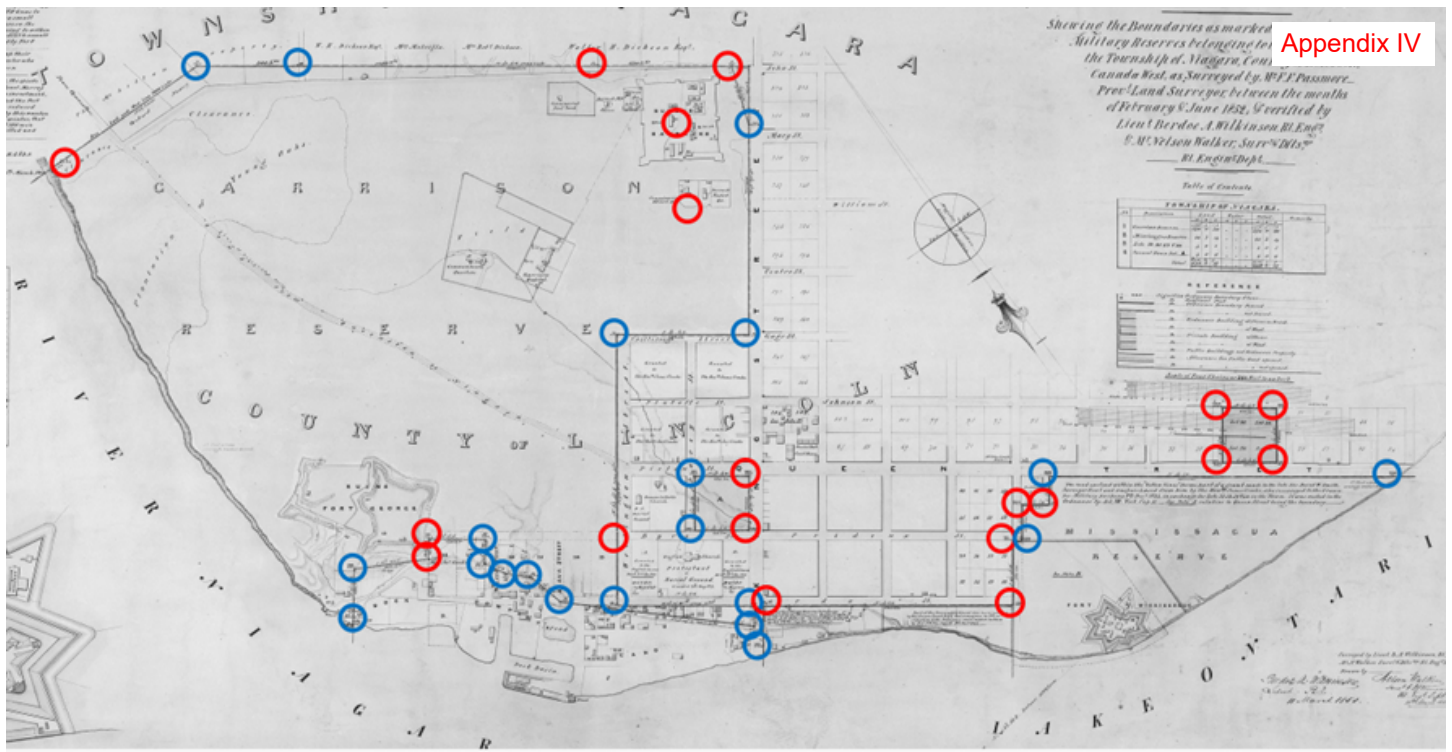
- Informal permissions have been acquired from the property owners for the restoration of stones and installation of fences on private properties. An agreement has been drafted.

NEXT STEPS

- The Staff are looking to place an order for the fences as well as the plaques being proposed to be installed as part of the restoration project.
- Based on the delivery date for the fences, the Staff are also looking to finalized a date in October to do the restoration work.

ATTACHMENTS

- **Appendix I** – Fence Design and Restoration of Stone
- **Appendix II** – Plaque Reference Images



Red = found.
Blue = Missing.



