

From: [REDACTED]
Subject: : File Nos. OPA-01-2023 & ZBA-01-2023 – 325 King St., Niagara-on-the-Lake
Date: May 3, 2023 4:26:22 PM
Attachments: [325 King letter to council.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 know that the content is safe. If unsure, forward the email to IT to validate.

Please find attached a letter regarding the planning application for the Hotel at 325 King Street.

Thank you,

Alan Gordon

To: The Lord Mayor
Members of Council, Town of Niagara on the Lake
Mark Iamarino, Senior Planner
Victoria Steele, Acting Town Clerk

From: [REDACTED]

Date: May 3, 2023

Re: File Nos. OPA-01-2023 & ZBA-01-2023 – 325 King St., Niagara-on-the-Lake

The proposed 179 suite hotel and event venue for this site is an exceedingly intensive commercial use that is surrounded on all four sides by low density single family houses. This commercial use, intensity, and scale are not justified or compatible whatsoever with the adjacent residential neighbourhood and various policy documents. This incompatibility is clearly stated in numerous sections of the Niagara-On-The-Lake 2017 Official Plan (OP), and 2019 Official Plan Review (OPR). Just a few of these are outlined below:

2017 OP

10.2. (8) – *Goals and Objectives, to prevent the intrusion of commercial use into residential areas*

10.3.1. (3) – *With reference to the Pillar and Post Hotel the Oban Inn and others that have been designated General Commercial, It is not intended that these uses form nodes for expanded General Commercial activity*

15.3.1. (2) – *All lands designated open space and community facilities except for municipally owned parkland within an Urban Boundary as shown on the schedules to this Plan may be redeveloped for Low Density Residential Use subject to a site specific zoning by-law amendment*

2019 OPR

4.11.2.1. – Objectives for commercial development areas are as follows:

- e) *To minimize the impact of commercial development on adjacent land uses and prevent the intrusion of commercial uses into residential areas unless it is demonstrated that there are no land-use conflicts.*

The Regional Official Plan defines Compatible as:

A development, building and/or land use that can co-exist or occur without conflict with surrounding land uses and activities in terms of its uses, scale, height, massing and relative location.

This proposal contains 129 rooms which is an equivalent occupant load of approximately 200 people plus a 700 seat restaurant and event space, and approximately 100 employees to support this use. The total capacity is 1,000 people at any one time.

hotel rooms? They are equivalent to being on top of a roof of a 2 storey house. What is the justification for this intrusion?

Under the proposed change of use to General Commercial is also the provision to include retail. Is King Street to become a commercial corridor?

Also at the MHC meeting the applicant stated the plan is sensitive to the residential area, traffic will not impact residential streets, they will have a maximum of 30 staff, garbage will be picked up once per week, they stated we do not think parking will be an issue. This is a gross underestimation of actual activity. Clearly none of these impacts have been studied or considered, and there is no support for their assertions.

What accountability and guarantees of compliance with statements made by the applicant and the consultants will be put in place and will they be enforceable? What guarantees will there be to prevent future expansion and the use of the outdoor space for events, gatherings and even a pool that will create noise, lights, and activity?

The existing residents that bought into a residential area have rights unambiguously defined under the Zoning by-laws and the Official Plan. A commercial hotel severely violates these rights. Is money more important than people? This colossal commercial development will obliterate the residential neighbourhood that is guaranteed under the current Official Plan.

This will be the beginning of more excessive overdevelopment and destruction of neighbourhoods, and potentially the formation of King Street as a commercial venue.

The only justification in the PJR is economic and the creation of minimum wage jobs.

They state the building is a "form of gentle intensification compatible with surrounding uses and built form". It is clearly anything but.

This commercial use and building form has no neighbourhood context or relationship. Common sense dictates this is bad planning, and detrimental to the character of the surrounding area. If allowed, this hodgepodge approach to planning will make a mockery of all the effort the Town has put into developing the existing Official Plans.

Residential zoning is there for a reason, and it is supported by the Official Plan. It defines the vision of the community and council must support this vision.

A commercial designation on this section of King Street will represent a fundamental shift in town planning policy. For this change in direction a full, transparent and inclusive public process must be enacted upon to ensure complete public input which also allows for appeal.

This application needs to be rejected outright.

From:

█

Cc:

[Wendy C. Marnie Crickle](#)

Subject:

File Nos. OPA-01-2023 & ZBA-01-2023 – 325 King St., Niagara-on-the-Lake

Date:

April 17, 2023 3:35:35 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 know that the content is safe. If unsure, forward the email to IT to validate.

Dear Lord Mayor, Council and Staff,

Unfortunately, we will be unable to attend the Open House concerning the above noted submission by Two Sisters Resorts tomorrow evening. However, I do have objections to this application and the process by which it has been deemed complete; which objections I want to ensure are part of the public record.

Frankly, I don't believe such an inappropriate application to convert one of the last remaining public institutional open spaces in the heart of Old Town should even be entertained by the town from the outset. The historic significance of the site having been the site of the first sitting of the Parliament of Upper Canada would suggest to one that perhaps a much better use of the property would be a national historic park with interpretive history extolling the significant part our fair village has played in the history of Ontario and Canada. This is the kind of thing which attracts and adds value to the tourism experience -not jamming in an oversized hotel in a residential neighbourhood.

Furthermore, I question how this application could ever have been deemed complete without a thorough up to date Traffic Study, given the issues which we have with traffic in Old Town??? Having read through the "Parking Review Technical Memo" it is obvious the applicant doesn't want any real discussion of this issue and astoundingly suggests with his parking memo that the Town should accept 197 parking spaces when the Town Bylaws call for 267 spaces, presumably because that's okay in the Town of Blue Mountain? Perhaps the applicant should take his proposal there; we have so many issues with traffic and parking in Old Town that it is ludicrous to entertain an application which will only exacerbate the problem.

The "Shadow Study" attached to the application is interesting in that it provides drawings showing minimal shadowing on two dates at the beginning of summer and autumn between 10 a.m. and 4 p.m. Perhaps the applicant should witness the shadows cast by the Old Courthouse which is roughly half as high as his proposal and at 6:00 p.m on most days of the year shadows the businesses across the street.

I find it incredible the applicant's Heritage Impact Study states The proposed development has the potential for direct impacts to the Downtown Heritage Character Area. The proposed development exhibits a distinctly different architectural style from the surrounding structures and may alter the general appearance of the Downtown Heritage Character Area. Due to the development's siting within the property boundary, there are no anticipated indirect impacts caused by shadows, isolation, obstructions or changes in land use. There is the potential for indirect land disturbances caused by vibration as the work is happening within the Downtown Heritage Character Area. Accordingly, mitigation measures must be prepared

As identified in Section 7.2, there is the potential for indirect impacts to the designated properties resulting from construction-related ground vibration...

Just because this large obtrusive hotel will be located within the boundaries of the lot does not

in any way diminish the impact on the surrounding properties or the Heritage District.
I have previously submitted a letter imploring the town to not approve the Applicants
Demolition of the existing buildings on the site. I would ask this application for the proposed
hotel be also turned down as simply inappropriate for Old Town.
I will be making every effort to attend the Public Meeting on May 9th, and would like to be
registered to speak at the Public Meeting.

Best Regards,
Bob Bader
9 Shaw's Lane,
Niagara-on-the-Lake

Bob Bader 

From:



Subject: File Nos. OPA-01-2023 & ZBA-01-2023 – 325 King St., Niagara-on-the-Lake

Date: May 17, 2023 12:49:50 PM

Attachments: [Provincial Policy Statement issued April 6, 2023.pdf](#)

Some people who received this message don't often get email from bader.irene@gmail.com. [Learn why this is important](#)

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 know that the content is safe. If unsure, forward the email to IT to validate.

Dear Lord Mayor, Councilors and Staff,

We are writing today to emphasize the grave importance of ensuring attention to the Provincial Policy Statement directives towards achieving the concept of “Complete Community” in assessing the Application for Rezoning of The Parliament Oak School site at 325 King Street.

We believe the highest and best use of this Institutionally Zoned property would be to retain the existing zoning and proactively approach the owner to invest in meeting an immediate and pressing need in Old Town by construction of an appropriately scaled and complementary to the history and neighbourhood Assisted Care Facility for Seniors and handicapped individuals in NOTL. Assisted living is the missing transition link between self sustaining home ownership and Long Term Care which would have the added benefit of freeing residential homes vacated by users of assisted care.

Our community is slowly being hollowed out one rezoning after another and the owner of 325 King Street knew full well what the zoning was when he purchased it. The town planning staff, residents, Lord Mayor and Council have spent thousands of hours and dollars in producing our new Official Plan wherein it is designated Open Space and Community Facilities (previously Institutional) and not commercial. Specifically the new PPS speaks directly to all housing options required to meet the social, health, economic and well-being requirements **of current and future residents, including additional needs; housing and needs arising from demographic changes and employment opportunities; and 2. all types of residential intensification, including the conversion of existing commercial and institutional buildings for residential use, development and introduction of new housing options within previously developed areas, and redevelopment which results in a net increase in residential...**”

We have as a community invested too much time and energy in years of planning for a holistic Complete Community and need to support our plans to ensure a vibrant, sustainable Niagara on the Lake.

The most recent Provincial Policy Statement issue April 6, 2023 and currently under review extends the previous aim of “Municipalities will work with the Province to design **complete communities** with increased access to housing, employment, schools, transportation options, recreation and public spaces, and services that are equitable and sustainable for all Ontarians”. Further the vision statement goes on to state “Cultural heritage and archaeology in Ontario will provide people with a sense of place. Prioritizing compact and transit-supportive design, where locally appropriate, and optimizing investments in infrastructure and public service facilities will support convenient access to housing, quality employment, services and recreation for all Ontarians.

We believe the following section within the PPS speaks directly to the issue of the use of the Parliament Oak School site

Section 2.1.4 Planning authorities should support the achievement of complete communities by:

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including, schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.


And the following section specifically suggests ways in which housing supports complete communities

2.2 Housing 1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:

- a) coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including housing affordability needs;
- b) permitting and facilitating:
 - 1. all housing options required to meet the social, health, economic and well-being requirements **of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities;**
 - 2. **all types of residential intensification, including the conversion of existing commercial and institutional buildings for residential use, development and introduction of new housing options within previously developed areas, and redevelopment which results in a net increase in residential** units in accordance with policy 2.3.3;
- c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
- d) requiring transit-supportive development and prioritizing intensification.

Attached are the specific references to the New PPS which apply.

Best Regards,

A black rectangular redaction box covering the signature area.

From:

Subject:

Date:

RE: File Nos. OPA-01-2023&ZBA-01-2023-325KingSt.,Niagara-on-the-Lake
May 5, 2023 10:14:59 AM

Good Morning,

Thank you for your comments regarding the proposed Zoning By-law Amendment Application for 325 King Street.

Town Staff have made note of the comments in your email and will consider these in our review of the application.

Thank you,

Cassandra Cruickshank
Administrative Assistant Corporate Services
Phone: 905-468-3266 Ext 248
1593 Four Mile Creek Road, PO Box 100, Virgil ON L0S 1T0

From:

Sent: Friday, May 5, 2023 9:55 AM

To: Gary Zalepa <gary.zalepa@notl.com>; Council <council@notl.com>; Clerks <clerks@notl.com>

Cc: Connie Tintinalli <celizabetht@cogeco.ca>

Subject: File Nos. OPA-01-2023&ZBA-01-2023-325KingSt.,Niagara-on-the-Lake

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 know that the content is safe. If unsure, forward the email to IT to validate.

May 4, 2023

Lord Mayor Gary Zalepa and Council
Town of Niagara-on-the-Lake
1593 Four Mile Creek Road
PO Box 100
Virgil, Ontario

Re: OPA-01-2023&ZBA-01-2023
Parliament Oak School, 325 King Street

yours truly,

Connie Tintinalli

[REDACTED]
[REDACTED]

Dear Lord Mayor and members of Council,

The new owners of this culturally important site are proposing Official Plan and Zoning By-Law Amendments to permit the construction of a four storey, 129 suite hotel with a restaurant, bar and event spaces in the middle of the Established Residential area of old town. The height, noise, traffic and density of this proposed development are totally inappropriate.

Introducing a commercial use into the middle of an established residential area betrays all the residents of this town and contravenes the Official Plan which stipulates one of the Goals and Objectives for Commercial Areas is *'To prevent the intrusion of commercial uses into residential areas.'*

The Official Plan designates the property Open Space and Community Facilities with the main uses being *'Active and passive neighbourhood parks, elementary schools, health care facilities, churches, day care centres, cemeteries, museums, historic sites and similar community servicing uses.'* How much further from the intended use of this important site can this proposal for a commercial hotel be? Community facilities and institutional zoning designations permit uses that serve the residents and future residents of the town. If this site is lost to commercial development, there is only one other property remaining for potential community facilities and institutional uses.

If the town of Niagara-on-the-Lake wants to remain a real town with residents, families and maybe even a school, we need to prioritize the needs of the people that live here rather than the ones who merely visit and those who only want to reap riches through development as they overwhelm the town's unique character. If an institutional use is no longer viable, the Official Plan provides that the only purpose for which the property may be redeveloped is *'Low Density Residential Use'*, one that is compatible with the surrounding Established Residential neighbourhood.

How can the application be deemed 'complete' when the application form itself lists the existing school construction date, time uses have continued, setbacks and height all as 'unknown'? In section 9, the Proposed Gross Floor Area is blank. Under section 11, the height of the building is justified because it is on a 'Regional Arterial Road' and is on the 'periphery' of a neighbourhood. Is King Street a regional road? The site is not on a 'periphery' - it is surrounded on all four sides by single family homes in an established residential zone, within the downtown heritage character area.

The application states the proposed building is 'situated to minimize any adverse effects'. Are the coming and goings of delivery and garbage trucks on small residential streets not adverse effects? Are the noise and disruption of wedding parties and conference goers not adverse effects on the residents enjoyment of their homes? Is the massive height, density and pomposity of the architecture not an adverse effect on not only the neighbourhood but the entire town?

It seems to me that sunlight is most important between September and June. Why do the shadow studies only show June 21st and September 21st?

The proposed hotel attempts to justify itself by stating it is providing employment opportunities. Where are the minimum wage earning servers and housekeeping staff going to live? They certainly will not be walking to work as suggested in the Planning Justification Report. Where will they park?

The proposal acknowledges the importance and significance of some of the heritage attributes of the site - namely the two bas-relief panels designed by John B. Shawe, the stone oak tree panel, the 1915 Parliament Oak tree marker and the art commemorating the underground railway. All of these attributes are proposed to be relocated within the private garden accessible only by going through the massive hotel lobby. (Or sneaking down one of the two service lanes and scrambling over the raised planting beds. . .) These artifacts, if they are to be the only remnants of the last public school in town and the memorial to Upper Canada's first parliament should be easily accessible to the public.

Why is the town and planning staff forced to consider a proposal where the amendments to the Official Plan and Zoning By-law are diametrically opposed to the existing? The definition of amendment is 'a minor change or addition designed to improve a text or piece of legislation'. It is based on the verb to amend, which means to change for the better. These proposed changes are enormous, not minor and certainly not changes for the betterment of the town, its residents, nor ultimately for the tourists who visit to enjoy our small town atmosphere. This application should never have been accepted nor deemed complete. This is an attempt to disguise a wholesale rewriting of both the Official Plan and Zoning By-Law by asking for amendments to these documents. The requests do not qualify in any way as amendments.

From:

Subject:

OPA-01-2023&ZBA-01-2023 Parliament Oak School, 325 King Street

Date:

May 10, 2023 11:38:16 AM

Attachments:

[325 King Follow up to Public Meeting.pdf](#)
[Public Meeting Presentation 230509.pdf](#)
[all slides 230503 smaller file.pdf](#)

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May 10, 2023

Lord Mayor Gary Zalepa and Council
Town of Niagara-on-the-Lake
1593 Four Mile Creek Road
PO Box 100
Virgil, Ontario
Re: OPA-01-2023&ZBA-01-2023
Parliament Oak School, 325 King Street

Dear Lord Mayor and members of Council,

Thank you all for your time and patience in listening to all of the concerned citizens, including myself, regarding this important issue that will soon be before you. As requested by Councillor Burroughs, attached please find my presentation from last night's public meeting. Hearing the planner's presentation and the comments of fellow residents has prompted a few more thoughts that I would like to share.

