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

SUBJECT: Urban Design Committee – 2023 Year in Review
DATE: 2024-02-28
REPORT #: CDS-24-037
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DEPARTMENT: Community & Development Services

BACKGROUND INFORMATION

As required by the Urban Design Committee (UDC) Terms of Reference, the Committee and Town Staff has committed to providing a year-end review report which offers a summary of the UDC activity from the previous year (2023), status of applications and/or how comments have been considered. The purpose of this report is to provide a year-end review and suggestions for process improvements in the coming year related to Staff reports and the meeting structure.

Year End Summary

The UDC reviewed a range of projects and proposals in 2023, including individual dwelling review (e.g., 3 Kent Street) to large scale projects (e.g., subdivisions and Draft Urban Design Guidelines for Glendale Secondary Plan). The following table highlights the motions made by the UDC and how the applicant and Town Planning Staff has considered this direction related to project revisions and implementation.

Many of the applications/items heard by the UDC in 2023 are still under review by Town Planning Staff. In instances where such applications have proceeded to a recommendation and/or approval, details on the ways in which the Committee's feedback has been incorporated into the project is provided. Motions from the Urban Design Committee are always incorporated into staff recommendation reports as well.

Address	Staff Request for Comments from UDC	Committee Motion (Summarized)	Status	Implementation of Committee's Motion
Wednesday, March 29, 2023				
3 Kent Street, Queenston	Report CDS-23-072 <ul style="list-style-type: none"> • Alignment of character with surrounding development • Lot coverage • Alignment with the Queenston Secondary Plan including the roof profile, building façade, exterior materials, windows and front porch 	<ul style="list-style-type: none"> • Reduce the massing and lot coverage of the house • Lower the roof pitch • Increase front yard setback • Add window details, such as wood, stone, lintels, sills, and/or muntin bars • Retain trees 	Under Construction	<ul style="list-style-type: none"> • Dwelling location and height aligns with Zoning By-law • Dwelling is set back further from the front lot line, garage set back from the front line of the house • Tree Permits have been issued for tree removal. Required to plant 13 trees, removal of 7 trees total.
Wednesday, April 26, 2023				
223-227 Mary Street, Old Town	Report CDS-23-092 <ul style="list-style-type: none"> • Massing, scale and height • Setbacks • Building orientation • Landscaping • Location of the driveway 	<ul style="list-style-type: none"> • Meet 12-metre height restriction, reduce height at the street • Relocate vegetation throughout the site • Relocate the driveway • Lower the ceiling height • Fencing should be along the boundaries of the property and 2 metres in height • Mimic the development at 175 Queen Street, to appear as more of a townhouse than an apartment building 	Applications Pending Council Approval	<ul style="list-style-type: none"> • Minutes from the April 26, 2023 Meeting have been provided to the applicant and Planning Consultant • Awaiting a submission of additional information, including responses to the Committee's recommendations

Address	Staff Request for Comments from UDC	Committee Motion (Summarized)	Status	Implementation of Committee's Motion
280 Niagara Stone Road (Stone Eagle Winery), Old Town	Report CDS-23-093 <ul style="list-style-type: none"> • Circulation on-site • Landscaping and species 	<ul style="list-style-type: none"> • Add bicycle and pedestrian access to Niagara Stone Road • Reduce the scale and mass of the structure • Architectural design should be more appropriate for an industrial use • Accessible parking spaces on one side of the building only • Plant additional trees throughout, provide additional landscaping along Niven Road • Consider a large ventilator be used instead of the clock tower • Use Tuscan columns, not ionic columns 	Under Construction	<ul style="list-style-type: none"> • Additional trees and plantings along Niven Road, and loading areas, as well as Niagara Stone Road (entranceways, parking and building) • Parking aligns with the requirements of the Zoning By-law
Wednesday, May 24, 2023				
15 Elden Street (Radiant Care Pleasant Manor), Virgil	Report CDS-23-116 <ul style="list-style-type: none"> • Bulk, massing and scale • Connectivity • Landscaping 	<ul style="list-style-type: none"> • Add more trees in the parking area • Provide more garden spaces and areas for outdoor meetings and activities • Provide more parking for visitors • Provide pedestrian connectivity • Additional landscaping features, gardens and greenspace to provide an oasis for residents • Maintain vistas of the orchards • Consider achieving LEED certification, use of permeable pavers • Use more landscaping in parking islands, and to screen the property • Consider reorienting the building 	Under Construction	<ul style="list-style-type: none"> • Tree species have been updated to comply with the Town's tree list, additional shade trees have been provided • Additional flowering trees and ornamental plantings have been provided • Hedging has been added at the northern limit of the parking lot • Turning radius into the loading area has been modified to accommodate larger trucks • A series of sidewalks are provided throughout the site • Internal end wings of the new building allow for vista views from the seating and smaller gathering areas
170-192 Tanbark	Report CDS-23-120	<ul style="list-style-type: none"> • Reduce building height 	Applications Approved by	<ul style="list-style-type: none"> • Condition of Draft Plan Approval has

