



Town of Niagara-on-the-Lake

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REPORT #: CDS-23-149 **COMMITTEE DATE:** 2023-07-12
REPORT TO: Municipal Heritage Committee **DUE IN COUNCIL:** 2023-07-25
SUBJECT: 61 Melville Street - Review of Heritage Impact Assessment CDS-23-149

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 The Municipal Heritage Committee provide the following suggested mitigation and conservation measures for the proposed development at 61 Melville Street to encourage compatibility within the existing historic Dock Area neighbourhood:
 - 1.1.1 the installation of a plaque on the proposed building, or within the landscaped gardens, to acknowledge the history of the building that is proposed for demolition and its relationship to the larger historic Dock Area;
 - 1.1.2 the porthole (round) windows be removed and replaced with sash type windows that are representative of the specific historic character of the Dock Area, Georgian or Neo-classical in form and detail;
 - 1.1.3 Juliet-type balconies are added to the north elevation (facing the waterfront) to enhance the historic relationship to the waterfront; and
 - 1.1.4 Window treatment be included on the rear (west) elevation of the proposed building to encourage a relationship with the residential area of the Dock Area neighbourhood.

2. EXECUTIVE SUMMARY

- Planning Act Applications for Official Plan Amendment and Zoning By-law Amendment have been submitted for the property at 61 Melville Street (the “subject property”) to permit a medium density residential use in the form of a 3-storey residential building containing 12 units, with site-specific provisions related to lot coverage, landscaped open space, front yard setback, interior and exterior yard setbacks, amenity area, outdoor parking area setbacks, covered porches and entrance steps.
- A Cultural Heritage Impact Assessment (CHIA) assessing potential impacts to heritage resources was submitted with the applications, prepared by MHBC and dated March 2023.
- The CHIA concludes that there is heritage value associated with the subject property and the adjacent property at 115 Delater Street, but the proposed new development will not impact the heritage value of either property.
- Staff have suggested several mitigation and conservation measures to encourage compatible development within the Dock Area neighbourhood and to enhance the heritage value of the subject property and surrounding area.

3. PURPOSE

The purpose of this report is to provide advice to Staff regarding the conservation of cultural heritage resources with a proposed development on the subject lands at 61 Melville Street in the Dock Area and potential impacts to adjacent cultural heritage resources. Staff have reviewed the CHIA submitted with the development application for the subject property and have provided it for Committee's review (**Appendix I**).

4. BACKGROUND

4.1 Site Description and Surrounding Context

The subject property is located within the Dock Area neighbourhood in the Old Town urban area. The Niagara Harbour and Dock Company (the "NH&D Co.") opened in the 1830s and became a booming industry within the area, employing over 400 workers. It became one of the busiest ports and shipyards in what was then Upper Canada.

The subject property currently contains a circa 1890s two-storey structure that was formerly known as the King George Inn, and the "American Hotel" (see **Figure 1**). The HIA indicates that prior to the construction of the existing 1890s building, there was an earlier hotel building on the subject property at the south corner of Melville Street and Delater Street. The earlier hotel building was likely constructed after the NH&D Co. shut down in 1863.



Figure 1 – the waterfront and subject property behind, showing the existing building when it was the American Hotel.

The subject property has an area of 1,746 square metres (0.43 acres) and is bounded by streets on three sides: Lockhart Street at the north, Melville Street at the east and Delater Street at the south. Melville Street, and the subject property, are centrally located within the Town's Dock Area neighbourhood. Melville Street is one of the primary access roads to the

Dock Area and leads directly down to the waterfront. The view down Melville Street from Ricardo Street at the highest point down to the water at the lowest point, is identified as a “significant view” within the Dock Area Secondary Plan (see Dock Area Heritage Landscapes and Significant Views mapping in **Figure 2**). Significant views assist in understanding and respecting the area’s history and sense of place, and the Town is encouraged to protect significant views through height, side yard setbacks and appropriate landscaping requirements.