The Provincial Policy objective of 'complete communities' is a worthy one. This is an established residential neighbourhood. A hotel would be a foreign, disruptive entity - a giant black hole in the centre. As nice as the people coming and going might be, they will never become part of the 'community'. Tourism is very important to the town. They come for the Shaw, the restaurants and wineries, but ultimately many come to stroll our pleasant, quiet streets and dream of living in such an idyllic place. The fairy tale house across the street from us, with its white picket fence, arbours and gorgeous gardens is the subject of countless photos. This giant hotel, or any hotel use would totally destroy this daydream of many visitors. It would actually *discourage* 'active transportation' for the residents and especially the children of the neighbourhood and certainly degrade the 'quality of life' for the residents.

This hotel use would be precedent setting and not just for our town to allow this intrusion. I can't think of any city or town where there is a large hotel in centre of a residential neighbourhood - certainly not anywhere in the world I have visited, including Manhattan.

The concept of 'Built Up Areas' may be somewhat misunderstood - it does not mean every space should be filled with building. It is necessary for 'Built Up areas' to also contain Open Space for relief. Central Park and all the charming squares and small parks are what make New York City liveable.

The Provincial Policy Statement also mentions mitigating climate change. Tearing down the school (containing tons of embodied carbon) and replacing it with an oversized edifice of precast concrete does not even acknowledge this issue.

I may have misunderstood something, but shouldn't the Cultural Heritage Impact Study be required now, before the OPA, ZBA and most importantly *before* the school is demolished?

yours truly,

Connie Tintinalli

Public Meeting Presentation

Thank you Lord Mayor and Council for the opportunity to speak.

The proponent's planner, in the Open House, stated that the Parliament Oak School site, surrounded by single family dwellings, is appropriate for a hotel as it is near the downtown and similar in context to other hotels. The hotels cited being the Oban Inn, the Pillar and Post and Queen's Landing. For clarity in this presentation I will refer to the lake as north.

This is a small town. Yes, you can walk two or three blocks north or south from the Parliament Oak site and stumble upon a hotel. But each of the three hotels cited are very different in context and built form and bear no resemblance to this proposed hotel.

*Parliament Oak Site

This is the parliament oak school site which is designated Open space and Community Facilities under the Official Plans; Institutional under the Zoning By-Law. It is surrounded by Established Residential to the north, west and south and Residential to the east. (Having been there only 60 to 70 years, I am not sure why it is not considered 'Established' as well.) The site was once the location of a single elegant estate comprising the entire block. A single family home, beautiful gardens and fruit trees graced it along with many prominent guests visiting the home of Senator Josiah Plumb. A subsequent owner fell on hard times during the depression and the property was acquired by the municipality for unpaid taxes. When a new school was needed, the site surrounded by residential properties was the perfect location and the town essentially gave the property to the school board.

*THE OBAN INN

North of the Oban Inn is the Niagara-on-the-Lake Golf Course. There are single family residences to the west, south and north. The Oban Inn was built as a private home in 1824 by Captain Duncan Milloy of Oban, Scotland. Upon his death, the property went to his son who converted it into a hotel in **1895**. (presumably, all current homeowners were aware of the hotel's existence prior to purchasing their property.) A fire on Christmas Day in 1992 destroyed the inn. An exact replica was built and the inn reopened in November of 1993. Because it was built as a private home, it is compatible and similar in scale, massing and detail to the surrounding homes. *So no, inserting a massively out of scale commercial hotel into the middle of an Established Residential neighbourhood is nothing like the Oban Inn.* *The Parliament Oak Hotel might be similar to the Oban if it was built as a replica of the house of Josiah Plumb which was the original home on the property. (Down in the left hand corner you can see an elevation of the Plumb House alongside the elevation of the proposed hotel.)

*THE PILLAR AND POST

Strolling south from the Parliament Oak site two or three blocks (depending whether you walk past the homes on King Street or Regent) is the Pillar and Post Hotel. This building was originally built as a canning factory in the 1890's. It was on the periphery of town in an industrial area. The cannery ceased operation in 1957 and was purchased and converted to the Pillar and Post Inn in 1972. Many elements of the original building remain including this chimney and the post and beam construction on the interior. The massing, scale and architectural detail are compatible with the existing single family residences across Mary Street to the north and across Regent Street to the west. To the east is Open Space Parks Canada land. *To the south, prior to the gardens being built was a ship building industry, remnants of the warehousing and manufacturing buildings can be seen in these views from 2015. *So no, inserting a massively out of scale commercial hotel into the middle of an Established Residential neighbourhood where its school used to be is nothing like the Pillar and Post.*

*QUEENS LANDING

The closest thing to residential surrounding Queen's Landing is the three storey long term care facility to the west. This was never a residential neighbourhood, but very much a working harbour and transportation hub with fishing, ferry service and the old train terminus. The marina is to the north; the charming boutique hotel 'Harbour House' to the northwest; to the east, when Queen's Landing was built was the Anchorage Hotel and Restaurant; to the south Parks Canada Open Space; to the southwest the institutionally zoned land that was the former home of the hospital and is now occupied by the Royal Oak Community School. No single family homes. *So no, inserting a massively out of scale commercial hotel into the middle of an Established Residential neighbourhood is nothing like Queen's Landing.*

*PRINCE OF WALES

The Prince of Wales was not cited as being similar contextually but as a stylistic influence. I am here to argue about the inappropriate commercial hotel use in the middle of an established residential neighbourhood, but feel compelled to address the absolutely ridiculous proposed height and massing of this proposed hotel. You can see the corner of the Prince of Wales Hotel superimposed on the rendering. The Prince of Wales is a fairly large hotel, but it is built on a human scale. Interestingly, the additions of late twentieth century are quite charming, have a very residential feel and add a picturesque aspect to the streetscape. In this photograph you can see the original 1882 hotel in the background in perfect harmony with the addition.

*SETBACKS AND HEIGHT

The proponent suggests that the large setbacks to the building mitigate the height. The setbacks change nothing. The height is the height. Our little 2 storey house could easily fit in the lobby. The chimneys might protrude up into the second floor - that might be a little annoying, but the third and fourth floors would be free of them! To attempt to justify

a sixty foot height for this massive building because the point of this little turret is forty feet high is absurd.

The architect has noted that the existing trees in these elevations have been drawn to scale. If you have not visited the site, I urge you to do so. Imagining a building equal to the height of the existing trees is more than a little alarming and will convince you that this proposed building is in no way compatible or complementary to the existing neighbourhood. It is completely out of character with the area and is not compatible nor consistent with the existing built form, density, height and massing of the neighbourhood.

*AMENDMENT

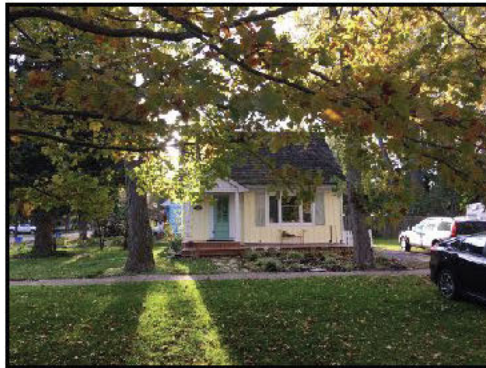
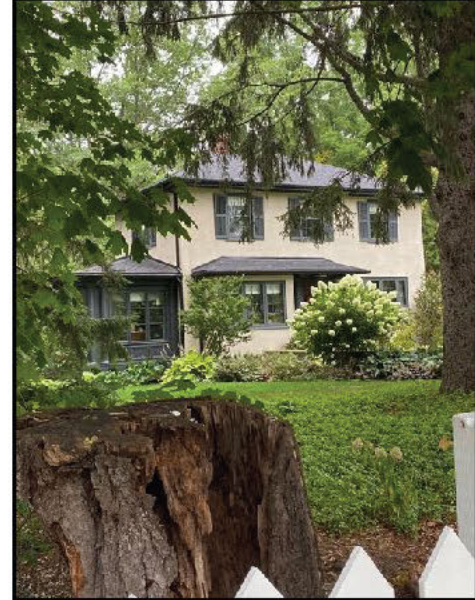
And finally, why is the town and planning staff forced to consider a proposal where the amendments to the Official Plan and Zoning By-law are diametrically opposed to the existing? The definition of amendment is 'a minor change or addition designed to improve a text or piece of legislation'. It is based on the verb to amend, which means to change for the better. These proposed changes are enormous, not minor and certainly not changes for the betterment of the town, its residents, nor ultimately for the tourists who visit to enjoy our small town atmosphere. This is an attempt to disguise a wholesale rewriting of both the Official Plan and Zoning By-Law by asking for amendments to these documents. The requests do not qualify in any way as amendments.

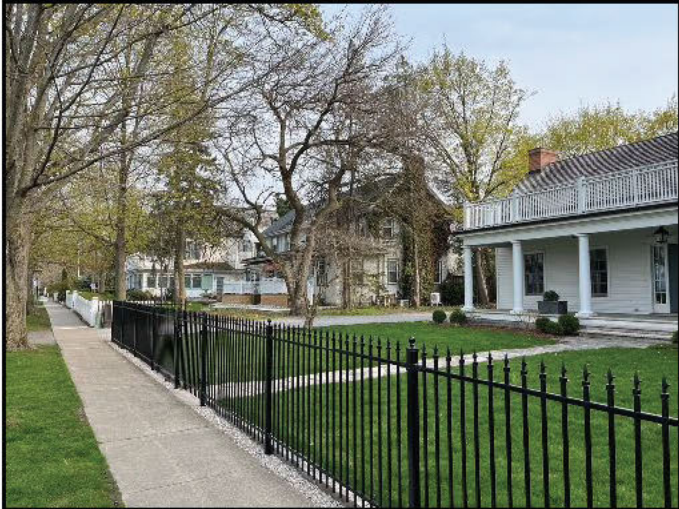
*one last image. . . It doesn't matter how far out in the canal this cruise ship is, the city of Venice decided they just do not belong in the city. Luckily, for Venice, the ships are transitory. This hotel building will not be.



Parliament Oak Site

- designated Open Space and Community Facilities under Official Plans
- Institutional under Zoning By-Law
- Surrounded by Established Residential and Residential





- property was built as a private home in 1824 by Captain Duncan Milloy of Oban, Scotland
- turned into a hotel by his son in 1895
- Established Residential to the south, west and east
- A fire on Christmas Day 1992 destroyed the inn. It was rebuilt as an exact replica and reopened in November of 1993
- compatible and similar in massing, detail and scale to the neighbourhood



The Oban Inn





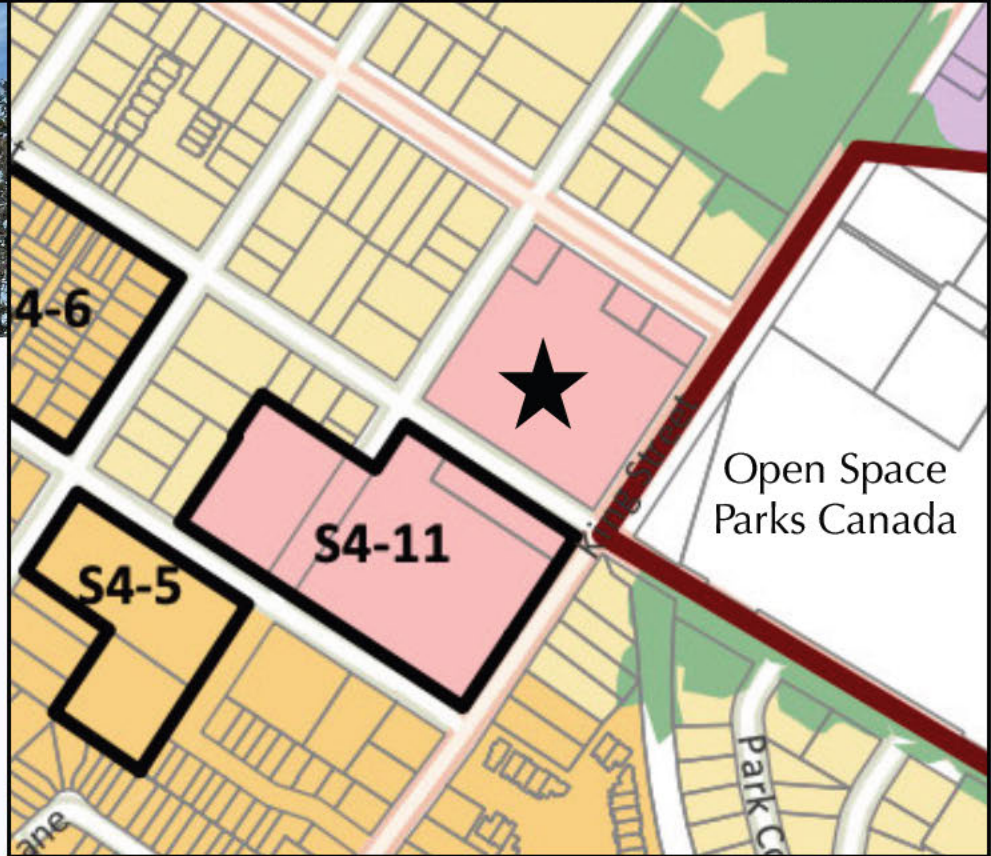
Private Home built by Captain Duncan Milloy from Oban, Scotland becomes the Oban Inn in 1895 with 28 guest rooms



Josiah Plumb Home and Property

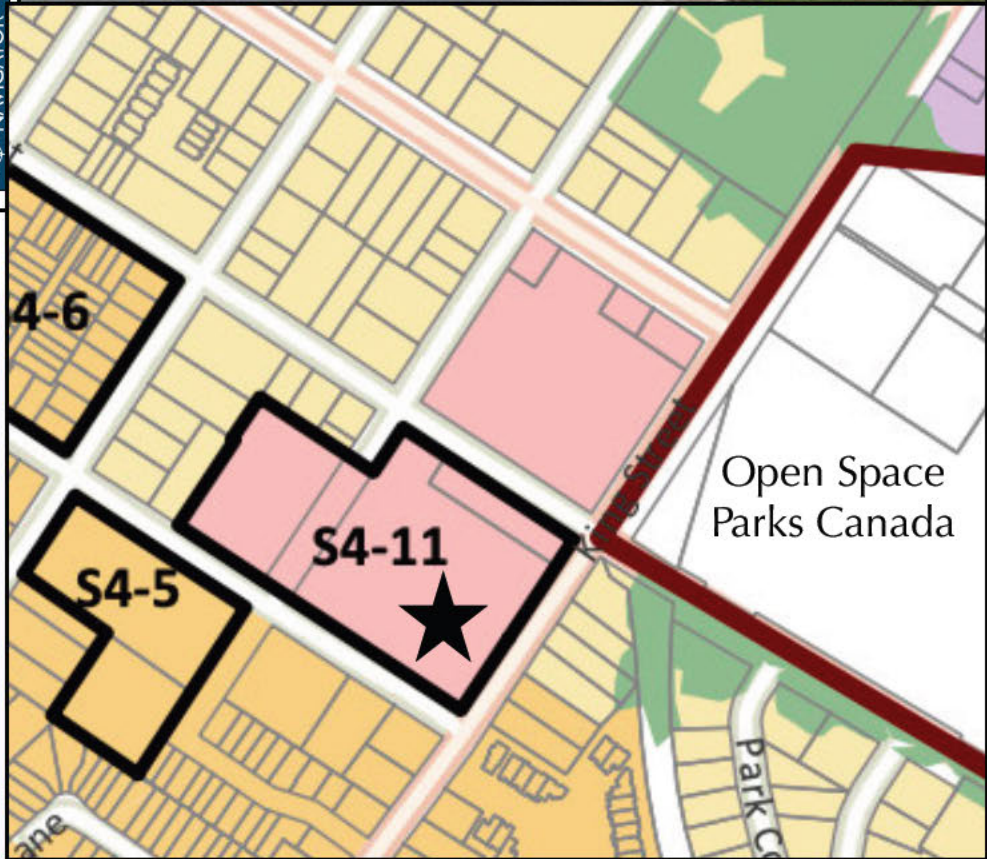


KING STREET ELEVATION
SCALE 1/8" = 1'-0"