Town of Niagara-on-the-Lake

1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0
905-468-3266 www.notl.com

REPORT #: CDS-25-085

COMMITTEE DATE: 2025-06-03

DUE IN COUNCIL: 2025-06-24

REPORT TO: COTW-Planning

SUBJECT: Bill 17 - Protect Ontario by Building Faster and Smarter Act, 2025 and related Regulations

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 Council **RECEIVES** Staff Report CDS-25-085 titled Bill 17 - *Protect Ontario by Building Faster and Smarter Act, 2025* and related Regulations; and
- 1.2 Council **DIRECTS** Staff to submit comments on the proposed changes on behalf of the Town, as outlined in this report, with any additional Council input, prior to the June 11/June 26, 2025, commenting deadline.

2. EXECUTIVE SUMMARY

- The purpose of this report is to provide a summary of the legislative changes proposed through Bill 17, another omnibus Bill of legislative changes proposed by the Province, released on May 12, 2025.
- Over the last several years, the Province has passed several aggressive legislative changes to address the housing crisis. Bill 17 continues the trend of introducing a variety of amendments to streamline municipal planning approval processes.
- Changes proposed that may have the most impact to the Town include:
 - Changes to reduce or eliminate enhanced building standards (i.e. green building standards);
 - Changes to the how and when a municipality can collect development charges, exemptions to development charges, and proposes to permit the Minister to make regulations (not yet released) to limit eligible capital costs, eliminate public notice periods for reductions in Development Charges, deferring payment of Development Charges from building permit to occupancy, and how and when a municipality may spend or allocate Development Charge reserves;
 - Changes to what a municipality can request as part of a complete planning application; and,
 - Proposed ability to permit for variation to a municipal Zoning By-law “as-of-right” if a proposal is within 10% of setback requirements applicable to the lands.
- The Bill is open for comments on the Environmental Registry of Ontario (ERO) for a 30-45 day consultation period, with public comments accepted until June 11 and 26, 2025.

- Staff have provided a summary of the changes throughout this report, including commentary on Staff's position, and intend to submit a letter to respond to the respective ERO postings prior to the deadline. Additional comments from Council will also be included in the submission.

3. PURPOSE

The purpose of this report is to provide a summary of the legislative changes proposed through Bill 17, another omnibus Bill of legislative changes proposed by the Province. The Bill was introduced on May 12, 2025, and is currently in second reading (as of May 26, 2025). The Province is seeking feedback on the proposed changes within 30-45 days (deadlines noted below). Staff have reviewed the proposed legislation in the local context, and comments are summarized throughout this report. Staff welcome feedback from Council for inclusion in the final submission to the Province. Staff intend to submit a letter to the respective ERO posting prior to the end of the commenting deadline.

Bill 17, *Protect Ontario by Building Faster and Smarter Act, 2025*

<https://www.ola.org/en/legislative-business/bills/parliament-44/session-1/bill-17>

ERO #	Title	Link	Deadline
025-0461	Proposed Planning Act and City of Toronto Act, 2006 Changes (Schedules 3 and 7 of Bill 17 - Protect Ontario by Building Faster and Smarter Act, 2025)	https://ero.ontario.ca/notice/025-0461	11-Jun-25
025-0462	Proposed Regulations– Complete Application	https://ero.ontario.ca/notice/025-0462	26-Jun-25
025-0463	Proposed Regulation – As-of-right Variations from Setback Requirements	https://ero.ontario.ca/notice/025-0463	26-Jun-25
025-0450	Bill 17: Protect Ontario by Building Faster and Smarter Act, 2025 – Amendment to the Building Transit Faster Act, 2020	https://ero.ontario.ca/notice/025-0450	11-Jun-25

4. BACKGROUND

Over the last several years, the Province has passed several aggressive legislative changes to address the housing crisis, including:

- Bill 108, which shortened Council decision timelines for planning applications to allow appeals for non-decision sooner;
- Bill 109, which applied a punitive scale of refunds for development application processing that goes beyond the *Planning Act* timelines and delegated certain responsibilities to local Staff to expedite approval processing;
- Bill 23, which built on the Province's strategy to construct 1.5 million homes by 2031;
- Bill 185, which reversed a number of previous changes to the *Planning Act* and *Development Charges Act* introduced through Bills 109 and 23, and notably removed appeal rights for third parties for Zoning By-law Amendments and Official Plan Amendments;

- New Provincial Planning Statement document, which combined the previous Provincial Policy Statement and Growth Plan into one consolidated policy document, and proposed significant changes to how municipalities undertake land-use planning; and
- Bill 5 (still under review) is the most recent proposed amendments across several areas related to Ontario's energy, environmental, heritage, and conservation policies.

Like the above legislation, Bill 17 continues the trend of introducing various amendments to streamline municipal planning approval processes, thereby expediting the construction of more homes. The proposed *Protect Ontario by Building Faster and Smarter Act, 2025*, introduces significant changes to the province's development framework. If passed, Bill 17 will impact all stages of the development planning process – from what can be requested and submitted as part of complete applications to the timing and calculation of development charges and implementing construction standards. The Bill proposes amendments to the following Acts:

- *City of Toronto Act, 2006*
- *Building Transit Faster Act, 2020*
- *Building Code Act, 1992*
- *Development Charges Act, 1997*
- *Transit-Oriented Communities Act, 2020*
- *Ministry of Infrastructure Act, 2011*
- *Metrolinx Act, 2006*
- *Planning Act, 1990*

The following discussion/analysis provides a summary of the proposed changes that could affect Niagara-on-the-Lake and Staff commentary on these changes.

5. DISCUSSION / ANALYSIS

The proposed changes to legislation through Bill 17, including the changes to regulations, are summarized below. The following is organized by each Schedule to be amended through the Bill. Each section also includes staff's initial comments/review of how the proposed changes may impact the Town. This commentary, as well as any input provided by Council, will form the basis for the comments to the Province on each ERO posting.

SCHEDULE 1: BUILDING CODE ACT, 1992

Proposed amendments to the *Building Code Act, 1992*, will:

- limit a municipality's ability to pass by-laws respecting the construction or demolition of buildings, beyond the requirements of the Code. The changes proposed would appear to make enhanced standards, such as green building standards, obsolete and ensure that the same standards apply province-wide.
- limit the authority of the Building Materials Evaluation Committee (BMEC) by removing the ability for the BMEC to initiate research and examine construction materials, systems and building designs if the Canadian Construction Materials Centre (CCMC) has already examined or expressed its intention to examine an innovative material, system or building design.
- remove the Minister's authority to approve the use of innovative materials, systems or building designs that have been evaluated by the CCMC, thus removing the need for manufacturers to obtain secondary approval for use of innovative materials in Ontario.

The intent seems to be to establish consistency throughout the Province. While the Town does not currently have green building or other enhanced standards, Staff believe that they are an important tool for climate change adaptation and mitigation. A municipality should be able to continue to implement or create these standards to ensure that new development is climate ready and sustainable.

This appears to be more of an effort to reduce the "red tape" for approvals of innovative materials. The proposal appears to eliminate the need for multiple governing bodies to examine and approve new materials. If the CCMC has examined and approved the new material, then it is deemed in compliance.

SCHEDULE 2: BUILDING TRANSIT FASTER ACT, 2020 and SCHEDULE 5: METROLINX ACT, 2006

The Schedule adds a definition of "provincial transit project" to the *Building Transit Faster Act, 2020* and extends streamlining measures to all Metrolinx transit projects. This designation would support the implementation of all future expansions to Metrolinx's rapid transit network of upgrades, including the GO network delivered by the Province.

The Schedule proposes amendments to the *Metrolinx Act, 2006* to provide that the Minister may direct a municipality or its municipal agencies to provide the Minister or the Corporation with information and data that may be required to support the development of a provincial transit project or transit-oriented community project.