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Road & Warner Road (Tawny Ridge Estates), St. Davids	<ul style="list-style-type: none"> • The provision of a walkway connecting Chestnut Avenue to Tanbark Road • Development of a block within the subdivision • Retaining development potential on abutting lands to the west • Building height • Lot coverage • Front yard setbacks 	<ul style="list-style-type: none"> • Maintain the existing dwellings, to add to the diversity in housing style • Retain mature trees on-site • Garages appear to dominate the front facades; pitches are steep and dormers are unusual • Consider how climate change issues are being mitigated in the development • Provide for additional street connections • Not supportive of the proposed Zoning By-law Amendments due to height and setbacks • Proposed apartment building is not consistent with surrounding dwellings • Consider providing diversity in housing types • Address drainage and other infrastructure-related issues within the Staff Report 	Council, Appealed to the Ontario Land Tribunal, Decision from the Tribunal Pending	<p>been implemented to review that the design of future dwellings be reviewed by Staff prior to the issuance of a building permit, to ensure that the St. Davids Urban Design Guidelines are reflected</p> <ul style="list-style-type: none"> • Items related to individual lot design, and placement of landscaping will be reviewed through the Subdivision Agreement and/or Building Permit process • Zoning limit on the size and scale of garages
Wednesday, June 28, 2023				
325 King Street (129 Room Hotel Development) Old Town	<p>Report CDS-23-150</p> <ul style="list-style-type: none"> • Massing, scale and height • Setbacks • Landscaping • Parking and circulation 	<ul style="list-style-type: none"> • Reject the proposed Official Plan and Zoning By-law Amendments • Need to complete additional studies related to the need for an additional commercial use, including a market or impact study • Proposal is not consistent with the Official Plan • Massing is too large • Height is inappropriate • No formal parking study has been completed, amount of parking is inadequate • Need more information related to landscaping • Staff need to ensure that development proposals are complete before being subject to the process of public consultation 	Applications Pending Council Approval	<ul style="list-style-type: none"> • All of the recommendations from the Committee's motion were removed by Town Council • Town Staff note that the applications were deemed complete, as all required studies to be submitted at the time of the Official Plan Amendment and Zoning By-law Amendment were provided, in accordance with the <i>Planning Act</i>.

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61 Melville Street, Old Town	Report CDS-23-135 <ul style="list-style-type: none"> • Massing, scale and height • Setbacks • Landscaping • Parking and circulation 	<ul style="list-style-type: none"> • Add parking, to provide two spots per unit • Provide different tree species • Consider providing commercial space on the main floor 	Applications Approved by Council	<ul style="list-style-type: none"> • Recommendations #1 and #3 were removed by Town Council • Landscaping will be addressed through the Site Plan stage
Temporary Patio Program	Report CDS-23-136 <ul style="list-style-type: none"> • Feedback on the existing Temporary Patio Program 	<ul style="list-style-type: none"> • Ensure warm lighting • Rough framed timber should be prohibited • Require decorative landscaping • Black umbrellas prohibited • Need to ensure consistent design standards 	Review Ongoing	<ul style="list-style-type: none"> • Revisions to the Town's Temporary Patio Program are ongoing • Updates to design guidance will be brought back to the Urban Design Committee at a future meeting date for review and feedback
Wednesday, September 27, 2023				
Northwest Side of King Street, South of Cottage Street (Proposed 3-storey, 17-unit Apartment Building), Old Town	Report CDS-23-179 <ul style="list-style-type: none"> • Massing and scale • Height and transition • Building orientation • Setbacks • Parking location • Privacy, screening and landscaping 	<ul style="list-style-type: none"> • Concerns related to building height and shadows, reduce building to 2-storeys • Provide porous paving and electric outlets for vehicles • Scatter trees throughout the property • Provide metal, powder-coated fencing 	Appealed to the Ontario Land Tribunal, Decision from the Tribunal Pending	<ul style="list-style-type: none"> • Paving for parking areas and electric outlets for vehicles, tree planting locations, and fencing, to be addressed as part of the future Site Plan, as applicable. • The applicant has maintained the 3-storey building design with a smaller footprint, to provide greater landscaping on site and allow for larger buffers to surrounding properties