The Pillar and Post

- built in 1890's as a canning factory on the periphery of town
- ceased operation in 1957
- purchased in 1972 and converted to the Pillar and Post Inn
- to the south was a ship building industry (where the gardens are today)
- Open Space Parks Canada to the east
- residential has grown to the north and west
- compatible and similar in massing, detail and scale to the neighbourhood

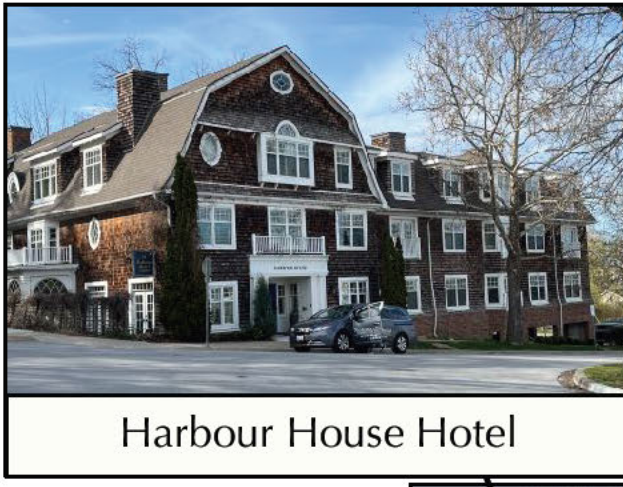


The Pillar and Post

- built in 1890's as a canning factory on the periphery of town
- ceased operation in 1957
- purchased in 1972 and converted to the Pillar and Post Inn
- to the south was a ship building industry (where the gardens are today) - aerial and street view 2015
- Open Space Parks Canada to the east
- residential has grown to the north and west
- compatible and similar in massing, detail and scale to the neighbourhood



Queen's Landing



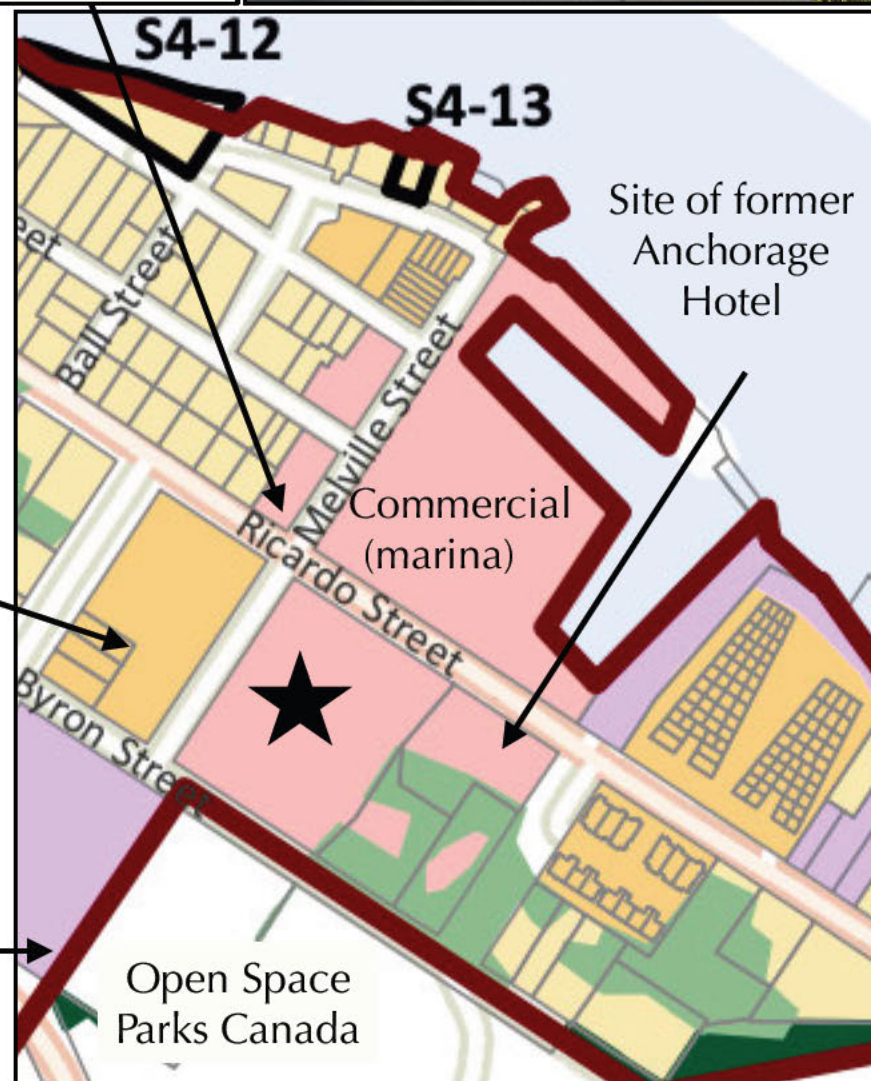
Harbour House Hotel



Niagara Long Term Care Residence



Institutional - Royal Oak School

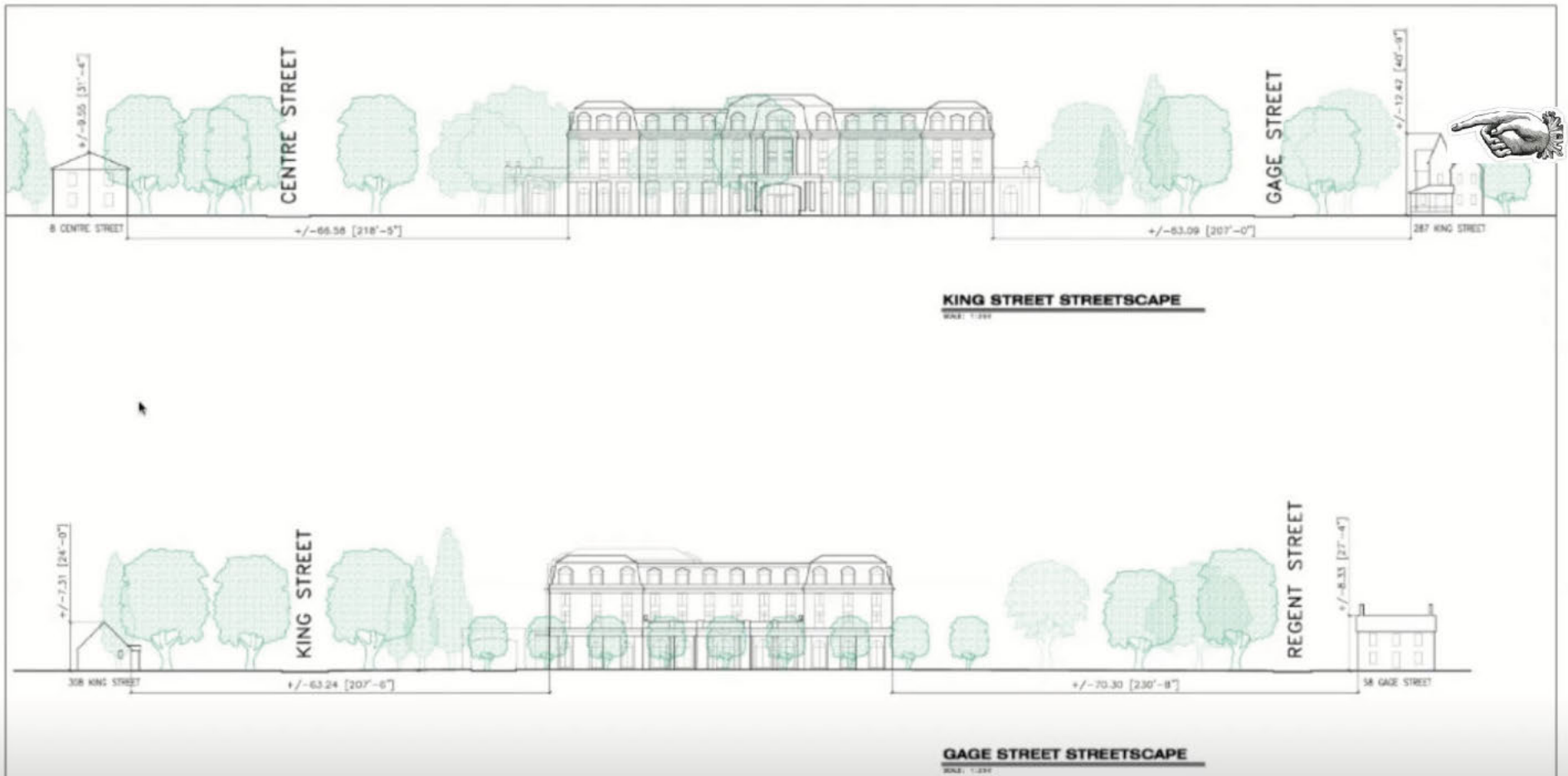




Prince
of
Wales
Hotel



PROPOSAL



- Large setbacks do not diminish the height
- Existing trees are drawn to scale - visit the neighbourhood and imagine a building the same height or higher than the existing trees

a-mend-ment

noun

a minor change or addition designed to improve a text or piece of legislation

- based on the verb to amend, which means to change for the better

Why is the town and planning staff forced to consider a proposal where the amendments to the Official Plan and Zoning By-law are diametrically opposed to the existing? How does a property deemed '**Open Space and Community Facilities**' (intended for uses that serve the residents and future residents of the town) become '**General Commercial**' (serving instead the needs of tourists and enriching the owner)? Tourism is very important to the town - but it should not be its *raison d'être*. **The town's Official Plan states one of its 'Goals and Objectives for Commercial Areas is 'To prevent the intrusion of commercial uses into residential areas'**. The definition of *amendment* is '*a minor change or addition designed to improve a text or piece of legislation*'. It is based on the verb to *amend*, which means to change for the better. These proposed changes are enormous, not minor and certainly not changes for the betterment of the town, its residents, nor ultimately for the tourists who visit to enjoy our small town atmosphere. This application should never have been accepted. This is an attempt to disguise a wholesale rewriting of both the Official Plan and Zoning By-Law by asking for amendments to these documents. The requests do not qualify in any way as **amendments**.



some things just do not belong. . .

From:



Subject:

OPA-01-2023&ZBA-01-2023 Parliament Oak School, 325 King Street

Date:

June 9, 2023 9:42:39 AM

Attachments:

[325 King letter June 9 2023.pdf](#)
[00-this is our neighbourhood.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 know that the content is safe. If unsure, forward the email to IT to validate.

June 9, 2023

Lord Mayor Gary Zalepa and Council
Town of Niagara-on-the-Lake
1593 Four Mile Creek Road
PO Box 100
Virgil, Ontario

**Re: OPA-01-2023&ZBA-01-2023
Parliament Oak School, 325 King Street**

Dear Lord Mayor and members of Council,

The area surrounding the Parliament Oak school site is a very important established residential neighbourhood in the Heritage Character Area of Old Town. Would anyone have the audacity to propose or support a large commercial hotel and event space in the middle of Rosedale in Toronto? In Forest Hill? In The Beaches? I would think not. Then why is it being considered here in the middle of an established residential neighbourhood in the Old Town of Niagara-on-the-Lake?

The site itself has very important historical and heritage attributes that are thoughtlessly and begrudgingly preserved and simply commercialized by this proposal.

If this proposal is supported in any way by staff or council, there is no longer any need for The Planning Act, Official Plans nor Zoning By-Laws. In fact the profession of 'Planning' would be obsolete, the concept of 'Planning' becoming an oxymoron as developers would be free to build whatever, wherever and however they choose.