The Town does not have identified GO Rail or Rapid Bus Transit Major Transit Station Area; however, the transit hub identified in Glendale could support transit operations within the municipality, the region, and beyond. Streamlining measures to deliver on transit projects sooner will support housing affordability, address traffic congestion on our provincial highways, and support sustainability efforts.

Additional information is required to understand how permits for development near these projects will be required, as well as how the additional powers given to the Province/Metrolinx on lands within 30 metres of transit corridors may be utilized in terms of expropriation and property rights.

SCHEDULE 3: CITY OF TORONTO ACT, 2006

Reflects the changes to the *Planning Act*. This Act is not applicable to the Town.

SCHEDULE 4: DEVELOPMENT CHARGES ACT, 1997

Bill 17 proposes many changes to the *Development Charges Act, 1997* that are intended to simplify and standardize how and when the municipality may collect development charges (DC) and may reduce DCs in some cases to lower the cost of housing construction.

Bill 17 proposes deferring DC payments for all residential developments from the issuance of building permits to the point of occupancy. This change is intended to accelerate project initiation, enabling faster development by alleviating upfront financial burdens for developers. Currently, this is only available for rental housing and institutional development. If no occupancy permit is required, securities could be required at the time of building permit issuance (the type of which will be prescribed by regulation).

The Bill seeks to eliminate interest charges on deferred DC payments for residential and institutional developments, except for interest accrued up to the amendment's effective date. Existing deferrals for rental housing and institutional development would be exempted from interest payments. This measure aims to reduce overall development costs. Municipalities would also be permitted to amend DC by-laws to reduce charges or eliminate indexing without conducting a background study or public consultations, but only in cases where the amount of the Development Charge is decreasing. This provision is designed to enable quicker adjustments to DCs in response to market conditions.

DC rates are currently frozen as of the date that a zoning by-law amendment or site plan application is made. The charges payable will be the lower of the frozen rate, or the DC rate in place at the time of payment.

Bill 17 also proposes expanded use of DC credits and exemptions. Developers could apply DC credits across merged service categories, providing greater flexibility in offsetting charges for various infrastructure services. The Province proposes to exempt the development of long-term care facilities from DCs, to encourage more investment in this sector.

In addition to the proposed changes above, the Bill proposes to permit the Minister to make regulations (not yet released) in relation to:

- prescribing limits and exceptions to eligible capital costs, including land costs
- merging related service categories for the purpose of DC credits, expanding the ability of developers to receive credits for the construction of infrastructure
- following consultation, prescribing a methodology to calculate the benefit to existing development of new infrastructure. Also known as BTE, the amount that existing development benefits from new infrastructure reduces the amount that can be charged to new development in a DC by-law.
- expand the requirement that municipalities must spend or allocate 60% of the reserve funds at the beginning of each year to all services covered by the *Development Charges Act* (currently required for the parkland reserve and water, wastewater, roads)
- define local services to standardize what infrastructure is captured under development charges versus local services

The changes proposed through Bill 17, as well as the potential changes proposed through future regulation, will result in administrative and funding impacts to the Town. The changes to the timing of the DC collection and exemptions may increase the Town's need for debt financing and/or impact the timing of capital projects for infrastructure. The changes contemplated through future regulations may affect how growth-related infrastructure is funded and the extent to which growth pays for growth. When development charges cannot be used, there will be more pressure to use debt and/or increase property taxes. Staff will continue to monitor to understand the full implications of these changes.

SCHEDULE 6: MINISTRY OF INFRASTRUCTURE ACT, 2011

The Schedule amends the *Ministry of Infrastructure Act, 2011* to provide that the Minister may, by directive, direct a municipality or its agencies to provide the Minister or Ontario Infrastructure and Lands Corporation with certain information, data and documents. This proposed change appears to assist with facilitating the efficient planning and execution of provincially funded infrastructure projects.

SCHEDULE 7: PLANNING ACT

The regulations propose changes to the *Planning Act*, as well as certain related regulations, for Minister's Zoning Orders (MZOs), streamlining planning approval for schools, and new provisions related to Minister's approval for certain Official Plan Amendments. The proposed changes build on previous legislative changes by further streamlining application processes and reducing obstacles to achieve approvals to accelerate housing and schools.