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<p>North Side of Hickory Avenue (South Portion) and West of Tanbark Road (Opulence Subdivision), St. Davids</p>	<p>Report CDS-23-209</p> <ul style="list-style-type: none"> • Pedestrian circulation and connectivity • Lot area and frontage • Rear yard setbacks • Fencing • Height • Lot coverage • Trees 	<ul style="list-style-type: none"> • Provide a direct vehicular access to Tanbark Road • Provide powder-coated metal fencing • Distribute trees throughout the development • Provide more space for cars in the driveways • More diversity in housing types • Reduce lot coverage 	<p>Applications Pending Approval by Council</p>	<ul style="list-style-type: none"> • Recommendations from the Committee have not yet been implemented, as the applications are still under review • Items related to lot area and frontage, setbacks and lot coverage will be considered as part of the Zoning By-law Amendment • Recommendations related to fencing, trees, and pedestrian connections (sidewalks) will be addressed as conditions of draft plan approval

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Wednesday, October 25, 2023				
228 Queen Street, 209 & 217 Simcoe Street (Proposed Hotel), Old Town	Report CDS-23-230 <ul style="list-style-type: none"> • Massing and scale • Height • Setbacks • Landscaping • Parking and circulation 	<ul style="list-style-type: none"> • Parking and circulation on-site should be made more efficient • Massing, scale and height of the 4-storey building is incompatible with surrounding area • Renderings to be provided that show no leaves on trees • Landscaping considerations were providing, including tree types, removal and/or relocation of plantings, removal of gates • Ensure there is sufficient soil depth above the underground parking area to accommodate new trees and root systems 	Applications Pending Approval by Council	<ul style="list-style-type: none"> • The recommendations from the Committee have not yet been implemented, as the applications are still under review • The minutes from the October 25, 2023 meeting have been provided to the applicant for consideration and response
308 Four Mile Creek Road, St. Davids Proposed 9-unit Townhouse Condominium	Report CDS-23-229 <ul style="list-style-type: none"> • Dwelling design • Setbacks and compatibility • Buffering and fencing • Landscaping • Access • Scale, massing and impacts to the streetscape • Tree removal 	<ul style="list-style-type: none"> • Use varied colours and designs for dwellings • Garage doors are not to be more than 50% of the width of the dwelling • Consider providing rear garages via a rear laneway • Move townhouses closer to Four Mile Creek Road • Landscaping to complement Four Mile Creek watercourse • Consider providing visitor/guest parking • Address potential for flooding impacts in Staff Report 	Applications Pending Approval by Council	<ul style="list-style-type: none"> • The recommendations from the Committee have not yet been implemented, as the applications are still under review • The minutes from the October 25, 2023 meeting have been provided to the applicant for consideration and response
Wednesday, November 22, 2023				
Glendale Secondary Plan Draft Urban Design Guidelines	Report CDS-23-254 <ul style="list-style-type: none"> • Feedback on the proposed draft Urban Design Guidelines 	<ul style="list-style-type: none"> • Ensure inclusion of streetscape elements including sidewalks, gateways and watercourse protections on Collector Roads • Provide means for active transportation • Ensure stormwater management is addressed • Include private realm guidelines, including best 	Policies Pending Approval by Council	<ul style="list-style-type: none"> • The proposed Secondary Plan and accompanying Urban Design Guidelines are still under review • The minutes from the November 22, 2023 meeting have been provided to the consideration

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		practices for energy conservation, small buildings, tree planting, building height <ul style="list-style-type: none"> • Provide more examples from the Town within the Guidelines • Supportive of the sustainability section of the Guidelines • Consider using stronger language and defined terms 		for consideration and response <ul style="list-style-type: none"> • Updated draft Urban Design Guidelines will be brought back to the Committee for review and feedback at a future meeting

Process Improvement Suggestions

Town Staff aim to ensure that all Committee meetings are transparent, efficient, and provide implementable direction for the applicant and/or Town Planning Staff. At each meeting, Town Staff provide application/project reports to the Committee, identifying specific items which warrant feedback from the UDC, the relative Town policies and regulations related to the property, as well as present an overview of the proposal itself during the meeting. Members of the UDC are then requested to provide feedback on these specific items, as well as any other general feedback where it relates to urban design matters.