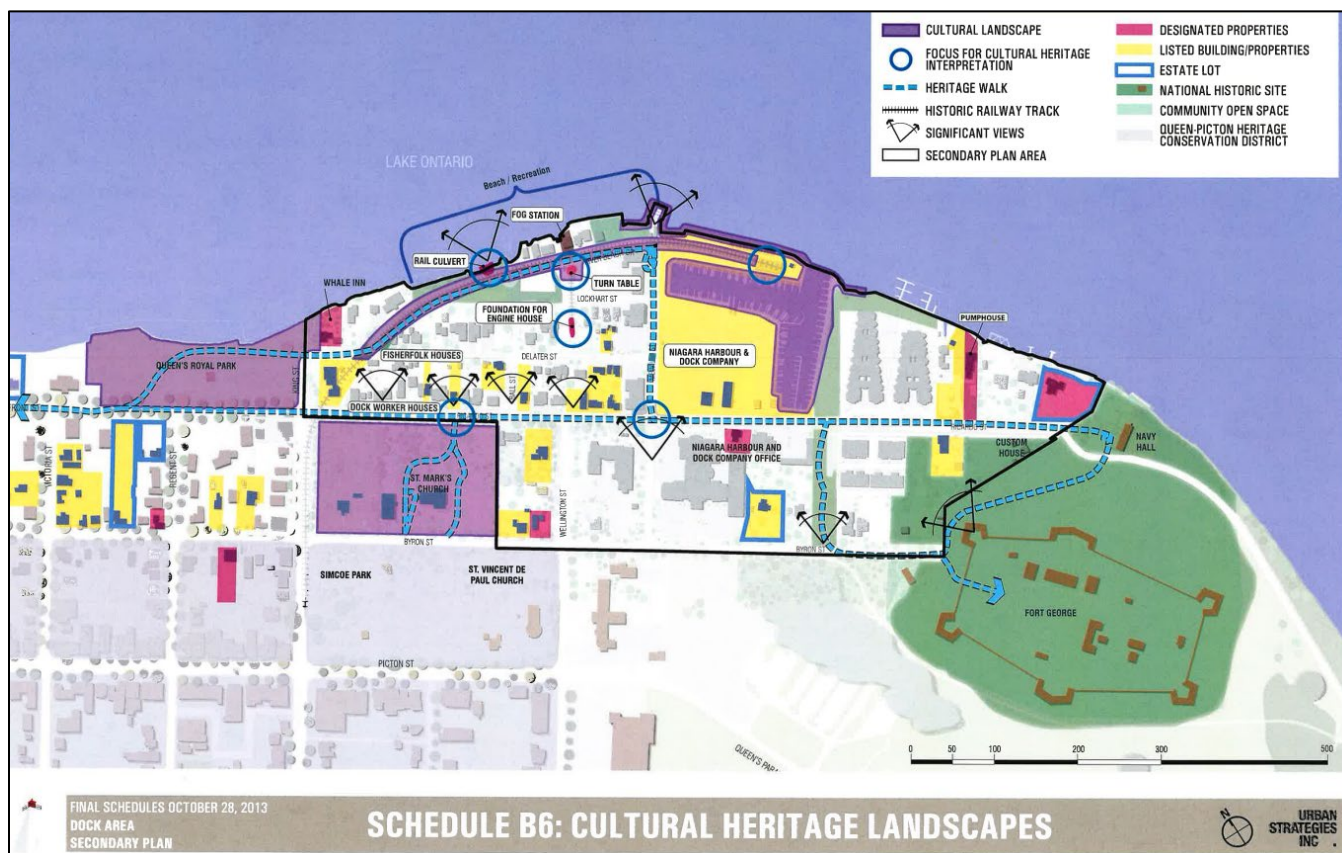


Figure 2 – Dock Area Secondary Plan showing significant views from the bluffs (arrows) and surrounding cultural heritage resources

Directly to the north of the subject property is the River Beach residential condominium development, which is of contemporary design and approximately 3 storeys in height. Further north is a public beach and dock area overlooking the Niagara River with views to Fort Niagara across the river. The streetscapes along Lockhart Street and Delater Street are defined by narrow streets with soft shoulders, grassed boulevards, mature trees and hedges and modest cottage-type dwellings set close to the street, as well as open spaces with views to the waterfront (**Figure 3** and **Figure 4**). The west terminus of Lockhart Street is anchored by an open boulevard which contains the remnant foundations of the former train engine house and further north along Turntable Way, the remnants of the former train turntable. The engine house and turntable, designated under Part IV of the OHA, are associated with the early Michigan Central Rail line, which ran down to service the wharf. To the east is the Niagara-on-

the-Lake Sailing Club marina, formerly the 19th century wharf and inner harbour for the NH&D Co. and for later (small-scale) commercial fishing operations.