With regard to MZOs, the regulation proposes to allow the Minister of Municipal Affairs and Housing to impose conditions (i.e., on municipalities or proponents) for zoning approvals that must be met before a use permitted by a Minister's zoning order comes into effect. The conditions would act similar to a "holding" provision and would allow the Minister greater authority over the development process at the local level than previously permitted.

Previously only the Ministry of Municipal Affairs and Housing only had authority to exercise MZOs. The Minister of Infrastructure has also been granted authority for MZOs under the *Planning Act*. This change appears to already be in effect.

Staff recognize potential benefits to allowing for some flexibility in the MZO process provided there is transparency to the process which includes Town involvement. Staff recommend that clarification be provided regarding which types of conditions may be imposed, and additional clarity surrounding the process, consultation, and timeline to satisfy said conditions.

With regard to the proposed changes contemplated to the planning approvals process for schools, Bill 17 proposes to exempt all public schools from site plan control when placing portable classrooms, and to allow for public schools and ancillary uses (such as associated childcare) to be permitted as-of-right on urban lands zoned for residential purposes. Currently, the *Planning Act* only exempts the site plan process when the school was built prior to 2007.

New provisions would require that local municipal Official Plans and Zoning By-laws permit an elementary school, a secondary school or a use ancillary to such schools on any parcel of "urban residential land" (as defined within the *Planning Act*). Within the Town's Zoning By-law, schools are generally only permitted within the 'Institutional (I) Zone.' While Bill 17 is a departure from the Town's current permissions, Town Staff recognize the importance of appropriate school placement and ensuring efficient process that would facilitate the construction of new schools. This will be achieved by removing the potential requirement for an Official Plan Amendment or Zoning By-law Amendment. However, it is important that public schools are planned in a way that promotes health and safety for those accessing the school, which includes access to adequate services and appropriate means of access to and from the site. This can be achieved through the site plan control process.

The Bill also proposes new subsections which would require Council to obtain the Minister's approval before making certain amendments to an Official Plan. The intent of this change appears to be to limit the ability to add additional study requirements within the Official Plan, than what is currently permitted. Staff are not supportive of this change as the local municipality should have the opportunity to make changes needed to ask for the studies which support an application to ensure appropriate, safe, and compatible development.

ERO #025-0462: Complete Application Changes (Request for input on Complete Application and Certified Professionals Requirements)

The Province is proposing regulations under the *Planning Act* which would have the effect of prescribing a list of reports and studies that would be required as part of a complete application, in addition to specifically excluding specific studies from complete application requirements. The proposed regulation indicates that studies related to sun/shadow, wind, and lighting impacts, as well as urban design, cannot be required as part of a complete planning application. These studies are requested to demonstrate compatibility with the adjacent properties and surrounding area, and assist Staff in evaluating development proposals.

Applications for new, taller buildings are typically accompanied by a sun/shadow study to understand the extent of shadowing impacts on neighbouring properties and the Town's right-of-way. Wind studies would be required for proposals where there is a cluster of taller buildings to assess any potential impacts (i.e. wind tunnels). Lighting plans are consistently requested as part of site plan applications, to ensure that all lighting meets Town specifications and does not result in light pollution. Town Staff has always required that applicants address the Town's urban design policies through their application submissions, whether that be through a Planning Justification Report or a separate Urban Design Brief.

Town Staff do not consider these reports/studies to lead to delays or complications in the planning application process. Given the degree of change that the Town is facing with proposals for infill and higher density within the urban area, the submission of these types of studies is paramount to ensuring compatibility, desirable built form, accessibility, and a vibrant public and private realm. Further, Town Staff have been preparing standard Terms of Reference documents for Sun/Shadow Studies, Wind Studies and Urban Design Briefs, in an effort to better streamline the application submission process. Based on the proposed changes, it is unclear if the studies may be requested and submitted at a later date (after complete application submission) at the request of the Planner reviewing the file. This should be clarified.