Staff have identified some opportunities for process improvement going forward and seek the UDC members input on the following report and meeting suggestions:

Reports

- Review and update the current Staff report template to make it more concise. Staff are using the standard Town report template when preparing a report for the UDC. Streamlining the report template to tailor it to UDC input would assist in better presenting the information and receiving feedback. Staff are considering including the requests for Committee feedback, along with the related policies, under the “Discussion/Analysis” section of the Staff Report. This approach would provide the applicable policies within the report itself, instead of as an Appendix (as is currently provided) and ensure that the Committee members are apprised of the direction contained within existing Town policies.

An example is provided below:

“Staff request comments from the UDC regarding the height of the proposed building.

Town Official Plan Policy 6.4, states that the building height has [generally] not exceeded 11 metres, and...this low-rise character should be maintained.

Town Zoning By-law 4316-09, as amended, provision 7.5.2.3, for an apartment building within the Residential Multiple (RM1) Zone permits for a maximum

building height of 12.0 metres.

Section 6.21 of Town Zoning By-law 4316-09, as amended, notes that the following are exempt from the building height restriction: parapet or other ornamental structure or device to enclose mechanical equipment.”

- Staff intend to add clarity to the requests for input within the staff report and focus the discussion upfront on these items to ensure the UDC is providing specific comments to the applicants for consideration in their resubmission.
- In instances where the proposal is subject to a planning application, Town Staff will provide a link in the report to access all submitted documents if the Committee members wish to have a better understanding of the proposal and/or other supporting materials.

Meetings

- Following circulation of the UDC agenda, it is requested that Committee members individually send their questions via email in advance of the meeting so that Staff and/or the applicant can address them in their presentation overview. This action will provide an opportunity for Town Staff and/or the applicant to add clarity/information ahead of the meeting and ensure the presentation responds to the questions.
- While Staff appreciate comments from UDC members related to general urban design feedback, in some instances, providing this general feedback has resulted in lengthy discussions that are not directly related to the input that Staff has requested or that can be implemented. Staff suggest that UDC members could individually provide general feedback via email in advance of the meeting, to ensure that the discussion during the meeting is related to the specific items identified for feedback from the Committee. Staff can summarize this general feedback in the presentation and forward comments to the applicant for their consideration.
- To make the meetings more efficient, it is suggested that members be limited to 10 minutes each per application/item and raise new items only to reduce or eliminate any repetition. Each application/item will be limited to 1 hour maximum, including all presentations and comments, unless additional time has been identified at the beginning of the UDC meeting. The time limits will be monitored and implemented by the Chair and the recording secretary.
- Preparing motions for the UDC has become difficult due to the volume of discussion and, at times, opposing viewpoints. Staff will be asking members to come prepared to the meeting with specific items that would form the motion to ensure that clear direction is provided to the applicant/Staff.
- In addition to applications where the Town has urban design policy in place, Staff will continue to bring “bigger picture” items to the UDC for review and input, as available, including those related to the Official Plan and Zoning By-law reviews, Patio Program, Climate Change, and Complete Streets.
- The applicant/landowner and Staff attend the UDC meetings, to make notes of all input provided and to consider such feedback through the design of the proposal. The Chair

and Staff will continue to provide regular reminders to the Committee of this, to assist with scoping the discussion during meetings.

Changing Policy

Town Staff has been required to respond to changing Provincial legislation related to planning processes and details. Included in this changing legislation (e.g., Bill 23) has been a limitation on the ability for Town Staff to implement certain design components for developments. For example, such items include exterior design features and the appearance of building elements related to materials and colour through site plan control. Accordingly, comments from the UDC related to exterior design features are welcomed; however, it is important that Committee members be aware that such feedback may become challenging to implement, or not implementable, based on the current planning policies and Provincial direction.

NEXT STEP / CONCLUSION

With the above noted process improvement suggestions, Town Staff believe that the UDC can function more efficiently and effectively, while being respectful of everyone's time (including Committee Members, Town Staff, the applicant/landowner and their consultant(s)). Staff are open to any other suggestions that the members may have for process improvements.

ATTACHMENTS

- N/A