



## Town of Niagara-on-the-Lake

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**REPORT #:** CDS-23-135 **COMMITTEE DATE:** 2023-06-28  
**REPORT TO:** Urban Design Committee **DUE IN COUNCIL:** N/A  
**SUBJECT:** Urban Design Review – 61 Melville Street – OPA-02-2023 & ZBA-04-2023  
Proposed 3-Storey, 12-Unit Apartment Condominium Building

### 1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 The Committee review the attached materials submitted as part of the applications for Official Plan Amendment and Zoning By-law Amendment for a proposed residential apartment building at 61 Melville Street and provide comments on setbacks, landscaping and screening, massing, scale and transition, and other matters related to urban design.

### 2. PURPOSE

Applications have been received for an Official Plan Amendment and Zoning By-law Amendment for a proposed apartment building containing 12 residential units with a height of 12.0 metres on the subject lands. The Official Plan Amendment proposes a “Medium Density Residential” designation with no site-specific exemptions, to facilitate the proposed development. The Zoning By-law Amendment proposes to rezone the lands from a “Marine Commercial (MC) Zone” to a “Residential Multiple 1 (RM1) Zone” with site-specific provisions related to lot coverage, landscaped open space, front yard setback, interior and exterior side yard setbacks, amenity area, outdoor parking area setback and covered porches and entrance steps.

The application submission included a draft site plan, landscape plan, floor plans and architectural drawings, and building renderings (attached as **Appendix I** to this report). The applicant has also submitted a proposed draft zoning by-law amendment (attached as **Appendix IV**)

The required Public Meeting under the *Planning Act* for the Official Plan Amendment and Zoning By-law Amendment was held at Council on June 13, 2023. There have been no decisions made on the applications. The applicant is appearing before the Urban Design Committee (the “UDC”) to receive comments on the proposal related to urban design matters.

An application for Site Plan Approval would be required in the future to permit the proposed development. Some design elements of the proposal may not directly relate to the current applications for Official Plan Amendment and Zoning By-law Amendment. Therefore, there may be opportunities for further refinement through the Site Plan Approval process.

### 3. BACKGROUND

#### 3.1 Site Description and Surrounding Land Use

The subject lands are located on the west side of Melville Street, the north side of Delater Street and the south side of Lockhart Street within the Urban Area of Old Town. A location map of the subject lands is shown in **Figure 1**.



**Figure 1:** Location of the subject lands outlined in red.

The subject lands have an area of 1,746 square metres (0.43 acres) and currently contain a two-storey building formerly used as an Inn, and associated asphalt parking area. **Figure 2** and **Figure 3** provide photographs of the subject lands.



Figure 2: Subject lands.



Figure 3: Subject lands.

The subject lands are not listed on the Town's Municipal Heritage Register or designated under the *Ontario Heritage Act*, however, are located adjacent to a listed heritage property (115 Delater Street). With the applications, a Heritage Impact Assessment and Stage 1-2 Archaeological Assessment were submitted. Town Staff continues to review the cultural heritage potential of the subject lands and is consulting with the Municipal Heritage Committee at a future meeting date.

The surrounding lands include residential, hotel and marine-related uses. Existing residential uses along Delater Street include single-detached dwellings ranging between one and two storeys. The Harbour House Hotel, located at the southwest corner of Delater Street and Melville Street, directly to the south of 61 Melville Street, provides three storeys above ground level. The existing residential uses along the south side of Lockhart Street include single-detached dwellings that range between one and two storeys; the residential uses along the north side of Lockhart Street include condominium residential units that are three storeys in height. Marine-related uses, including the Niagara-on-the-Lake Sailing Club, are located to the east of the lands at 61 Melville Street.

#### **4. DISCUSSION / ANALYSIS**

##### **4.1 Applicable Official Plan Policies Related to Urban Design**

The relevant policies related to urban design contained in the Town's Official Plan (OP) and Zoning By-law 4316-09, as amended, are provided in **Appendix II** to this report for reference.

The OP permits the development of apartment buildings subject to various policies. The OP includes a number of urban design and land use compatibility criteria to guide development to achieve a high quality of design and compatibility with surrounding uses.

The Growth Management Policies of the OP provide applicable urban design policies, land use compatibility criteria and development criteria for proposed residential infill development. The OP does not include criteria to guide the architectural style of development, but rather focuses on the built form, including lot frontage/area, massing and scale, height, setbacks, building orientation, and other matters such as landscaping/screening, traffic and pedestrian circulation/connectivity, and parking. A diversity of building styles, materials and colours are supported. The OP further recognizes that it is possible to consider a variety of housing forms that will complement the existing character.

The subject lands are located within the 'Deferred Area' of the Dock Area Secondary Plan (Schedule B8), meaning that the policies of the Secondary Plan are not in force or effect for these lands. While the urban design policies and guidance of the Dock Area Secondary Plan are not required to be implemented for the proposed development, the proposal should demonstrate urban design alignment, where feasible, with the Dock Area Secondary Plan. The Secondary Plan policies related to the design of the site and proposed building are included in **Appendix III** to this report for reference.