Figure 3 – view along Lockhart Street toward Turntable Way



Figure 4 – View down Delater Street toward Melville Street

115 Delater Street, Listed Property

The property at 115 Delater Street is listed on the Town's Municipal Heritage Register of Properties of Cultural Heritage Value or Interest (the "Heritage Register"). The HIA indicates that the existing dwelling was constructed in place of an earlier dwelling that burned down prior to 1894. The heritage value of the dwelling resides in its architectural style and association with the NH&D Co. The HIA describes the cottage as a representative example of the Ontario Cottage in form and massing, but with little original material remaining on the exterior. The Town's draft character statement (attached as **Appendix II**) describes the dwelling as a Greek Revival style due to the Greek Revival inspired pediment over the central entrance which is now obscured by a front porch (see **Figure 5**). Even the modern front porch has door trim with a tympanum over the door frame. The dwelling is compatible and comparable to other dwellings in the Dock Area. Heritage Attributes include the clapboard siding, medium gable roof, projecting eaves with plain fascia, soffit and moulded frieze, double sash 6-over-6 windows, 6 panel door and centred entrance with three light flat transom and pediment.



Figure 5 – Cottage dwelling at 115 Delater Street with Greek Revival detail obscured by enclosed front porch addition

4.2 Policy Context

4.2.1 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides the following policies in section 2.6 as it relates to conservation of built heritage resources, cultural heritage resources and archaeological resources:

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

The PPS defines the following:

Adjacent lands mean lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.

Built heritage resource refers to any listed or designated building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community.

Conserved means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Cultural heritage landscape refers to any listed or designated defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association.

Heritage attributes means the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest, and may include the property's built, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting.

Protected heritage property refers to property designated under Parts IV, V or VI of the Ontario Heritage Act.

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

The Town Official Plan (Town OP) provides objectives and policies for heritage resources in section 18.2 that encourage protection and preservation of heritage resources and good contemporary building design that use sympathetic forms but do not copy historic architecture. Design that is incompatible with existing buildings is discouraged.

4.4 Dock Area Secondary Plan

The Dock Area Secondary Plan forms part of the Town's OP and provides policies and design guidelines specific to the character and sense of place established within the Dock Area. However, the subject property falls within the "Deferred Area" of the Dock Area Secondary Plan, meaning the policies of the Dock Area Secondary Plan are not in force and effect for the subject property. The area was deferred by Town Council in November 2012. The policies and guidelines provide general guidance for compatible development but cannot be enforced.

Policies in section 3.1.1 encourage buildings to be sited to the public street frontage with a high level of architectural design on all facades oriented to public streets.

Section 3.1.2 'General Built Form and Massing', directs that buildings have low profile roofs with distinctive features such as gables and dormers, encourages the use of wood sash windows and wraparound porches for residential buildings. Buildings longer than 35 metres are to be massed to reflect a series of smaller linked pavilion type buildings defined by recessed building segments setback from the principal façade to break up the building mass.

Generally, recessed segments should occur at 10m to 15m intervals. Building height is to be compatible with the height of surrounding buildings, which in the Dock Area is typically lower than in other areas of the Town.

The subject property is located within the Basin District, which is described as the heart of the Dock Area's marine commercial area. New development is to be of a scale and character that respects the traditional modest scale of the Dock Area. The policies limit the scale and massing for proposed new commercial uses to less than 2,000 square metres in area and less than 700 square metres in footprint.

The subject property is also located within the Dock Area Marine Commercial designation (section 4.3) where the historic marine commercial character is meant to evolve, grow and prosper with mixed-uses that are appropriate in scale and intensity for the Dock Area. New development is not to exceed 60% lot coverage and 10.5 metres (3 storeys) in height to peak of roof.

5. DISCUSSION / ANALYSIS

Since the NH&D Co. opened in 1830, the area has changed greatly. Much of the built heritage resources directly along the waterfront have been lost. However, small cottages associated with the employees of the NH&D Co., and dwellings associated with those involved in commercial fishing practices (circa 1830s-1955) remain. A map of the subject property is shown in **Figure 6**, and highlights heritage resources in close proximity to the subject property, including listed and designated properties.