The proposed regulations also request feedback on which professionals (e.g., professional engineers) should be included in the list of professionals whose reports/studies would be required to be accepted by a municipality as part of a complete application. The intent of this regulation is to require a municipality to accept a report, if stamped/signed by a professional. Clarity is needed if this proposed change means that there is no municipal review of the report and it accepted as the final report, or if it means there is no ability to refuse a report thereby deeming an application incomplete.

If the direction is to ensure professionals are submitting reports and the Town must accept the report for review, Town Staff already request that reports/studies/plans be prepared by qualified professionals. As noted, Staff are working towards process improvements that will help to guide submission on studies and set expectations. Staff welcome clarification on the professionals who may be qualified to prepare reports, to assist with greater consistency with other municipalities across the Province.

If the direction is to mandate acceptance without review, this could result in significant issues based on the potential lack of coordination, incomplete information, or lack of local knowledge from the professional. It is through the review process, and often resubmission(s), where issues can be identified, addressed, and resolved.

ERO #025-0463: As-of-right Variations from Setback Requirements

The proposed regulations regarding as-of-right variations from setback requirements applies to the Town's Zoning By-laws (500A-74, for the rural/agricultural area, and 4316-09, for the urban area). The regulation proposes that variations would be permitted "as-of-right" if a proposal is within 10% of setback requirements applicable to the lands. The intent of this regulation is to reduce the number of Minor Variance applications including the need for public hearing for these applications, which may assist in expediting construction.

The Town will be embarking on a comprehensive review and consolidation of the Zoning By-law immediately following the completion of the Official Plan conformity review. Staff believe having up-to-date and clear parameters for development will assist in addressing many requirements for minor variances; however, the minor variance process is needed to address zoning regulations that may need to be appropriately varied to support new/evolving development patterns.

Currently, any proposal to make minor changes to the zoning provisions of the Town warrants a Minor Variance Application. These applications are heard by the Committee of Adjustment. From the date of submission, a decision on a Minor Variance application is made within 6 weeks (including the timeline to deem the application complete). Applications are processed efficiently, while providing the required public decision-making process under the *Planning Act*.

Examples of the implementation of this proposed regulation are below:

1. Within the 'Established Residential (ER) Zone,' in Old Town, an as-of-right variation to the front yard and rear yard setbacks may be permitted, which would have the effect of reducing both setbacks from 7.5 metres to 6.75 metres without the requirement for a Minor Variance. Within this zone, the as-of-right variation for an interior side yard setback could be reduced from 1.22 metres to 1.098 metres without the requirement for a Minor Variance.
2. Within the 'Rural (A) Zone,' in the agricultural area of the Town, an as-of-right variation to the front yard and rear yard setbacks may be permitted, which would have the effect of reducing both setbacks from 15.24 metres to 13.72 metres without the requirement for a Minor Variance. Within this zone, the as-of-right variation for an interior side yard setback could be reduced from 3.05 metres to 2.5 metres without the requirement for a Minor Variance.

It is important to note that the regulation does not limit the number of as-of-right variations to setbacks within each zone; this means that every setback provision within a zone can be reduced by 10% without the need to submit and receive approval of a planning application.

The Province is also looking for feedback for further opportunities to allow variations as-of-right for additional performance standards, including building height and lot coverage. If the 10% as-of-right variation were applied to building height and lot coverage, the following would be permitted without the need for a planning application:

1. Within the 'Established Residential (ER) Zone,' in Old Town:
 - a. Height may be increased from 10.0 metres to 11.0 metres; and,
 - b. Lot coverage may be increased from 33% to 36.3%.
2. Within the 'Rural (A) Zone,' in the rural/agricultural area:
 - a. Height may be increased from 10.67 metres to 11.74 metres; and,
 - b. Lot coverage may be increased from 15% to 16.5%.

Town Staff have concerns with the as-of-right variation approach, given the flexibility that is added to the Town's zoning. Should the regulations be adopted, a landowner would be entitled to vary every setback provision by 10% as-of-right, leading to buildings being located closer to the street and closer to neighbours. The application of as-of-right variations will lead to greater diversity in building locations and setbacks.