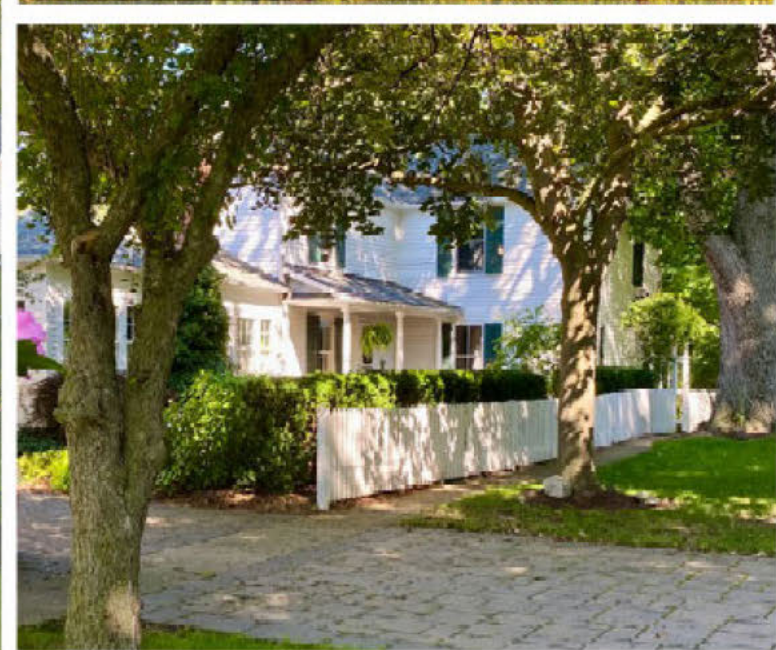
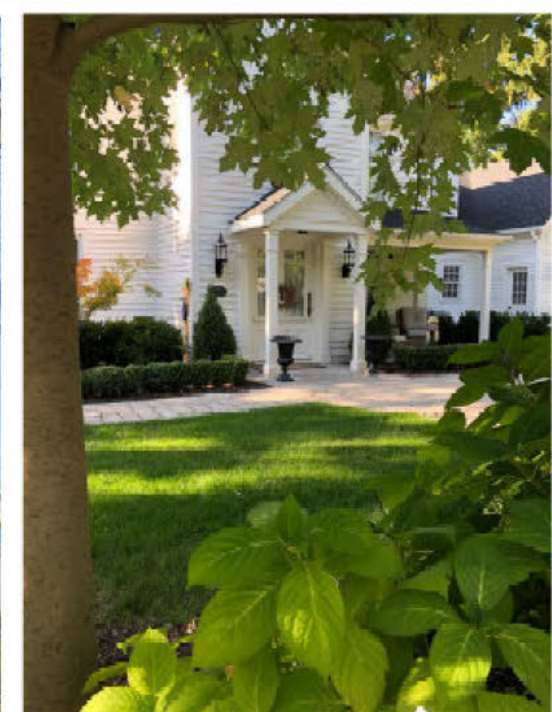
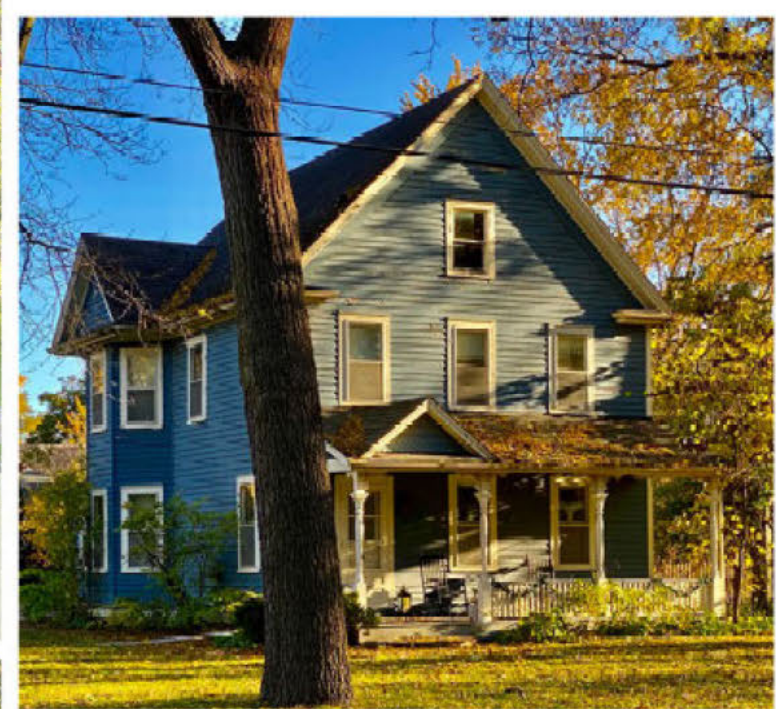
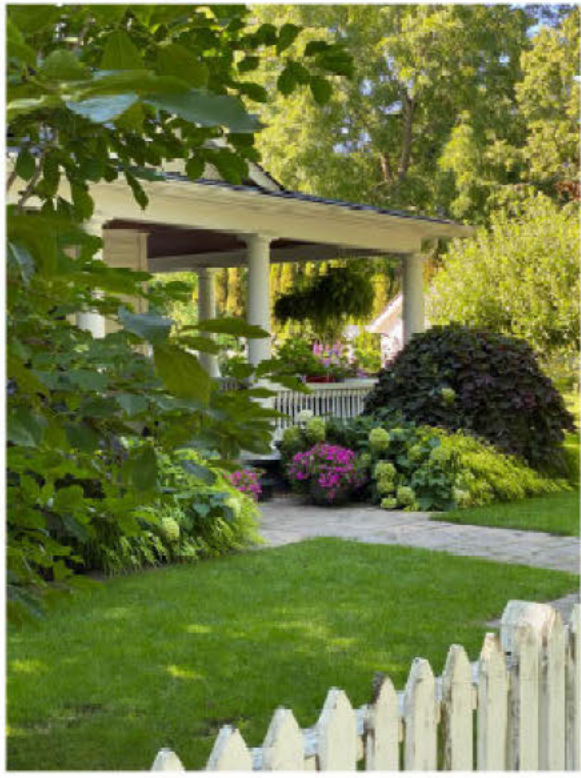
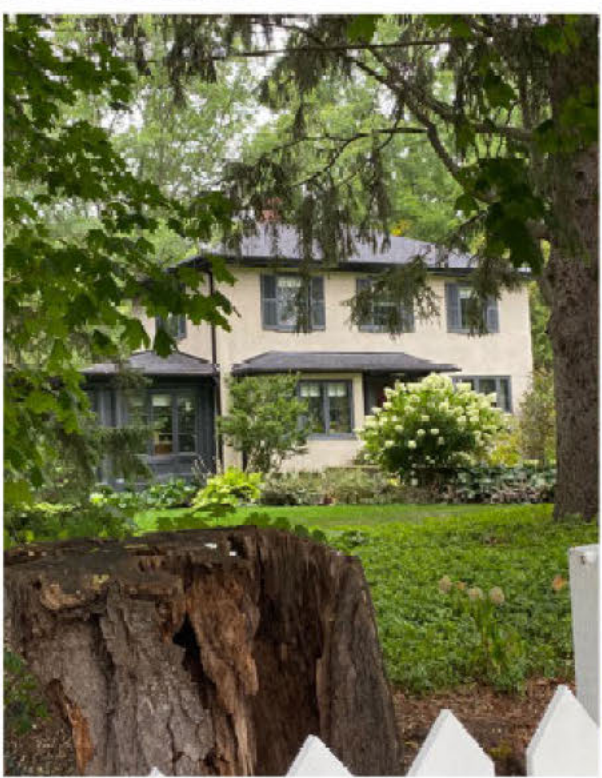
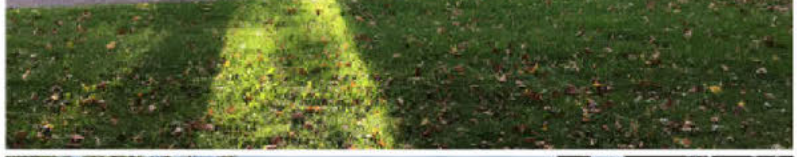
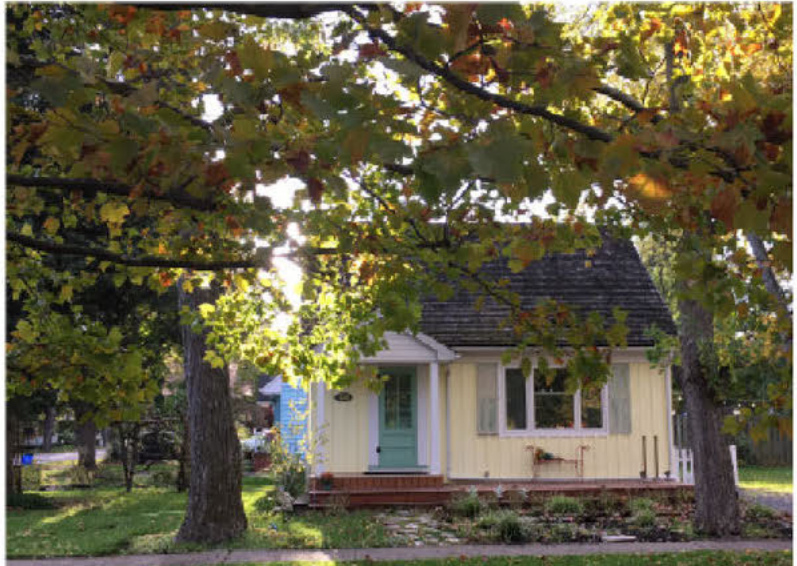
yours truly,

Connie Tintinalli

Niagara-on-the-Lake

This is our neighbourhood

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From:

Subject:

File Nos. OPA-01-2023 & ZBA-01-2023– 325 King St., Niagara-on-the-Lake

Date:

April 18, 2023 11:04:53 AM

Some people who received this message don't often get email from david.bell.aquabella@gmail.com. [Learn why this is important](#)

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 know that the content is safe. If unsure, forward the email to IT to validate.

Dear Lord Mayor, Council and Staff,

I am deeply concerned about the proposal to rezone the old Parliament Oak site to Commercial in the idle of a prime residential neighbourhood.

This is a huge change and if it was to be considered at all would require thorough assessment, much more than the proponent has put forward.

I have not considered this proposal in depth but I have made some quick observations from 50,000 ft so to speak. I hope you will consider them.

Business Need

- Does the Town have a need for this development considering the other developments that have been approved?
- I am aware of at least three other hotel developments in Old Town that have been approved, and as of yet not built. I have not searched so there may be more and I encourage staff to provide council a list of all approved (zone approvals) hotels in NOTL
- For such a major change of zoning the proponent should provide a market impact assessment as suggested on page 201 of the current Official Plan, and provided for other similar proposals like the Romance Inn proposal. Such a market and business assessment would provide not only information about the need, but also give some idea of the impact of the commercial activity on the neighbouring residential community.

Interference of Commercial Zone with Residential Properties

- It is important to note that the proposal is not consistent with the Goals and Objectives of Commercial Zones as laid out in the current Official Plan as laid out in section , specifically:
 - (4) To recognize the Queen-Picton Street area as the focus of tourist serving commercial uses in the Old Town of Niagara.
 - (6) To minimize the impact of commercial development on adjacent land uses.

- (7) To minimize the impact of commercial development on the traffic carrying capacity of adjacent roads.
- (8) ***To prevent the intrusion of commercial uses into residential areas.***
- (9) To promote compact forms of commercial development, and to discourage scattered forms of development.
- The above points in the OP are just good common and planning sense. The proposed site is surrounded by prime residential properties. There is no question the proposal will have a negative impact on the residential neighbours with respect to noise, parking, and traffic. Putting commercial development in such a location is pure folly.

Parking limitations

- Proposal admits its allocation is under the Towns recommended limits
- Current Old Town hospitality establishment generally do not supply sufficient parking for staff who often park on residential streets and walk into work
- In peak season, parking for the Queen Picton area overflows down King street past Parliament Oak. There is no reserve off-street parking inventory
- There must be ***more than sufficient parking*** for the highest demand scenario including staff and contractor parking.

Need for Residential Expansion

- The site is designated as institutional. While one might argue there are other uses for the site, commercial use is not the optimum choice. The Town of NOTL will have continued pressure to increase housing units on a limited land inventory. Putting this land into commercial use vs residential will effectively force land out of agricultural use in the future.

Impact on Infrastructure

- It appears that the assessment is based on current demands and does not reflect the impact of other approved developments (ie Romance Inn) and pending applications (Randwood subdivision). Traffic, water supply and sewers should be evaluated on the basis of all approved and planned projects. Failure to do so results in unintended consequences, poor infrastructure performance and unplanned costs for the Town(taxpayers).

--

David Bell



From:

Subject:

Date:

Re: File Nos. OPA-01-2023 & ZBA-01-2023– 325 King St., Niagara-on-the-Lake

April 25, 2023 8:26:29 AM

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 know that the content is safe. If unsure, forward the email to IT to validate.

Dear Lord Mayor, Council and Staff,

I was watching the special council meeting, and must commend the staff and council for the excellent work and thoughtful consideration.

On the topic of Parliament Oak, I noted in her remarks that Sara Premi stated that the Morotta companies intended to move forward with the hotel development on the Rand Estate. This just reinforces my comment on the questionable need for an additional hotel on King St. and the potential impact on the Town's infrastructure.

Please consider the Parliament Oak proposal in the context of all approved developments, and the best use of this prime land in the middle of a residential area.

Thank you again for your good work.

David Bell

On Tue, Apr 18, 2023 at 11:04 AM David Bell <[REDACTED]> wrote:
Dear Lord Mayor, Council and Staff,

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NOTL

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--

David Bell

--

David Bell

From:

█

Subject:

Parliament Oak property

Date:

May 16, 2023 1:08:06 PM

Attachments:

[NOTES on Parliament Oak-TTH-Final2.pdf](#)

Some people who received this message don't often get email from hemmingsdd@gmail.com. [Learn why this is important](#)

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Dear Friends,

It has been some time since the Town Historian was asked to provide a brief history of the Parliament Oak property. As the lead representative for the Town Historian function at the NOTL Museum, I prepared the attached document. I thought it might be appropriate if it were circulated again at this time.

If you have any questions or comments, please let me know.

Sincerely,

David

--

David F. Hemmings

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Some Notes on the Parliament Oak property for the 20th Century

Submitted by: The Niagara Historical Society as the **Town Historian, 23 April 2019**

The Land at 325 King Street:

Niagara Town Lots 149, 150, 191, 192.

The story of this property goes back to the beginnings of Lt. Gov. Simcoe's town of Newark / Niagara. The Patent Book or original land grants dated 6 May 1796 shows the Crown as Grantor and the following as Grantees:

Lot 149, one acre at King and Gage Streets to Angus Macdonell;

Lot 150, one acre at Gage and Regent Streets to James Macdonell;

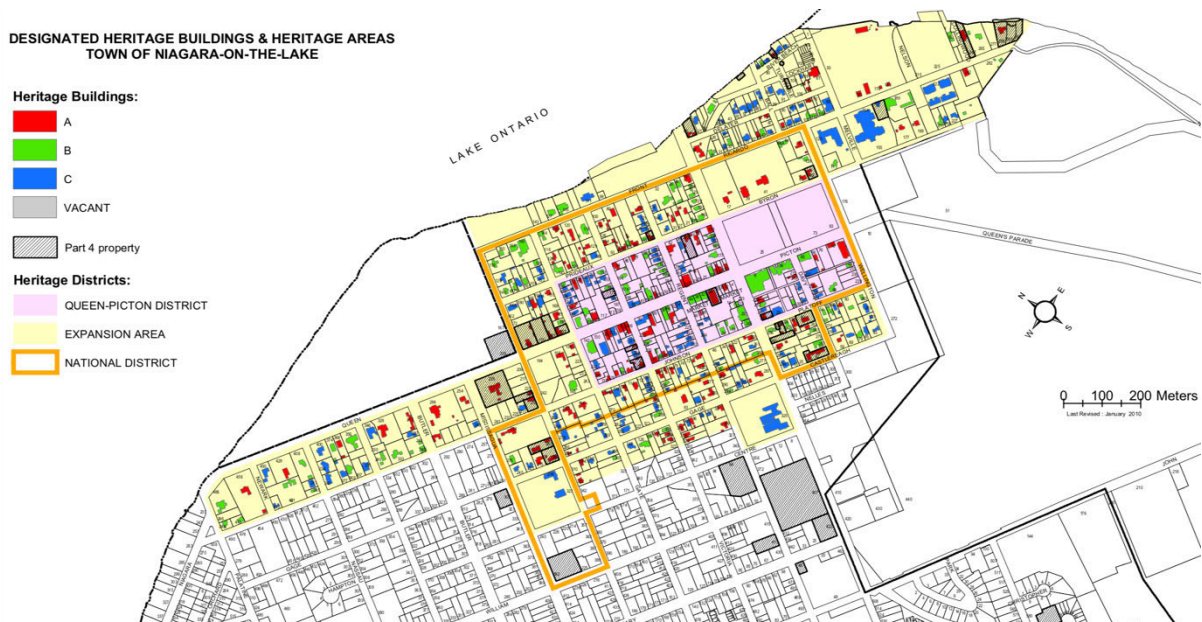
Lot 191, one acre at Regent and Centre Streets to Alexander Macdonell;

Lot 192, one acre at King and Centre Streets to Helena Macdonell.

The fabulous history of the Macdonell family is described by John Ross Robertson in his book "Landmarks of Toronto". In 1864 "J.B. Plumb, Alien" [ed. from *Albany, New York*] is listed in the assessment rolls as renting a house and property of one and three-quarters acres on King and Gage Streets from the Estate of Judge E.C. Campbell. Plumb purchased Lots 149, 150 and 192 in 1871 from Ann Isabel Campbell, widow of Judge Campbell, and paid \$4,000 for the three acres including the house. In 1872 he purchased three quarters of an acre of Lot 191 from Catherine Cathline. Up to 1943 the final one-quarter of an acre was separated from the property.

Today, as described in DSNB's Contract 18014, Sale of Property document of 5 Jan 2018 for 325 King Street:

The subject property is square in shape and consists of 1.62 hectares (3.99 acres) with frontage of 128.17 meters (420.5 feet) on the northwest side of King Street. It has a north-easterly boundary along Gage Street of 128.55 meters (421.75 feet), a northwesterly boundary along Regent Street of 128.17 meters (420.5 feet) and a southwesterly boundary of 128.55 meters (421.75 feet) along Centre Street, shown as Lots 149 and 150; Lots 191 and 192, Township Plan 86 Niagara; Part 1 on Reference Plan 30R-14504; Niagara-on-the-Lake PIN 46399-0140 (LT), and a vacant one level brick and concrete panel structure, with a total floor area of 3,205.28 square meters (34,501 square feet), defined as "Property" of this Agreement, and known as Parliament Oak Public School.



From mid 2012 to mid 2016 (Leah Wallace's work on the cultural heritage portion of the new Official Plan development), it was anticipated that there would be an Expansion Area of the Designated Heritage Districts of Niagara-on-the-Lake. This would have included the 4-acre estate lot which is Parliament Oak and its fields. So, for a substantial period of time, it was expected that the Parliament Oak School property would be designated as a part of the new Official Plan.

A History of Education in Niagara-on-the-Lake Village

In 2017 controversy swirled around the closure of Parliament Oak Public School and the refusal of the Niagara District School Board to sell the property *back* to the community in Niagara-on-the-Lake that invested in much of the school's facilities and structure. There was a threat that continuity of primary education for children in the village of Niagara-on-the-Lake would cease after over 230 years – the longest continuous period of recorded education anywhere in Upper Canada.

From its earliest occupation in the 1780s, the children of soldiers, sailors and Government officials in Niagara-on-the-Lake (then known as Butlersburg or Newark) were educated with other local children of merchants and tradesmen in teachers' houses (such as the Schoolmaster's House on Mississagua Street, Miss Fenwick's school on Centre Street and Miss Young's school on King Street) around the town.