Figure 6 – subject property at 61 Melville Street outlined in red, 115 Delater Street shown in yellow, other listed properties shown in blue, Part IV designated properties shown in purple.

Delater Street and Ricardo Street are still heavily defined by close-set, cottages of a modest scale, largely of wood clapboard cladding, with low-pitched roofs. There are a variety of architectural styles in the Dock Area, including simple Georgian, Neo-classical and Saltbox

cottages, but also asymmetrical façade designs and contemporary dwellings, some of which are unrelated to the character of the area.

5.1 Impacts to 61 Melville Street (Subject Property)

The subject property at 61 Melville Street is neither listed on the Town's Heritage Register nor designated under the Ontario Heritage Act. The King George Inn building has been significantly altered since it was constructed in the 1890s, which has diminished the heritage integrity of the building. However, the scale of the existing building is compatible with the area and the use of wraparound porches reinforces the building's relationship to the waterfront and harbour. The heritage value of 61 Melville Street resides largely in its historical and associative value, as a property associated with hotel uses that supported the historic marine industries in the area from the 1860s to present. Until the last few years, the King George Inn was still functionally tied to modern marine uses (the Jet Boat Tours).

The subject property retains a strong visual connection to modern marine uses across the street (the NOTL Sailing Club) and the waterfront. Given that the heritage value resides in the property with its historical and visual ties to marine uses in the Dock Area, these attributes should be retained and enhanced within any new development. The OHA does not, and cannot, regulate the use of a property; however, the design of any new development should reinforce the property's relationship to the inner harbour and waterfront and larger Dock Area neighbourhood. It is recommended that the applicant consider the installation of a plaque on the building, or within the gardens, to acknowledge the history of the building that is proposed for demolition and its relationship to the larger historic Dock Area.

5.2 Impacts to 115 Delater Street (Adjacent Listed Property)

The heritage value of 115 Delater Street resides primarily in its associative value, with its connection to the NH&D Co., and in its contextual value as a vernacular dwelling, of modest scale and design, which supports the character of the Dock Area, and which is functionally tied to its surroundings as part of the former NH&D Co lands. Direct impacts to the heritage value of 115 Delater Street are not anticipated as a result of the proposed new development at 61 Melville Street. 115 Delater Street is visually connected to the other early cottages on the south side of Delater Street and will continue to support the character of the area, specifically the "dense collection of heritage houses along Delater Street and Ricardo Street between Melville Street and King Street" which are an important heritage asset in the Dock Area (section 11 of the Dock Area Secondary Plan).

5.3 Proposed New Development at 61 Melville Street

5.3.1 Proposed New Building Design

The proposed design for the residential building does not reflect the appearance of the former King George Inn, a two-storey building with gabled roof and wraparound porch/gallery shown in **Figure 1**.

The proposed residential building is a contemporary design (see proposed Elevation drawings and Site Plan in **Appendix III** and concept Renderings in **Appendix IV**) that borrows design elements from existing buildings in the Dock Area including the use of:

- low-pitched, hipped roof design;

- deep overhanging eaves,
- shutters,
- clapboard and shingle cladding;
- the use of porches for views out to the water; and
- symmetrical façade design.

In general, the proposed materials and design elements of the building are compatible within the Dock Area, and specifically with the character that has recently developed along Melville Street. To break up the long façade, and as recommended in the Dock Area Secondary Plan, the proposed building is massed to reflect smaller linked pavilion type buildings defined by recessed building segments. The design also uses a variety of window types to give a varied appearance to the façade. While round porthole windows generally provide a nautical feel, porthole windows are not characteristic of the historic architectural character of the Dock Area. I would recommend that the porthole windows be removed and replaced with windows that are representative of the specific historic character of the Dock Area (Georgian or Neo-classical inspired). In addition, the north facing (side) elevation along Lockhart Street would benefit from additional architectural treatment as it is a primary façade viewed from the waterfront. It is recommended that the applicant consider the use of Juliet-type balconies on the north (Lockhart Street facing) elevation to enhance architectural interest and, more importantly, to enhance historic views to, and connection with, the waterfront. The sliding doors at the ground level are an excellent design element that ties the front façade of the building to the streetscape and inner harbour area across Melville Street.