Staff note that the proposal may also complement previous changes to the regulation related to additional residential units where the Province has provided detailed direction related to zoning to facilitate the construction of these units.

Staff note a lack of clarity related to the proposed provision for setbacks in relation to the Greenbelt Plan. Changes to the *Planning Act* Schedule indicate that the provision for the as-of-right permissions does not apply to a building or structure located in the Greenbelt Area. The definition of *Greenbelt Area* includes the Niagara Escarpment Plan Area and the Protected Countryside. The urban areas in Niagara-on-the-Lake are considered Villages / Towns in the Greenbelt Plan which compromise the Protected Countryside. With this in mind, all of Niagara-on-the-Lake is located within the Greenbelt Area. Staff need clarification, based on our understanding of this definition the *Planning Act* changes noted above do not apply in the Town of Niagara-on-the-Lake.

SCHEDULE 8: TRANSIT-ORIENTED COMMUNITIES ACT, 2020

Similar to the changes proposed the *Building Transit Faster Act, 2020* and the *Metrolinx Act, 2006*, this Schedule adds a definition of "provincial transit project." It also proposes to streamline decision-making authority with the Minister responsible for the *Transit-Oriented Communities Act, 2020*. Staff offers no further comments on these changes.

6. STRATEGIC PLAN

The content of this report supports the following Strategic Plan initiatives:

Pillar

2. Good Governance

Priority

2.3 Advocacy & Government Relations

Action

2.3 a) Advocacy Strategies

7. OPTIONS

- 7.1 **Option 1:** Support Staff's review of Bill 17, provide any additional input, and direct Staff to submit comments to the Province on behalf of the Town. (**Recommended**)
- 7.2 **Option 2:** Receive this report only. Staff are not directed to send comments. (Not Recommended)

8. FINANCIAL IMPLICATIONS

This report has no immediate financial implications; however, Staff will work with Finance to understand the long-term financial implications of the provincial changes related to the collection of development charges, the impact to applications/fees and any other financial implications.

9. ENVIRONMENTAL IMPLICATIONS

There are no direct environmental implications associated with this report. Town Staff will continue to monitor the future implementation of the proposed regulations with regard to environmental impacts.

10. COMMUNICATIONS

There is no notification requirement associated with this report. Following the Council's receipt of this report, a letter will be prepared with the Town's comments on Bill 17. The final letter will be provided to Council in a future information package.

11. CONCLUSION

The Province has made it clear, through various pieces of legislation, that they are looking to remove barriers to expedite new housing. However, municipalities are tasked with reviewing development that fits within the community's context. At the local level, Staff are building a community, one that residents want to live in now and in the future.

Staff have noted concerns with Bill 17 specifically as it relates to changes proposed to the *Development Charges Act*, and the *Planning Act* and regulations. The Town recognizes the need to support the economy and address the housing shortage; however, local municipalities must fund the infrastructure required to deliver housing, and the services to support our current and future residents. The changes proposed to development charges may shift this financial burden to the existing tax-payers to make up the difference. If the Province wants to provide this financial incentive to encourage development, funding support from the Province is required for municipalities to ensure infrastructure and service levels can be maintained.

Over the last several years, the Province has released numerous ERO postings and approved many changes to the municipal planning process in a short timeframe. Staff will submit comments on the ERO postings, as outlined in this report, before the applicable deadlines. The comments will also include any additional comments/feedback provided by Council at the COTW-Planning meeting.

It is important to note that some of the changes would take effect upon Royal Assent of Bill 17, or a date proclaimed by the Lieutenant Governor in Council, and others would take effect through future regulations. Staff will continue to monitor the changes and discuss potential implications internally with Staff and externally with municipal partners.

12. PREVIOUS REPORTS

N/A

13. APPENDICES

N/A

Respectfully submitted:

Prepared and Recommended by:



**Kirsten McCauley, MCIP, RPP
Director, Community and Development
Services**

Submitted by:



**Darren MacKenzie
Acting Chief Administrative Officer**