The first public school in the town, Niagara Public School, had its property gifted to the town by James Crooks in 1854 with the only condition being "to be use of a Common Schools and Grammar Schools in the town of Niagara (now NOTL) forever." The school was later constructed in 1859 on the property located on Platoff Street; a two storey, red brick building with four classrooms, two upstairs and two downstairs. All eight grades were taught in those classrooms and one teacher – and later the principal of the school – was Janet Carnochan, the renowned historian and librarian of NOTL. The school was used until 1948, when Parliament Oak was opened as a continuation of primary education tradition in the historic village.

On Oct. 31, 1944, the Corporation of the Town of Niagara (now NOTL) conveyed to the Board of Education of the Town of Niagara (now DSBN) the land that is now Parliament Oak School. On Jan. 18, 1945, the land was sold from the Town to the Town's school board for \$1. No one at the time would have thought one small town board would eventually be taken over by a regional board – a government entity that would not care how decisions, once made, would affect a very historical town.

On June 22, 1966, the land was sold from the Town School Board to the Niagara Public School Board, again for \$1. In 2013, there was a name change of ownership of the property to the District School Board of Niagara. In that year, the town of Niagara-on-the-Lake lost a valuable heritage site, the Parliament Oak Public School property. It should be noted that the school had maintained a stand of oak trees on the property. All the trees are of different ages to ensure the continuance of the oak and its significance to the heritage of Niagara-on- the-Lake.

Newspaper articles of Contemporary Significance:

According to Jim Smith's 13 May 2006 article in the Niagara Advance:

"Senator Plumb died suddenly in 1888. He was buried in St. Mark's cemetery; William Kirby was one of the pallbearers.

Edmund Syer [*ed. of Chicago, Illinois*] then purchased the home in 1889 and owned it until 1910. Next Arthur White bought the home [*ed. and lived there for 19 years*]. His daughter... Ann Buyers lives on Regent Street.

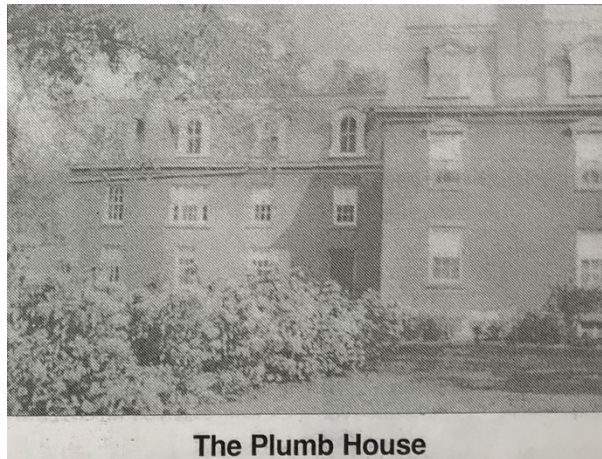
The beautiful historic mansion was dismantled and sold piece by piece in 1943 to make room for Parliament Oak School.

When work began on a new school a truck on site suddenly sank into the ground. After the truck was pulled from the hole, Noel Haines found it had broken into a brick-lined tunnel with arched ceiling.

With a flashlight he climbed into the tunnel and walked all the way [*ed.: half a block*] to Regent Street.

In 1956 this same tunnel opened again showing itself to us school kids. We all had a look into it before once again it was closed.

No one knows who made the tunnel, for what purpose, or where it goes."



The Plumb House

[*ed.: Hon. Senator Josiah Burr Plumb was born in Pennsylvania, USA on 25 Mar 1816, and died on 12 Mar 1888 in his NOTL house. He and his wife, Elizabeth Street (1828-1868) are buried in St. Mark's Cemetery, NOTL. Edmund William Syer (1843-1936) had four children who lived in the Plumb House until 1910.*

The Museum has found no proven written record (e.g., drawings, construction details, professional studies) of any tunnels, but it does hold a detailed description of the Plumb House by Anne Buyers (Plumb's daughter). The Niagara Foundation was reported by the Advance on 3 Jan 2018 as having sent a letter to the DSBN identifying eyewitness accounts of historically significant tunnels under the property. This may include large sewers. Some of the cavernous brick work in the basement of the house is believed to remain below-grade on this property and these may appear "tunnel"-like in places. In any case, best practices would suggest that an archaeological study of below-grade structures and artifacts would be needed before any future development of the property could be undertaken.]

As described primarily in Niagara Advance articles on 14 Mar 1946 and 3 Apr 1947:

In 1946 Niagara had 6 school rooms but, partly because of the enrolment of children of soldiers stationed in the town, the growing younger population needed 8 school rooms and a kindergarten. Shop work and home economics required particular facilities.

After approval from the provincial Department of Education, scarcity of building materials held up project for a year, but the ground was cleared by the summer of 1947.

The Advance also reported on 17 Jul 1947:

“A Committee of Niagara Parks Commission comprised of Messrs Cecil Secord, W.B. Rollason and Maxim T. Gray were in Niagara last Thursday and met with Trustees J. Walsh, A.C. Awde and J.D. Cooper of the Niagara Board of Education.

The meeting was arranged because the Parks Commission had agreed to assist the Board in designing the historic plaques which will be erected on the front of the new Public School on either side of the entrance. These are large plaques, about six by twelve feet in size.

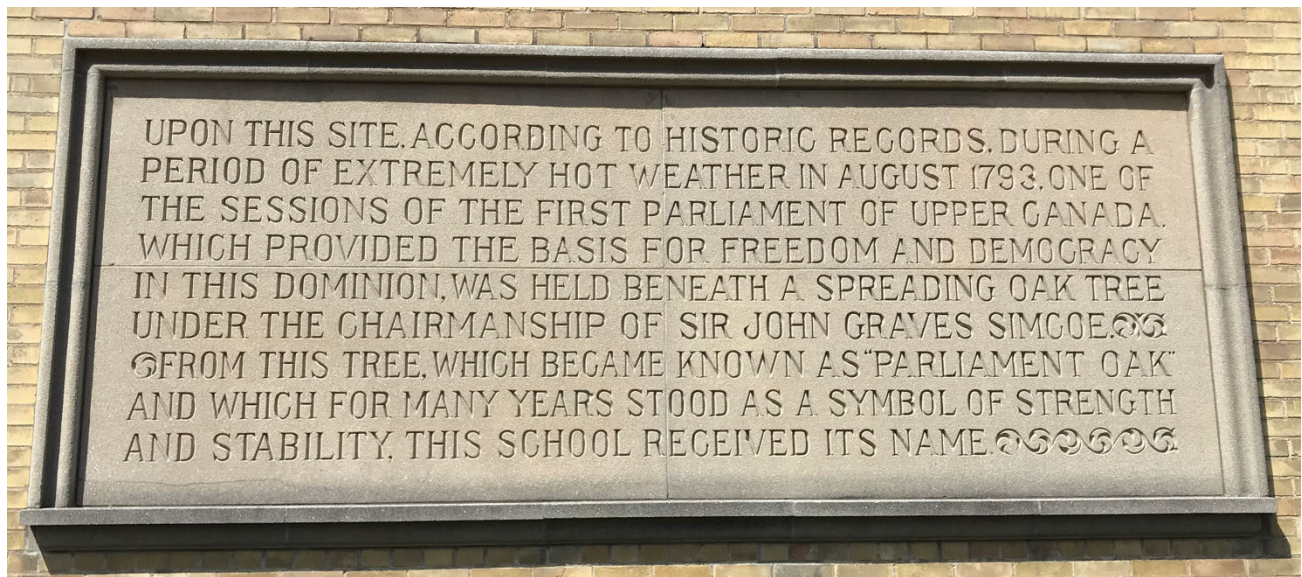
Near the corner of King and Centre Streets. There is a stone marker placed there some years ago by the Niagara Historical Society. At this spot there grew a huge tree and according to historic documents and books, on the occasion of a severely hot day in the summer of 1792, when the first parliament of Upper Canada was in session here, under the leadership of Sir John Graves Simcoe, the members held their session beneath this tree, where some important acts were passed.

Therefore, the naming of the new seat of learning ‘Parliament Oak School’ is most appropriate.

As a result of the meeting of the above-mentioned committees, it has been decided that one of the plaques will be sculptured to represent the meeting of the early parliament under the oak tree and the other plaque will bear a short story of this historic event.

The Historical Society marker will be placed on a new base and another oak tree planted and the spot marked off and will be landscaped.

The Parks Commission experts, who do a great deal of this work, will design the plaques, based on all the historic data that can be secured. In this connection an appeal is made to the citizens here for assistance...”



The plaque on the south wing of the school:

UPON THIS SITE ACCORDING TO HISTORIC RECORDS DURING A PERIOD OF EXTREMELY HOT WEATHER IN AUGUST 1793, ONE OF THE SESSIONS OF THE FIRST PARLIAMENT OF UPPER CANADA WHICH PROVIDED THE BASIS FOR FREEDOM AND DEMOCRACY IN THIS DOMINION WAS HELD BENEATH A SPREADING OAK TREE UNDER THE CHAIRMANSHIP OF SIR JOHN GRAVES SIMCOE. FROM THIS TREE WHICH BECAME KNOWN AS "PARLIAMENT OAK" AND WHICH FOR MANY YEARS STOOD AS A SYMBOL OF STRENGTH AND STABILITY, THIS SCHOOL RECEIVED ITS NAME.

The plaque on the north wing of the school is a carved depiction of the legislative session under the Parliament Oak tree:



There is also a carved plaque on the newer Community Gymnasium depicts a vast oak tree and has the letters "G.R." at its base.



The school's front faces King Street, by original design, and these plaques are on the front face of the school.

This is the stone plaque that was placed on the Parliament Oak Public School property:



The plaque states:

PLACED HERE BY THE NIAGARA HISTORICAL SOCIETY – 1915.

ON THIS SPOT STOOD THE "PARLIAMENT OAK" UNDER WHICH THE EARLY LEGISLATORS SAT, ON ONE DAY IN SEPTEMBER 1792.

Its southwest corner (bottom left in photograph) is currently located 22 ft. 2 in. west of King Street road surface and 47 ft. 10 in. north of Centre Street's road surface (or 25 ft. 10 in. from the 8 in. square concrete Lot 192 corner marker).

See appendix for a tree photograph from the Museum archives.

There is also a tribute to the freedom from slavery in Upper Canada on a monument in front of the school. It was put there by the Castellani Art Museum at Niagara University. Parliament Oak, with its ties to the government that enacted the first anti-slavery legislation in the British Empire, is the only Canadian site with this marker; the others are all in the USA.

At the top of this monument there is a visual geographic depiction of this part of Niagara with symbols, and the importance of the Niagara River in the freedom offered to black people coming to Upper Canada from the United States with pathways. In addition to the geographic image is a statement: TAKE THIS FLOWER AND LOOK AT THE MOON FOR ME. HENRY.



At the base of this monument is a quotation:

WHEN I FOUND I HAD CROSSED, THERE WAS SUCH A GLORY OVER EVERYTHING. I FELT AS IF I WAS IN HEAVEN. I AM FREE AND THEY SHALL BE FREE. I SHALL BRING THEM HERE.
HARRIET TUBMAN”

The NOTL Museum has some literature on this art project.

The Advance also reported on 9 Oct 1947:

“On the same historic site, where 155 years ago the first Parliament of Upper Canada sat in one of its sessions beneath a huge, spreading oak tree, to enact a portion of the first democratic legislation in this country, on Sunday afternoon, October 5th was enacted a ceremony that marks another milestone in the history of Niagara, when the laying of the corner stone of the new Public School took place.

Mr. W.J. Zoeger, referring to the historic background of the site, stated that was why the decision was why the decision was reached to name this new seat of learning ‘Parliament Oak School’.

Mr. L.A. Hesson, the architect, presented to Mayor L.W. McConkey an engraved silver trowel and the laying of the corner stone was consummated.

While Mr. Ed Moir, the contractor and his foreman lowered the huge block of stone which bore the large raised numbers ‘1947’, Mayor McConkey tapped the stone into its final position...

Chairman Zoeger holding a copper casket, informed the audience that this would be placed in the corner stone, to repose there until the distant future. The casket contained numerous papers and documents, including a set of plans and specifications of the building, list of students and teachers, Town Council officials, Board of Education and officials, copies of the student addresses and of The Niagara Advance containing articles about the new school. He also invited all present to sign their names in a booklet which had been provided and this would also be placed in the corner stone.

More than 150 signatures were placed on the pages after the ceremony was closed.... “

Some Dates and Principals:

1948: Parliament Oak School opens at a cost of \$191,000 and with an initial enrolment of 280 students served by 8 teachers including Mr. C.E. Brunton as principal. The latter had been appointed principal of the old Niagara Public School in 1929.

1956: Two-room addition was. Added to the existing school on the west side... Empire Day ceremony held at which a new oak tree was planted at the historic site marker to replace the original ‘parliament’ oak that burned in 1913.

1966: Addition of south side of the school... including four classrooms, a staff room and library.

1972: Retirement of Mr. C.E. Brunton as principal in June... Appointment of Mr. Ernest Pries as principal.

1975: Construction of new Community Gymnasium-Auditorium begins in October. The NOTL Community paid for this Gymnasium through gifts from NOTL residents and businesses.

1976: New gymnasium completed at a cost of \$215,000... Official opening of gymnasium on 21 Oct with the Honourable Robert Welch, Q.C., Minister of Culture and Recreation, M.P.P. for Brock, officiating.

1998: On its 50th Anniversary, the principal of Parliament Oak School was Nancy Hartwell.

The Architect:

Lionel Ashton Hesson worked for several years at Nicholson & Macbeth. Much of his work was for buildings of substance in St. Catharines. He also had a connection with industrial and hydro history in Niagara, designed Lightning Fastener Co. on Niagara Street and. worked with the Hydro Electric Power Commission of Ontario (1916-18) where he learned new techniques in reinforced concrete construction of powerhouses.

In conclusion, when pausing at 325 King Street or the edges of this 4-acre property, please give a thought to the Macdonell family, Judge E.C. Campbell and Senator Josiah Burr Plumb who played a large part in the story of this estate lot property, but also in the history of Niagara.

The School's Architecture:

Since Mr. Hesson is no longer living, the Town Historian has consulted with the Ontario Association of Architects, the Niagara Society of Architects and individual architects in the Niagara Region. Their cumulative comments on the structure of Parliament Oak Public School are as follows:

This school was one of the very first primary schools to be built in Ontario after World War II, when the design approach to such schools had changed to include much larger classrooms, with adequate room for such needs as domestic science, science teaching, breakout sessions in classes, adequate wall space, etc. The addition of a library, adequate storage space, and a staff room was also included in primary schools of this new vintage; these subsequent additions in the 1950's, 60's, and 70's were single storey, rectangular, flat roof buildings. The timing of this school's opening in 1947 was commensurate with what we would consider modern classrooms and facilities in Canada. Architecturally, the building had been constructed in a Modernistic style with a vertically prominent main entry and stepped facades, both techniques common to this style. The school also took advantage of improved mechanization of demonstrators in class experiments. The addition of the gymnasium, funded almost entirely by the local community of Niagara-on-the-Lake, offers a major asset to the youth of the community, and is also designed to accommodate theatrical performances, speeches/presentations and concerts. From an exterior perspective, this school was built with local brick.

Conclusion:

These Notes summarize the land on which property is sited, the long history of primary education in the village of Niagara-on-the-Lake, the public record of events and opinions during the construction of the school, the artifacts of significant cultural heritage value on the property, the early administration of the school, and the school's architecture. The school is positioned on a culture heritage site in historic Niagara-on-the-Lake village; its location is close to the centre of the village and the building is designed to be a community asset of a significant proportion and utility.

Appendix:

A Tree Photograph

As noted by Amy Klassen, Acting Managing Director of the Niagara Historical Society Museum:
“We have this photograph which is labelled as the Parliament Oak. There is no date on it.”

[ed.: *This photograph has no provenance, but it is the only known photograph of a possible oak tree on the Parliament Oak property.*]



From:

Subject:

Don't Kill the Golden Goose

Date:

June 3, 2023 1:39:08 PM

Some people who received this message don't often get email from dlummiss@gmail.com. [Learn why this is important](#)

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Several councils in the past have worked on the official Town Plan. Do not concede to developers such as Benny Marrota. In regards to Royal Oak school , Benny knew of the zoning by laws which we believe should remain.