It is noted that the rear (Lockhart Street) elevation of the proposed building design does not include windows (see **Figure 7**) and therefore the view down Lockhart Street (**Figure 8**) would be of a blank wall face. To ensure the proposed building retains a relationship with the surrounding Dock Area neighbourhood and does not appear to “turn its back” on the residential area, it is recommended that windows be incorporated. If functional windows are not possible due to interior uses or concerns about privacy for adjacent residential uses, false or blackout windows could be considered. False closed shutters might also be considered (similar to the false shutters on 8 Centre Street in Old Town).



Figure 7 – rear façade of the proposed development with blank wall face outlined in red



Figure 8 – Lockhart Street towards Melville Street (facing east) with area of proposed development shown outlined in red

5.3.2 Scale and Massing

The King George Inn building only occupies about ½ of the subject property. The Dock Area Secondary Plan envisioned that any proposed new (commercial) building would be more intensive than existing, but that it would not occupy more than 60% of the lot, with a footprint of not more than 700 square metres. The proposed residential building would occupy approximately 67% lot coverage with a footprint of 1162 square metres. The proposed building design would stretch almost the full block length along Melville Street, approximately 52 metres in length. The massing is larger than anticipated but is similar to other new developments along Melville Street, including the Harbour House Hotel to the south and the River Beach residential development to the north. The massing/height analysis provided by Chapman Murray Associates Architects Inc., provides further assessment of the massing and height of surrounding buildings (see **Appendix V**). The building is set close to the streetscapes, which is characteristic of existing new and historic development patterns.

The proposed height of the residential building is 10.5 metres to the parapet and 12 metres to the roof peak. In comparison, the height of the River Beach residential development across Lockhart Street is 10 metres in height to the roof parapet and approximately 11 metres in height to the top of the chimney flutes. The heights are comparable and it is not anticipated that significant views (identified within the Dock Area Secondary Plan) down Melville Street or from the Ricardo Street bluffs will be impacted.

5.4 Archaeological Assessments

Archaeological Assessment of the subject property is on-going. The Site Plan Agreement will contain clauses that any archaeological resources are conserved prior to development.

6. STRATEGIC PLAN

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

Pillar(s)

1. Protect Distinctive Community Assets

Objective(s)

- 1.1 Preserve unique community elements

Tactic(s)

- 1.1 b) Support residences and businesses in protecting their valuable heritage assets

7. OPTIONS

- 7.1 Option 1: The proposed mitigation and conservation measures from this Staff Report be recommended to staff to be implemented through the Site Plan phase of the development process. (Recommended)
- 7.2 Option 2: Mitigation and conservation measures are not recommended to staff. (Not Recommended)

8. FINANCIAL IMPLICATIONS

Not applicable.

9. ENVIRONMENTAL IMPLICATIONS

Not applicable.

10. COMMUNICATIONS

The minutes of the MHC meeting will be forwarded to Council. If recommended for support, the mitigation and conservation measures can be implemented within any future Site Plan Agreement.

11. CONCLUSION

Direct impacts to cultural heritage resources within the Dock Area neighbourhood are not anticipated with the proposed development at 61 Melville Street. To encourage compatible development and mitigate indirect impacts to cultural heritage resources the following mitigation and conservation measures are suggested for incorporation within any future Site Plan Agreement:

- the installation of a plaque on the proposed building, or within the landscaped gardens, to acknowledge the history of the building that is proposed for demolition and its relationship to the larger historic Dock Area;
- the porthole (round) windows be removed and replaced with sash type windows that are representative of the specific historic character of the Dock Area, Georgian or Neo-classical in form and detail;
- Juliet-type balconies are added to the north elevation (facing the waterfront) to enhance

- the historic relationship to the waterfront; and
- Window treatment be included on the rear (west) elevation of the proposed building to encourage a relationship with the residential area of the Dock Area neighbourhood.

12. PREVIOUS REPORTS

Not applicable.

13. APPENDICES

- Appendix I – CHIA 61 Melville Street
- Appendix II – 115 Delater Street Draft Character Statement
- Appendix III – Elevation & Site Plan Drawings
- Appendix IV – Concept Renderings
- Appendix V – Massing/Height Schematic

Respectfully submitted:



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