## **4.2 Discussion**

### **4.2.1 Setbacks**

Buildings within the surrounding area have a range of front yard, side yard, and rear yard setbacks. Buildings within the area include single-detached dwellings, a residential condominium building, and a hotel. The front yard setbacks for the single-detached dwellings along Lockhart Street and Delater Street range from 0.5 metres to 7.0 metres. The Harbour House Hotel provides for a 2.5 metre setback from Ricardo Street, 0.0 metre setback to Melville Street, and a landscape buffer ranging from 2.5 metres to 4.7 metres to adjacent existing single-detached dwellings. The residential condominium building to the north of the subject property provides for minimal to no setback from Melville Street, River Beach Drive, and the rear lot line.

The proposed apartment building provides a minimum front yard (Melville Street) setback of 2.0 metres to the building face, and 0.6 metres to the covered porch entry; a minimum interior side yard setback of 1.5 metres; and a minimum exterior side yard setback of 1.0 metres. A setback of 0.3 metres to the uncovered surface parking area to the exterior side lot line is also requested. The proposed rear yard setback of the apartment is 7.5 metres; however, the proposed surface parking is located approximately 1.0 metres from the rear lot line.

Given that the surrounding lands are comprised of residential buildings ranging in height from one storey to three storeys, as well as various setbacks, Staff request input from the UDC with respect to building setbacks to ensure compatibility with surrounding existing and permitted uses.

### **4.2.2 Landscaping & Screening**

The subject lands are occupied by an existing parking area and a commercial building; some periphery landscaping is provided in the form of a hedge along Delater Street and some trees along the rear property line abutting the residential dwellings along Delater Street and Lockhart Street. A Landscape Plan was submitted with the applications and proposes the planting of 17 deciduous trees, 3 coniferous trees, 100 deciduous and coniferous shrubs, and a range of grasses and perennials on the subject lands. Landscaping is proposed to screen the surface parking area from Delater Street and the residential dwellings to the north, as well as to provide a buffer from the proposed building. Landscaping is also proposed between the proposed building and municipal sidewalk along Melville Street, including the provision of street trees. Approximately 21% of the subject lands will be used for landscaping.

Two of the six types of the proposed trees are listed as preferred species in the Town's Urban Tree By-law (5139-19, as amended), including Sugar Maple and Pin Oak. Decorative metal fencing is proposed along the Delater Street frontage, and wood fencing is proposed along the rear property line.

Staff request comments from the UDC regarding landscaping and screening.

### **4.2.3 Massing, Scale & Transition**

Surrounding buildings vary in massing and scale and contain small bungalows, condominium apartment units, and a hotel. These buildings range in height from one storey to three-storeys

at grade. The massing and scale of the apartment building is greater than the surrounding single-detached dwellings, however, is similar to the existing condominium apartment building to the north and hotel to the south. The proposed height of the building satisfies the standard requirement of the Residential Multiple (RM1) Zone (maximum permitted height is 12.0 metres). The OP directs that transition in built form will act as a buffer between proposed development and existing uses, and should be provided through appropriate massing, architectural design, and siting.

Staff request input from the UDC with respect to the massing, scale and transition of the proposed building, and request feedback on any design strategies to address the overall massing and/or potential impacts on the surrounding area and uses.

## **5. STRATEGIC PLAN**

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

### **Pillar(s)**

1. Protect Distinctive Community Assets
2. Deliver Smart Balanced Growth

### **Objective(s)**

- 1.1 Preserve unique community elements
- 2.2 Develop smart, balanced growth

## **6. OPTIONS**

The Committee may provide urban design related comments on the proposal, and/or request a subsequent review after potential revisions are made in consideration of Committee recommendations or at the Site Plan Approval stage.

## **7. FINANCIAL IMPLICATIONS**

There is no fee for UDC Review and Staff review and administrative costs are borne by the Town. The applicant is responsible for all costs related to any future development.

## **8. ENVIRONMENTAL IMPLICATIONS**

Any issues related to environmental matters are addressed throughout this report.

## **9. COMMUNICATIONS**

The Urban Design Committee Minutes will be forwarded to Council as part of the Information Package where all recommendations will be publicly available. The Committee's comments will be considered as part of Staff's review of the applications for Official Plan Amendment and Zoning By-law Amendment.

## **10. CONCLUSION**

Staff request comments from the UDC on matters related to:

- massing and scale;
- setbacks; and
- landscaping and screening

**11. PREVIOUS REPORTS**

- CDS-23-111 – Public Meeting Information Report, 61 Melville Street, Official Plan & Zoning By-law Amendments (OPA-02-2023 & ZBA-04-2023)

**12. APPENDICES**

- Appendix I – Draft Site Plan, Landscape Plan, Architectural Drawings and Renderings
- Appendix II – Relevant Official Plan Policies and Zoning By-law Requirements
- Appendix III – Dock Area Secondary Plan Urban Design Policies
- Appendix IV – Draft Zoning By-law Amendment

Respectfully submitted:

**Prepared by:**

A handwritten signature in black ink, appearing to read 'Aimee Alderman', written in a cursive style.

**Aimee Alderman, MCIP, RPP  
Planner II**