The proposed plan of the preposterous hotel does not suite the streetscape that so many tourists visit Niagara on the Lake to experience.

We strongly oppose this proposed development.

Danny and Janet Lummiss

[REDACTED]

From: [Denise Horne](#)
To: [REDACTED]
Cc: [Rick Wilson](#)
Subject: FW: Parliament Oak School Property Hotel Development
Date: June 20, 2023 10:34:44 AM
Attachments: [ParliamentHotelLetter.pdf](#)
[image001.png](#)

FYI

Denise Horne, MA, Dipl. Heritage Conservation, CAHP

Heritage Planner

Community & Development Services

Denise.horne@notl.com

Town of Niagara-on-the-Lake

1593 Four Mile Creek Road

PO Box 100, Virgil, ON L0S 1T0

Phone: 905-468-6441



From: [REDACTED]

Sent: June 20, 2023 10:34 AM

To: Gary Zalepa <gary.zalepa@notl.com>; Gary Burroughs <gary.burroughs@notl.com>; Erwin Wiens <erwin.wiens@notl.com>; Maria Mavridis <maria.mavridis@notl.com>; Nick Ruller <nick.ruller@notl.com>; Sandra O'Connor <sandra.oconnor@notl.com>; Tim Balasiuk <tim.balasiuk@notl.com>; Wendy Cheropita <wendy.cheropita@notl.com>; Adriana Vizzari <Adriana.Vizzari@notl.com>

Cc: Denise Horne <Denise.Horne@notl.com>

Subject: Parliament Oak School Property Hotel Development

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 know that the content is safe. If unsure, forward the email to IT to validate.

We are writing to express our concerns regarding the new hotel development proposed for the Parliament Oak School property at 325 King St.. We understand that development is inevitable in the Old Town and we support good design and appropriate projects that will respect our heritage and build upon and strengthen the existing fabric of our community.

We appreciate the time and effort of our town councillors in serving our town and hope that our attached comments might assist them in the process.

The attached letter details some of our concerns.

Thank you.

Gordon Stratford, Architect

John Gartner, Retired Planner

David Parker, Architect

David Anthony, P. Eng.

PARKER ARCHITECTS INC.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

June 19, 2023

Niagara-on-the-Lake, ON

We are writing to express our concerns regarding the new hotel development proposed for the Parliament Oak School property at 325 King St.. We understand that development is inevitable in the Old Town and we support good design and appropriate projects that will respect our heritage and build upon and strengthen the existing fabric of our community. We appreciate the time and effort of our town council in serving our town and hope that our attached comments might assist them in their review of the development proposal for the Parliament Oak School property.

The proposed hotel will have significant impacts on the existing Old Town quiet residential community which surrounds the site on all four sides. The proposed design drawings define the potential of 700+ guests on the ground floor including approximately 129 hotel rooms (258 persons double occupancy) plus approximately 100 staff for a total potential 1058+ people onsite. The drawings submitted show underground parking for only 189 vehicles. The potential for severe disruptive street parking and traffic on the adjacent residences seems inevitable without even considering larger delivery vehicles and associated traffic throughout the day.

The current zoning bylaw for the area has a maximum building height limitation of 10m/32.8ft. The proposed hotel asks to be permitted to be 18.2m/59.8ft in height which would make it the tallest building in the town including the Queen St. commercial area. **In fact, at 59.8ft it is the equivalent of a six (6) storey building with 3m/10ft floor to floor dimensions.** The design indicates only four (4) storeys but the ground floor is 6m/20ft high.

Previous councils have worked hard to preserve the existing scale and fabric of the town and have demonstrated stewardship in this regard having worked constructively with new developments to respect the existing height restrictions. The recently completed new infill 124 on Queen Hotel, has been built with a maximum height of 9.6m/31.5ft. This development is surrounded by the existing commercial buildings along Queen St.

The proposed hotel for the Parliament Oak property is 8.6m/28.2ft higher and set in the midst of existing one and two storey homes. In comparison the Prince of Wales hotel is three (3) storeys and 10.6m/34.9ft high (7.5m/25ft shorter than the new proposed hotel). In fact, the apartment building previously proposed for this same property was contested because it was proposed to be 12.4m/40.6ft in height, a full 5.8m/19.1ft shorter than the new proposed hotel. If this proposal (6 storey equivalent) is approved it will set a dangerous precedent for all future developments.

We applaud former councils for their diligence and stewardship in preventing the height of new buildings from gradually creeping higher than the existing historic building fabric, thus preserving the scale and feel of the town which, even if they do not fully understand it, is what makes the town so attractive to the millions of visitors each year. People come to escape the canyons of our large cities and enjoy the human scale of Niagara-on-the-Lake.

We urge council to continue to support the respect and stewardship demonstrated by former council's and their efforts to preserve what makes our town unique and the place everyone loves to visit.

Sincerely,

Gordon Stratford, Architect
John Gartner, Retired Planner
David Parker, Architect
David Anthony, P. Eng.

From: [REDACTED]
Subject: RE: 325 King Street Development Proposal
Date: May 12, 2023 9:41:51 AM
Attachments: [Parliament Oak Hotel Proposal.pdf](#)

Good Morning,

Thank you for your comments regarding the proposed Zoning By-law Amendment Application for 325 King Street.

Town Staff have made note of the comments in your email and will consider these in our review of the application.

Thank you,

Cassandra Cruickshank
Administrative Assistant Corporate Services
Phone: 905-468-3266 Ext 248
1593 Four Mile Creek Road, PO Box 100, Virgil ON L0S 1T0

From: [REDACTED]
Sent: Thursday, May 11, 2023 12:33 PM
To: Council <council@notl.com>; Clerks <clerks@notl.com>
Cc: [REDACTED]
Subject: 325 King Street Development Proposal

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Fred Luk Consults

[REDACTED]
[REDACTED]
[REDACTED]

Niagara-on-the-Lake Town Council
1593 Four Mile Creek Road,
PO Box 100,
Virgil ON L0S 1T0

May 10, 2023

Re-Parliament Oak Hotel Proposal

Dear Lord Mayor and Councillors,

We would like to provide comment on the 325 King St. development proposal. Our house is on King Street across from the front entrance of this boutique hotel development project. We would like to express our appreciation for this project (as presented) as there are many positive aspects including:

- **Landscaping and beautification** that will enhance this block and compliment the surrounding neighbourhood.
(Instead of the current unused, tired looking school building with no landscaping, enclosed by a chain link fence.)
- **Increase in neighbourhood property values.** In speaking with neighbours on our block, there is a positive reaction to this proposal including protecting and increasing property values.
- **Add a new product to NOTL and contribute to tourism and visitor market** with a luxury, boutique hotel.
- **Contribute to tax base.** A quality, boutique hotel will contribute significantly to the NOTL commercial tax base and to the room tax revenue.
- **Motivate improvements and upgrades to dated properties** in the lodging and accommodation sector.

For best outcome, this project must have the developer's commitment to:

- **Quality of design and materials**
- **Luxury, boutique hotel definition and standards maintained.**
- **Developer commits to owning and operating the hotel or alternatively has a luxury brand operator.**

Some residents have concerns on frequent food truck deliveries and garbage pick-up to this proposed hotel. There are ways to mitigate these concerns by installing sufficient refrigeration storage and refrigerated garbage room with compactor.

We would also like to see the developer's traffic study to include traffic calming measures on King Street (between Mary and Queen Streets).

Sincerely,

Fred Luk and Janice Solomon

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Subject: Comments re 325 [REDACTED]
Date: May 15, 2023 8:13:59 PM
Attachments: [325 King St. submission may 2023.pdf](#)

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Dear mark lamarino,

Please find attached my submission relating to these applications for inclusion in the public responses.

Thank you

Frances Stocker

SUBMISSION CONCERNING THE PLANNING PROPOSALS OPA-01-2023 and ZBA-01-2023

OVERVIEW

The Chamber of Commerce survey of residents (May 2022) demonstrates that residents appreciate the importance of tourism in creating the positive quality of life we experience in NOTL. We welcome visitors because they contribute significantly to the successful business, cultural and agricultural life of the town, and give added vibrancy to the community.

Residents are also in favour of providing a good experience within the current level of tourism, but resist initiatives that contribute to overwhelming the town's and its surroundings' ability to give visitors a great experience.

The hotel industry seems to be in agreement that the definition of a "boutique" hotel is that it's small (fewer than 100 rooms), that it's stylish – with its own personal character, with "unique amenities or design choices" – and "distinguishes itself from larger chain or branded hotels."

COMMENTS

- The community has provided a clear and strong desire for the site to be used to benefit residents
- The site is adjacent to residential blocks and parks, and to place a large hotel on this site is out of keeping with the neighbourhood.
- There is very little land of this size in residential areas; such a site could meet the some of the local demand for apartments, if an acceptable design were submitted.
- The land on which the developer wishes to build is inappropriate for a large hotel. It's outside the main tourist and hotel zone of the town.
- The uninspired design has more in common with branded chains than a genuine boutique hotel and would overwhelm the streetscape and neighbouring homes.
- A 129-room hotel is most definitely not 'boutique' and, during peak seasons would add, say, another 260 visitors and their cars staying in Old Town which is already bursting at the seams.

- The proposed hotel would create far more traffic than King Street and adjoining roads can handle. The application's assertion that it wouldn't is inaccurate.
- The guests and services that would come to the property for events would seriously challenge the parking availability and delivery access shown in the design, creating additional parking problems in the town and especially along neighbouring roads.
- The increase in traffic would lead to demands to upgrade the status of King Street to accommodate more traffic and cause more emissions. This would degrade the landscape and the town's walkability, which are key to NOTL's tourism success.

SUBMISSION

I respectfully ask the Lord Mayor and Councillors to reject the applicant's request for a zoning change and planning permission for 325 King Street on the grounds that:

1. The community does not welcome the proposals
2. The site isn't suitable for a zoning change that would allow for commercial premises
3. The hotel size and design isn't in keeping with the age, character and traffic capacity of the neighbourhood
4. Visitor services and attractions that encroach on residential areas and non-arterial routes destroy the character of Old Town, which is at the very heart of a successful Niagara-on-the-Lake tourism experience.
5. The design of the hotel doesn't meet the description provided by the applicant
 - a. The hotel doesn't fit the category of 'boutique'
 - b. The parking and goods delivery provisions won't meet the hotel's needs
 - c. The hotel would create unacceptable levels of traffic on the approaches to King Street, on King Street itself, and in adjacent residential streets.

Sincerely,

Frances Stocker


From: [REDACTED]
Subject: Parliament Oak - Latest submission
Date: May 7, 2023 4:35:20 PM

[You don't often get email from jackiebonic5@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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Hello Mark,

I just wanted to log in that I do not think that yet another French Chateau design is appropriate for NOTL. It is completely insensitive to the historical vernacular here so is very imposing on the local neighbourhood. It looks like the developer or architect has confused "heritage" with "traditional" design. They have selected an ersatz "traditional" design style thinking perhaps that it would be better supported by the local community than the last submission. This design is decidedly too grand for this little Ontario town and even worse than the one submitted by the previous developer. I think they could achieve a similar density with a much more sympathetic approach to our architectural heritage. We are dealing with this situation (and a number of others) because the town has neglected to put design guidelines in place that are sympathetic to the history of this place. Your hands may be tied if previous councils have not acted but I sincerely hope that you will try to influence this one to do the right thing.

Best regards,

Jackie Bonic

From: [REDACTED]
Subject: Fwd: Open House Meeting April 18, 2023
Date: April 20, 2023 3:53:16 PM

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Thank you Mark for your quick response to my query on gaining access to this meeting. I was able to attend and thought you ran it very well.

I would like to ask that you forward this email to our Lord Mayor and councillors for the record.

Thank you
Jude

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From: jude pepe [REDACTED]
Sent: Thursday, April 20, 2023 3:48:36 PM
To: Jude [REDACTED]
Subject: Open House Meeting April 18, 2023

Open House Meeting April 18, 2023

File nos OPA-01-2023 and ZBA 01-2023

325 King Street, Niagara on the Lake

My name is Jude Pepe. My husband is Gerald Pepe and we live at 75 Centre Street, Niagara on the Lake. We have lived at that address for 38 years and in NOTL respectively 50 and 73 years. We also own properties at 372 Regent Street, 330 Victoria Street and 70 Gage Street. All four of our properties are located on the adjacent blocks to the Parliament Oak School property, so you will understand our love of the area where we live and our concern for this application.

I would like to file this complaint against the proposed development of a hotel at 325 King Street and the requested amendments to both our Official Plan and our Zoning by laws for this proposal to succeed. This type of development is so incongruent to its surrounding residential area. Our official plan states 'open space and community facilities' for this property and this was well known to the buyer on purchase. If this should ever be changed to 'general commercial' who knows what could happen in the future? Even green space promised in this proposal could be later converted to yet more commercial development. As tax payers we elect a council that we trust will be sympathetic to the reasons we all live here .. the beauty,

the history, and the quaintness of the town. Let's honour the countless hours our councils have spent in creating NOTL OP 2017 and NOTL OP 2019 by upholding their hard work. As Wayne Murray's opinion piece in the Lake Report April 13, 2023 suggests, this proposal creates increased, heavy and continual traffic on narrow residential roads by transport trucks and garbage trucks. At this time my son can't bring his camper trailer to his home, 1/2 block away due to weight restrictions posted on the very access streets this hotel would use. Our towns climate change initiatives would be thwarted by excessive addition of roads, pavement and excess traffic. Our towns parking problems compounded by insufficient parking for this facility, let alone taking away the parking on the 4 sides of this block visitors are now using.

It just does not make sense for anything of this magnitude to be dropped into a residential area. As Wayne so clearly stated 'as tiresome as this is becoming, we are under no obligation to please the developer or to consider a hotel as an appropriate use for this property'. Gerald and I feel the same way and we hope you,

as our elected officials do as well. As residents we all have a responsibility to preserve our special town. Let's just say 'no' to inappropriate development and incompatible infill.

Sincerely,

Gerald and Jude Pepe

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From:

Subject:

RE: Written Submission for File Nos. OPA-01-2023 & ZBA-01-2023 – 325 King St., Niagara-on-the-Lake

Date:

May 16, 2023 12:31:46 PM

Attachments:

[Written Submission Re File Nos. OPA-01-2023 ^0 ZBA-01-2023 – 325 King St.^J Niagara-on-the-Lake-Prewitt.pdf](#)

Good Afternoon,

Thank you for your comments regarding the proposed Zoning By-law Amendment Application for 325 King Street.

Town Staff have made note of the comments in your email and will consider these in our review of the application.

Thank you,

Cassandra Cruickshank
Administrative Assistant Corporate Services
Phone: 905-468-3266 Ext 248
1593 Four Mile Creek Road, PO Box 100, Virgil ON L0S 1T0

From:

Sent: Tuesday, May 16, 2023 10:45 AM

To: Clerks <clerks@notl.com>

Subject: Written Submission for File Nos. OPA-01-2023 & ZBA-01-2023 – 325 King St., Niagara-on-the-Lake

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Hello,

I would like to submit the attached document for consideration regarding the proposed amendments to the town's Official Plan and Zoning By-laws.

Could you please confirm receipt, so I know I've gotten our comments to where they need to be?

Date: May 16, 2023

To: The Town of Niagara-on-the-Lake

Written Comments RE: File Nos. OPA-01-2023 & ZBA-01-2023 – 325 King St., Niagara-on-the-Lake

My name is Joan Prewitt, and I live at 294 Regent Street, Box 1184, Niagara-on-the-Lake, ON L0S 1J0, along with my husband, Brookes Prewitt. We wish to be notified about any future decisions regarding the proposed development at 325 King Street, Niagara-on-the-Lake, and to submit comments regarding the proposed development at this site.

As residents who live directly across the street from the subject lands, we have many concerns with the proposal to build a hotel on the former Parliament Oak School site. A number of these were addressed by speakers at the Public Meeting held on May 9, 2023.

We would, however, like to highlight a few issues we feel need to be carefully considered when making a decision on the future of this site.

