

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

**SUBJECT:** Q124 Hotel Site Plan Update - Landscaping  
**DATE:** 2023-07-25  
**REPORT #:** CDS-23-172  
**PREPARED BY:** Rick Wilson, MCIP, RPP, Manager of Planning  
**DEPARTMENT:** Community & Development Services

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### BACKGROUND INFORMATION

The purpose of this report is to provide an update to Council regarding an amendment to the existing Site Plan for lands known as 124 Queen Street (Q124 Hotel). Various updates had been provided during the previous term of Council.

Council approved applications in 2018 to permit the development of the subject lands for a hotel with an underground parking garage and the relocation of the historic “Smithy” building to the rear of the property.

The owner entered into a Site Plan Agreement with the Town for the development of the property. The Site Plan Agreement was registered on June 11, 2019 with an amendment for revised elevation plans registered on July 23, 2019. The rear lands of the subject property (see the Location Map in **Appendix I** to this report) above the underground parking garage are to be landscaped open space.

The owner has constructed the hotel, parking garage and moved the “Smithy” to its permanent location. Through this process, the owner has requested changes to the landscaped rear lands originally approved through the Site Plan Agreement.

The owner submitted an initial Site Plan Amendment application in 2021. As the site is within the Queen Picton Heritage Conservation District, a Heritage Permit was required for the proposed modifications. Staff recommended approval of the garden plan indicating that impacts are not anticipated to the streetscape or surrounding cultural heritage resources, in part, since the area was not visible from the street. The landscape design and Heritage Permit require the planting of cedar trees (or similar) with minimum size requirements along the property perimeter to provide privacy screening for adjacent residential lands. The landscaping is to be approved to the satisfaction of the Director of Community & Development Services and substantially in accordance with the submitted plan. Provided the principles and requirements of the Heritage Permit are addressed, there is no need to obtain further heritage approval from the Town’s Municipal Heritage Committee.

The owner submitted formal revised materials for the amendment to the Site Plan Agreement in June 2023. The attached **Appendix II** and **Appendix III** to this report contain the proposed Landscaping Plans and Lighting Plan. Staff is reviewing these plans and other submitted documents. The installation of perimeter fencing and landscaping at the site has commenced.

The rear area of the site abuts residential properties and residents have raised concerns with the potential use of the rear garden for special events. Town Staff has previously advised Council that there is no permission in the Site-Specific Zoning By-law (4316DH-18, as amended) for events in the rear landscaped area. Staff has also advised that any possible events may be considered through a Special Event Permit issued by the Town.

The revised landscape plan appears to address some issues of compatibility identified by residents during the construction process and review of earlier variations for the rear landscaped area. The organization of the space and different surface treatments within the area reduces the size of gathering spaces that could impact abutting properties due to potential noise/activity.

Town Staff provided the preliminary Landscape Plan and Lighting Plan to neighbours in the area in May 2023 for information. Comments have been submitted by two area residents. These neighbours have stated the proposed layout is a better design than previous concepts. Generally, residents would prefer the planting of higher cedars along the perimeter and commented on vegetation species. Questions on lighting in the landscaped area have also been raised.

## **NEXT STEP / CONCLUSION**

Staff acknowledge that the owner and surrounding residents wish to finalize the landscaping at the rear of the hotel and address all matters to complete the development.

Based on past commitments to Council and residents, and in the interest of transparency, Staff committed to provide information to Council and the public as part of the review process for the Site Plan Amendment. Staff has provided a courtesy notice to area residents advising that this report was on the Council agenda.

Bill 109 amended the *Planning Act* to require Site Plan approval be delegated to Town Staff (Director of Community & Development Services) effective July 2022. Final approval of the Site Plan Amendment rests with Town Staff.

Staff continue to review the application and are working with the owner to complete the landscaping and lighting design.

## **ATTACHMENTS**

- **Appendix I** - Location Map
- **Appendix II** - Landscaping Plans
- **Appendix III** - Lighting Plan