Is This Project Justified?

Several policies have been noted when discussing whether the proposed hotel development is justified and fits the goals at the provincial, regional, and local level for growth and development. We would like to highlight a few items:

Provincial Policy Statement: Healthy, Livable and Safe Communities

- Accommodating a range and mix of uses

Greater Golden Horseshoe Growth Plan: Achieve “complete communities”

- Diverse mix of land uses
- Improve social equity and quality of life
- Compact built form and vibrant public realm
- Mitigate climate change

Niagara Official Plan:

- Mix of land uses to support complete communities

NOTL Official Plan:

- Compact, vibrant, sustainable, integrated, and complete communities

At all levels of government, there is a focus on creating safe, healthy, dynamic communities.

We're fortunate to live in a town with a rich history, and many special heritage and cultural attributes. As residents, we benefit from the many things that draw tourists to visit—restaurants, arts and cultural events, wineries, etc.

But along with this comes the added responsibility of maintaining a town that is a livable place for its citizens. To achieve this, NOTL needs to provide adequate opportunities for current residents to remain in town, while also encouraging new people to join our community.

While a hotel may increase the number of jobs and visitors to NOTL, it will not help older citizens to continue to live in their hometown or assist younger families to find affordable/attainable housing.

A large-scale, 'boutique' (luxury) hotel will not improve the social equity or quality of life for town residents.

NOTL could benefit from the addition of retirement/ graduated assisted living housing, which is not represented adequately in the town's current housing mix.

The applicant's Justification Report states "Both the PPS and Growth Plan provide policy direction for enhancing access to walkable employment opportunities" (pg. 31). Low-paying hospitality jobs are not the type of employment that will allow future employees to live in NOTL and walk to work.

It should also be noted that current employment trends show an on-going shortage of workers for hospitality positions, not only in the Niagara area, but across the province and country as well.

Another aspect of creating a livable community is open spaces. The property is currently "Open Space & Community Facilities" in the town's OP. In requesting a change to Commercial zoning, the applicant notes in the Justification Report "a large privately owned and publicly accessible open space" (pg. 31). However, during the applicant's presentation at the town meeting, they noted there would be a wall around the green-space, and access would be through the hotel. This cannot be considered a truly open public space for residents of the community when it is enclosed, and only accessible through a private building.

As noted in the Niagara Foundation presentation at the public meeting, there are a great deal of hotel rooms currently available in NOTL, with more planned. Along with the vacation rentals and B&B's, serious consideration must be made to whether there is any need or justification for such a large hotel in the centre of the historic old town.

The town has a need for facilities that fit the current zoning and OP: Institutional; for Open Spaces and Community Facilities. We should not be removing these types of spaces from our community when a need exists.

If any rezoning were to take place, the only appropriate change is to low-density residential. This would be consistent with the existing neighbourhood. Moving to Commercial zoning is a profound change from the current or possible alternative zoning.

For these reasons, we feel that building a 4-storey hotel in the centre of a residential neighbourhood is not justified.

Building Size and Compatibility with the Surrounding Neighbourhood:

We want to briefly touch on 4 areas regarding the size and compatibility of the proposed hotel with regard to the surrounding neighbourhood.

Size:

The existing neighbourhood surrounding this site is a mix of 1 and 2 storey homes, all single-dwelling.

At a height of 62 feet, the proposed building towers over the existing neighbourhood. Creating a 4-storey hotel will in no way 'maintain the town's low-rise character' (SGL Justification Report, pg. 33). Setting the building back more than the required minimums will do nothing to mitigate the massive height of the structure, nor will it make the building less intrusive for those of us who live directly beside the property.

Parking:

We agree with the many comments related to parking were made at the May 9th public meeting. Our concerns are:

- Lack of sufficient parking for the guests who may be attending functions but are not staying at the hotel
- Lack of sufficient parking for staff, who will need to commute to the community to work
- Problems with flooding due to the high water table and the proposed underground parking lot
- Detrimental effects to the air quality from any air exchange system used for the underground parking lot

Traffic/Noise:

We are concerned with the influx of traffic that will be created by this proposal, in particular the effect it will have on the small side streets of Gage and Centre. During the open house, the applicant stated there would only be weekly use of the access to service areas for garbage pick up, and that garbage and recycling materials would be stored inside the facility.

- For a property with 129 rooms, and the capacity to seat 700 guests, it is unrealistic to believe that 1/week garbage and recycling pick-up is feasible
- Deliveries for all the services being offered will also need to access the hotel through these side entrances: food, alcohol, cleaning supplies, linen services, pest control, maintenance services and supplies, spa and hotel room amenities, dry goods, etc.
- These large trucks will have a detrimental effect on road quality

- Delivery trucks backing up do create an additional level of noise, due to the safety signal (beeping) from their vehicles
- There will be a large influx of traffic to the area as staff and event guests search for free parking near the hotel site, once the hotel parking is filled
- A detailed study of traffic flow and patterns should be undertaken by the town, to determine what impacts any future development at this site will create
- The increase in traffic volume will create additional noise in a quiet residential neighbourhood; this noise will occur over a great deal of the day—from early morning to late evening
- While a retirement residence would also have increased traffic for deliveries, service, etc. the size and scale would be much lower than that of what would become the second largest hotel in the town

Safety/Livability:

We concur with the comments made at the May 9th meeting by various presenters regarding the increased risk for safety in the area of the hotel.

- The influx of people and traffic will increase the risks of accidents—this is particularly true due to the size of the proposed development
- The 24-hour nature of a hotel, particularly one with event spaces, can create disturbances due to celebratory guests, etc.
- Neighbouring homeowners should be able to feel comfortable in the neighbourhood, and not have to worry about a loss of enjoyment of our homes due to a large-scale commercial operation next door
- The proposed hotel does not do anything to mitigate climate change—providing housing for residents to remain in their community, where a decrease in car traffic would be created as services are provided to residents could assist with this
- The nature of the 2nd storey terraces providing views into neighbouring properties from what is essentially the roof of a 2-storey home does impact the privacy of families who live in the surrounding homes

We realize that this property is a highly visible and much discussed area in town. We feel strongly that it is the responsibility of the Town of NOTL to consider all aspects of what makes a livable, viable community, and strive to achieve this, using our OP as guidance. NOTL's OP says land use compatibility should be consistent with the neighbourhood; achieve harmonious design, and commercialization should be prevented from creeping into residential neighbourhoods.

This proposal fails to meet these goals. The town should reject these proposed amendments to the Official Plan and the Zoning By-laws.

There are a number of alternative uses that were proposed at the public meeting that are in keeping with the needs of our community and do not require significant (or any) changes to our Official Plan or Zoning By-laws.

While it is not the town's place to make suggestions regarding potential uses for this land to the property owner, I feel the property owner should consider whether providing some of these alternatives would be of interest. If not, perhaps they might be willing to make a sizeable donation to the town of Niagara-on-the-Lake in the form of this property, as they have recently done in support of Gillian's Place, and the Niagara Health System.

Sincerely,
Joan and Brookes Prewitt

[Redacted signature block]

Thanks very much.

--

Regards,
Joan Prewitt, Owner/Director
Camp Northway

[REDACTED]

www.campnorthway.com

[REDACTED]

[REDACTED]

The World Health Organization has declared COVID-19 a global pandemic. As such, Camp Northway will put in place the appropriate health and safety measures in compliance with government and local health authorities, however, Camp Northway cannot guarantee that these guidelines and restrictions will not change. Therefore, all Northway programs and sessions are subject to change or cancellation.



Virus-free www.avg.com

From:

Subject:

Date:

RE: File Nos. OPA-01-2023 & ZBA-01-2023 – 325 King St., Niagara-on-the-Lake.

April 18, 2023 9:51:52 AM

Good Morning,

Thank you for your comments regarding the proposed Zoning By-law Amendment Application for 325 King Street.

Town Staff have made note of the comments in your email and will consider these in our review of the application.

Thank you,

Cassandra Cruickshank
Administrative Assistant Corporate Services
Phone: 905-468-3266 Ext 248
1593 Four Mile Creek Road, PO Box 100, Virgil ON L0S 1T0

From:

Sent: Tuesday, April 18, 2023 8:57 AM

To: Clerks <clerks@notl.com>

Subject: File Nos. OPA-01-2023 & ZBA-01-2023 – 325 King St., Niagara-on-the-Lake.

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We cannot attend the Open House on April 18 but we wish to have our response entered into the record. We have seen the rendering published in the newspaper and read early comments about the proposal.

What we are presented with here is a flagrant violation of the spirit and the laws of good planning. To suggest for a moment that a commercial building of this size and intensity has any place in a residential neighbourhood is sheer folly. It makes a mockery of the procedures which need to be followed when a proposal is placed before the the Town. It shows no bounds and makes no

apologies for its rapacious destruction of green space and historic artifacts or for its predatory demands for rezoning and the countless variances and accommodations which would be required. It takes no notice of the community into which it intends to insert itself. It is an insult to all who love this Town, coming from a developer whose plans and actions continue to belie any blandishments, pretences of affection or reassurances he might offer. The time and effort required to go through the process of rejecting this preposterous monstrosity is a complete waste of taxpayers' money. What if the developer were to propose rezoning to industrial and building a rendering plant or a foundry on this property? Would the Town still be obliged to carefully review these absurd ideas as if they were for a moment desirable or feasible?

There is no precedent that we are aware of in Niagara-on-the-Lake for property with Institutional zoning, surrounded by residences, to be re-zoned to commercial. The activities and traffic surrounding a hotel with bars, restaurants and event spaces will extinguish the peaceful enjoyment of home and garden in countless residences for blocks in every direction from "ground zero". There is no benefit to the town or its people, only to the owner. Local hotels are already importing offshore workers because there is insufficient staff to run them properly. Where would this one find the workers it would need to serve its guests? "Boutique" is a complete misnomer - the word in French denotes a small shop. It has come to mean outrageously expensive and exclusive and definitely not small. There is no way to attenuate the destruction that this outrageous tumour of an enterprise would bring to the precious life of this town. If this malignancy takes root here, there is no way to prevent its metastasizing to any other residential area in Niagara-on-the-Lake. It would be an unspeakably vile precedent. There is only one response possible here: an unequivocal NO.

Jim Reynolds

Pat Hartman

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Subject: FW: Parliament Oak
Date: April 18, 2023 10:19:04 AM
Attachments: [Council re Parliament Oak.4.18.23.pdf](#)

FYI – re: planning applications and demo permit.

From: [REDACTED]
Sent: Tuesday, April 18, 2023 7:30 AM
To: Marnie Cluckie <marnie.cluckie@notl.com>; Kirsten McCauley <kirsten.mccauley@notl.com>
Subject: FW: Parliament Oak

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 know that the content is safe. If unsure, forward the email to IT to validate.

My apologies, I neglecte3d to “cc” you on this, just sent.

From: Lyle Hall
Sent: Tuesday, April 18, 2023 7:09 AM
To: Council <council@notl.com>
Subject: Parliament Oak

Members of Council:

Please see attached.

Lyle

Lyle Hall
(416) 219-6394
lyle@lylehall.com
Niagara-on-the-Lake, Canada



April 18, 2023

Lord Mayor Gary Zalepa and Council
Town of Niagara-on-the-Lake
1593 Four Mile Creek Road
PO Box 100
Virgil, Ontario
L0S 1T0

**Re: OPA-01-2013/ZBA-01-2023 and Associated Demolition Permit Application |
Parliament Oak School, 325 King Street | Open House April 18, 2023**

Dear Lord Mayor Zalepa and Council:

You will soon be considering both an Official Plan and zoning bylaw amendment for one of Niagara-on-the-Lake's largest and most historic town blocks, and one of the last significant land parcels zoned "Open Space & Community Use." Your decision will be a watershed moment and will set the tone for development throughout your term...and beyond.

The Niagara Foundation opposes the removal of this block from "Open Space & Community Use" let alone the conversion to the commercial use proposed. We plan to submit comments to the May 9th Public Meeting in this regard. Further, we intend to submit comments with respect to the demolition permit application, and associated commemoration plans, expected to come before Council on April 25th, which brings me to the subject of this letter.

Why, prior to your decision to permit or deny the change of use for such a large and important piece of property, would a landowner be permitted to bulldoze the structure? A structure with an almost 70-year history of serving this community as a public institution. In our view, demolition is, at best, premature as no work can commence on the site until after the Official Plan and zoning applications are adjudicated. The demolition seems to have one purpose only: to apply pressure on the Town to accept the land use change.

If permission to demolish is granted, it wouldn't be hard to envision an unkempt, hoarded-up worksite in the centre of Old Town, adjacent to residences and prime tourist areas. And this could be a situation that lasts for years. One doesn't need to look far for examples of where it has occurred or is occurring right now: boarded up entrance gates at the Rand Estate, derelict buildings and landfill at the former Mori Gardens site, and a prolonged closure of the Fan's Court complex adjacent to the Post Office on Queen Street. Don't let Parliament Oak be the next example of this landowner's modus operandi.

PRESERVING NIAGARA-ON-THE-LAKE'S
HERITAGE SINCE 1962



The Niagara Foundation strongly encourages Council and Town staff to complete their analysis of the Official Plan and zoning bylaw amendments before permitting demolition of this heritage building. We look forward to active and full participation in this process over the coming weeks.

Yours very truly,

The Niagara Foundation

A handwritten signature in blue ink, appearing to read "Lyle Hall". The signature is fluid and cursive, with the first name "Lyle" and the last name "Hall" clearly distinguishable.

Lyle Hall
President

cc: Marnie Cluckie, Chief Administrative Officer
Kirsten McCauley, Director of Community and Development Services

From: [Redacted]
Subject: 325 King Street Public Meeting
Date: May 10, 2023 10:49:25 AM
Attachments: [image003.png](#)
[senior's living comp.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 know that the content is safe. If unsure, forward the email to IT to validate.

Councillor Mavridis:

First, thank you (and your colleagues) for your patience last evening at the 325 King Street Public Meeting. There was a lot of passion in the room directed at Council. Your attention and interest are appreciated.

During one of the early public delegation presentations, you asked a question to one of the delegates on “long-term care” homes and the similarities to a hotel (parking, deliveries, etc.). I’d like the opportunity to provide some input on this topic.

Long-term care facilities are not created alike. Some have a focus based on resident need (“nursing” homes, aging in place, congregate care homes, dementia), others differ by quality and level of service, while still others focus on seasonal or short-term requirements. There are, however, a number of common elements...and these common elements differ substantially from the characteristics of a hotel operation.

I took the liberty of putting together a simple table showing some of these differences. In completing this, I assumed the “Senior’s Living” facility would offer standard independent living arrangements (separate apartments with meals provided in a common dining room) and be of average quality and service offering. I further assumed that the Senior’s Living facility would take up the same footprint as the proposed hotel, which would require adding hotel rooms together to provide larger living spaces.

Please see the comparison below and attached:

Operational Element	Current Hotel Proposal	Possible Senior's Living	Comments
Rooms	129	65 + 5 = 70	<ul style="list-style-type: none"> Assumes 2 hotel rooms of about 350 square feet are combined to create one ~700 square foot residential suite. Removal of some ground floor Dining/Banquet might permit an additional 5 – 10 ground floor units (say 5 units).
Guests/Residents on site	258	140	<ul style="list-style-type: none"> Assumes 2 guests per hotel room and 2 residents/suite. Both could be slightly lower, but likely not any higher.
F&B Seats (Dining & Banquet)	700	175	<ul style="list-style-type: none"> Hotel Dining and Banquet seats as per plans Senior’s Living model Includes dining room for one meal sitting, plus two small private dining rooms for residents to host family and/or friends.
Staffing (peak day)			
Front desk/Security	4	2	<ul style="list-style-type: none"> Hotel staffing built up for peak day occupancy (summer months); bulk of staffing requirement is from Dining/Banquet operations Senior’s Living model assumes no daily housekeeping services. Staff count will vary based on quality level and market positioning.
Housekeeping	10	2	
Dining/Banquet-Kitchen	6	3	
Dining/Banquet -Servers	31	5	
Activities/support	2	4	
Janitorial/maintenance/grounds	2	2	
Management	2	2	
	57	20	
Parking Need Generated (spaces required)			
Guests/residents	129	70	<ul style="list-style-type: none"> One vehicle per guest room or residential suite.
Dining/Banquet customers	Up to 177	7	<ul style="list-style-type: none"> 10% of senior’s apartments have 1 guest visit/day
Staff	Up to 57	20	<ul style="list-style-type: none"> Assumes each staff member has own vehicle
Total	Up to 363	97	
Guest/resident Check in/Check out	Every 1 -3 days	Occasionally	<ul style="list-style-type: none"> Hotel creates significant daily vehicle activity
Delivery/Recycling/Trash	Daily	Weekly	<ul style="list-style-type: none"> Dining restriction to residents reduces delivery need
Operating/Active Hours	24/7	Residential Norm	<ul style="list-style-type: none"> Hotel (banquet spaces) will be active through evening
Integration within Community	None	Town residents	<ul style="list-style-type: none"> Senior’s Living tenants/owners will be town residents

Obviously these characteristics could change based on the operating model a given owner might select. An age-restricted building, for example offering limited services (such as that offered at 453 Hunter Road) would substantially reduce the staff compliment. The above is an example, but no matter the details of the project it will be less intense than a commercial hotel operation.

I hope this is helpful. Happy to answer any questions.

Lyle

P.S. A couple of folks mentioned after the session last night that I should have provided a short summary of my professional credentials (i.e., my “day job”) to speak on this matter. My background includes 35+ years as a consultant to the hospitality and tourism industry following a short stint in the restaurant business as an owner/operator. My consulting focus covered a wide range of hotel, casino, convention centre, attraction, foodservice and general tourism projects (most with a finance, marketing or public policy focus) across Canada and internationally. I served 9 years (3 ½ as Chair) on the Board of Tourism Toronto and 7 years on the Board of the International Society of Hospitality Consultants (Treasurer and Vice President). I love the industry, am still active in it, and think Niagara-on-the-Lake is a great destination. I live next to the commercial area and welcome seeing visitors walk down the sidewalk in front of my house. I do not however, want to be in the middle of a commercial street. It never occurred to me when I bought this property 15 years ago that that would be a consideration.

Lyle Hall

[REDACTED]
[REDACTED]

Operational Element	Current Hotel Proposal	Possible Senior's Living	Comments
Rooms	129	65 + 5 = 70	<ul style="list-style-type: none"> Assumes 2 hotel rooms of about 350 square feet are combined to create one ~700 square foot residential suite. Removal of some ground floor Dining/Banquet might permit an additional 5 – 10 ground floor units (say 5 units).
Guests/Residents on site	258	140	<ul style="list-style-type: none"> Assumes 2 guests per hotel room and 2 residents/suite. Both could be slightly lower, but likely not any higher.
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Staffing (peak day)			<ul style="list-style-type: none"> Hotel staffing built up for peak day occupancy (summer months); bulk of staffing requirement is from Dining/Banquet operations Senior's Living model assumes no daily housekeeping services. Staff count will vary based on quality level and market positioning.
Front desk/Security Housekeeping Dining/Banquet-Kitchen Dining/Banquet -Servers Activities/support Janitorial/maintenance/grounds Management	4 10 6 31 2 2 <u>2</u>	2 2 3 5 4 2 <u>2</u>	
Parking Need Generated (spaces required) Guests/residents Dining/Banquet customers Staff Total	129 Up to 177 <u>Up to 57</u> Up to 363	70 7 <u>20</u> 97	<ul style="list-style-type: none"> One vehicle per guest room or residential suite. 10% of senior's apartments have 1 guest visit/day Assumes each staff member has own vehicle
Guest/resident Check in/Check out	Every 1 -3 days	Occasionally	<ul style="list-style-type: none"> Hotel creates significant daily vehicle activity
Delivery/Recycling/Trash	Daily	Weekly	<ul style="list-style-type: none"> Dining restriction to residents reduces delivery need
Operating/Active Hours	24/7	Residential Norm	<ul style="list-style-type: none"> Hotel (banquet spaces) will be active through evening
Integration within Community	None	Town residents	<ul style="list-style-type: none"> Senior's Living tenants/owners will be town residents

From:

█

█

Subject: OPA-01-2023 & ZBA-01-2023 Parliament Oak, 325 King Street

Date: May 12, 2023 2:08:14 PM

Attachments: [Parliament Oak Hotel.docx](#)

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 know that the content is safe. If unsure, forward the email to IT to validate.

Dear Lord Mayor and Members of Council

I am registering my objection to the development proposal for the Parliament Oak School site, which is completely incompatible with the surrounding neighbourhood, streetscapes and vistas that characterize the Old Town. It lies smack in the middle of a quiet residential area.

The Official Plan (OP) and the Official Plan Review (OPR) recognize the unique character and atmosphere of the Old Town of Niagara on the Lake, and the need to protect and enhance it. Several years of planning studies, public meetings and a great deal of effort was spent to develop these important frameworks for future development. In this regard, I note that there are several important provisions of this planning framework that are not mentioned in the Information Report provided to Council by staff at the time of the Public Meeting held on May 9, 2023.

The OP in section 15 recognizes that certain institutional uses that serve the local community, such as a school, may cease operation. In those circumstances, the only permitted change of land use is to low density residential, subject to a site specific zoning by-law amendment . Other sections of the Official Plan recognize that any redevelopment must achieve a harmonious design, integrate with and not negatively impact the well established, low rise residential character of the Old Town. New development must be consistent with this character.

Consequently, Commercial Use is not appropriate for this site. Also not mentioned in the Staff Information Report to Council is that one of the Goals and Objectives of the Commercial Designation, is to prevent the *intrusion* of commercial use into residential areas (S.10.2.(8)) and also to minimize the impact of commercial development on adjacent land uses.

It is NOT intended that certain existing large tourist-serving commercial establishments within the Old Town (such as the Pillar and Post, Prince of Wales, Oban inn and Charles Inn) form nodes for expanded Commercial development. (s.10.3.1(3)).

An amendment is defined in the Oxford Dictionary as: *a minor alteration or addition in a document, resolution, etc..* **This proposal does not amend the Official Plan, it takes a wrecking ball to it.**

The Planning Justification Report has in several places attempted to frame this proposal as

“gentle intensification”. There is nothing gentle about it: it is a monstrous intrusion into the quiet residential life of the neighbourhood in which it would sit. This is a large scale, intensive and extensive commercial enterprise:

-129 guest rooms

- conference and event spaces - one of the speakers for the developer at the Open house confirmed that the hotel could accommodate 2 weddings on any given day. With that comes live music and dancing and late night partying
- a large restaurant, lounge and bar area with an outdoor patio - capacity for 700 dining and lounge seats -
- a spa and associated retail

Plus there will have to be extensive staff support for all the elements of this enterprise:

- housekeeping
- restaurant, lounge, bar and patio
- events and conferences
- maintenance and laundry
- landscaping
- administration

An enormous amount of traffic, with attendant noise and lights will be generated by hotel guests, wedding guests, conference and event attendees, people dining out and staff. Surprisingly, there has been no traffic study. And one might wonder where everyone will park? The proposed parking falls 70 spaces short of what is required by the Town bylaw.

Furthermore, a commercial enterprise of this size and scale will have frequent and daily visits by a number of delivery trucks for supplies, food and beverages and these will be large, dangerous and noisy trucks that will be lumbering through our quiet residential streets. Not to mention garbage trucks and recycling trucks, and all of them will be turning into and backing out of the property via the otherwise quiet side streets of Gage and Centre that do not have sidewalks. These are noisy vehicles with their braking systems, back up alarms etc. I live on Centre Street and there is a lot of pedestrian traffic there heading toward Veterans’ Memorial Park and the Commons.

As stated earlier, one of the Goals and Objectives of Land Use Policies for Commercial uses in the Official Plan is “*to prevent the intrusion of commercial uses into residential areas*”. How can such a large scale, busy, noisy and traffic-generating commercial enterprise with such problematic parking be described as anything other than intrusive, and massively so. It is a far cry from gentle - it is an assault on the quiet character and privacy of the surrounding residential neighbourhood.

Another concern is Height, Massing and Scale. S. 6.4 of the OP outlines building height restrictions and directs that “*the Town consists of low-rise structures in a small town setting . . . Generally, the building height has not exceeded 11 metres (36 feet). For the most part, this low rise character should be maintained.*” The zoning bylaw sets a maximum height of 10 metres.

S. 4.6 of the OP deals with Land Use Compatibility Policies and provides that “*Intensification and/or redevelopment should be consistent with: d) the existing and/or planned height and massing of buildings within the surrounding neighbourhood*”.

Furthermore, the Land Use Compatibility Policies found in 6A s.4(6) OP require that *“intensification and/or redevelopment should be consistent with the existing and/or planned built form of the surrounding neighbourhood, the existing and or planned densities and the existing height and massing of buildings within the surrounding neighbourhood (6A s.4.6(a) (c)(d)). 6A 4.6(f) requires that development proposals shall be compatible and integrate with the established character and heritage of the area. (see also s.4.5.2.1(f), s.4.7.2.1 of the OPR).*

This intensification proposal does not comply with the Urban Design Guidelines that apply to the Old Town in that *the bulk, mass and scale of the proposal do not fit the context within which it is located* (see Urban Design Guideline (d) in s.6A 4.4 of the OP).

Again, these sections are not mentioned in the Information Report to Council.

A hotel 62 feet high (19.2 metres) simply does not fit with the surrounding neighbourhood. It is described in the application as 4 storeys high. But it is the *actual* height that really matters. The first storey alone is 20 feet! In reality, in terms of height (62 feet), its impact is more like that of a 6 storey building in a low rise 1 to 2 storey neighbourhood. The proposed hotel would tower over that neighbourhood.

Another concern is that The developer is requesting an OP amendment to Commercial for the whole 4 acre parcel, including the part proposed as Open Space. What would prevent the developer, at a future time, from extending the Commercial activity to where the Open Space is proposed? Theoretically, they could apply for a further zoning by-law amendment to allow for this.

It is noteworthy that the Planning Justification Report, in recognition of the insufficiency of proposed parking, states at p.15: *Additional parking spaces beyond the proposed minimum parking requirement are proposed – the final number of parking spaces is subject to change through more detailed study as part of the future Site Plan Application process.* Where would that parking go?

This application is not complete: there is no traffic study, insufficient parking. It is bereft of any real information regarding the planning justification for such an extensive and intensive commercial use and its impact on the surrounding quiet low- rise neighbourhood. All the Planning Justification Report talks about is all the jobs it will create for potential employees who apparently are going to live in the area or take public transit to work. The application is flimsy and skimpy

Lastly, demolition is premature. It will only create an eyesore in the middle of the Old Town and Downtown Heritage character area. The developer has no approvals for any form of land use, other than institutional. What can the purpose of the demolition be, other than to pressure Council to approve a prohibited use.

In Conclusion:

Council and staff are responsible for giving effect to the vision and values of our Official Plan and Official Plan Review and to provide for growth or intensification in appropriate forms and areas in order to preserve the unique history, culture and character of this special town which has been centuries in the making. This proposal would significantly and permanently damage it. If this proposal moves forward, it would set a very dangerous precedent. Growth is

inevitable and desirable, but erosion and destruction of our community is not.

Sincerely,

Marilyn Bartlett



May 12, 2023

Lord Mayor Gary Zalepa and Council
c.c. The Clerk, Mark Iamarino, Senior Planner, Marnie Cluckie, Kirsten
McCauley
Town of Niagara on the Lake
1593 Four Mile Creek Road
PO Box 100
Virgil, Ontario

**RE: OPA-01-2023 & ZBA-01-2023
Parliament Oak, 325 King Street.**

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Furthermore, a commercial enterprise of this size and scale will have frequent and daily visits by a number of delivery trucks for supplies, food and beverages and these will be large, dangerous and noisy trucks that will be lumbering through our quiet residential streets. Not to mention garbage trucks and recycling trucks, and all of them will be turning into and backing out of the property via the otherwise quiet side streets of Gage and Centre that do not have sidewalks. These are noisy vehicles with their braking systems, back up alarms etc. I live on Centre Street and there is a lot of pedestrian traffic there heading toward Veterans' Memorial Park and the Commons.

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parking spaces is subject to change through more detailed study as part of the future Site Plan Application process. Where would that parking go?

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forward, it would set a very dangerous precedent. Growth is inevitable and desirable, but erosion and destruction of our community is not.

Sincerely,

Marilyn Bartlett

A solid black rectangular redaction box covering the signature area.

From:

Subject:

Date:

RE: 325 King Street

March 21, 2023 10:47:16 AM

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 know that the content is safe. If unsure, forward the email to IT to validate.

Do we need another hotel? I think one hotel is just being build infront of the Shoppers Drug store. We've plenty of hotel accommodations, B&B, AirB&Bs in this town and don't want to become next NF. Marota has a big dream and money for this small town to change into a mega tourist destination. He'll do anything so that his name becomes part of this town's history. It up to elected councillors and us, to stop him on his ambitious way!

Maria Budin

Tel: 289 273 6502

281 Gage St, NOTL

----- Original message -----

From:

Date: 2023-03-21 09:50 (GMT-05:00)

To:

Subject: 325 King Street

Update regarding 325 King Street

A new development application has been submitted to the town for 325 King Street, the site of the former Parliament Oak School. It is to permit a 4 storey, 19 metre (over 62') high, 129 suite hotel to include restaurant and patio, live music and dancing, spa, personal services, banquet/conference facilities, associated retail and 197 parking spaces.

This commercial monstrosity, equivalent to a six storey high building, is not compatible in land use and scale with the low rise, low density, adjacent residential neighbourhood. There will be 24 hour activity every day of the week, including lights, traffic, truck reversing alarms on side streets, unspecified future uses and substantial noise from the patio situated 20' above grade at the rear of the property.

We encourage all residents to speak out against this application, and to insist council enforce the Official Plan that limits this type of building and use. This proposal is undesirable in the extreme, and will set a precedent for future over development.

More applications for mid-rise and larger developments are certain to come to a location near you.

An Open House is planned for Tuesday, April 18 at 5:00 pm, and a Public Meeting for Tuesday, May 9, at 6:00 pm. We strongly urge all to apply and attend both events and submit comments.

The Open House is electronic and may be viewed on line. To participate one must register as below. The Public Meeting is in person at the Town Hall, and one must register to participate.

Please click this link to view the notice of Open House and Public Meeting and how to attend either electronically or in person.

<https://www.notl.com/media/2749>

- Open House – Mark Iamarino, Senior Planner (mark.iamarino@notl.com or 905-468-6423) (register as soon as possible but prior to 12 noon on Tuesday, April 18, 2023)
- Public Meeting – Clerks Department (clerks@notl.com or 905-468-3266) (register as soon as possible but prior to 12 noon on Tuesday, May 9, 2023)

File Nos. OPA-01-2023 & ZBA-01-2023 – 325 King St., Niagara-on-the-Lake

A link to the Towns web site for detailed information on this development is:

<https://www.notl.com/business-development/public-planning-notice/325-king-street-zoning-law-amendment-official-plan>

Scroll down and click the relevant sections.

Please visit our website for more updates.

<https://www.postofnotl.com/>

Please forward this email to anyone you think may be interested.

Alan and the team at POST

From: [REDACTED]
Subject: RE: OPA 2023-01 and ZBA 2023-01
Date: March 21, 2023 11:54:27 AM

Good Morning,

Thank you for your comments regarding the proposed Zoning By-law Amendment Application for 325 King Street.

Town Staff have made note of the comments in your email and will consider these in our review of the application.

Thank you,

Cassandra Cruickshank
Administrative Assistant Corporate Services
Phone: 905-468-3266 Ext 248
1593 Four Mile Creek Road, PO Box 100, Virgil ON L0S 1T0

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, March 21, 2023 11:48 AM
To: Clerks <clerks@notl.com>
Subject: OPA 2023-01 and ZBA 2023-01

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 know that the content is safe. If unsure, forward the email to IT to validate.

I would like to submit the following comments regarding the Parliament Oaks hotel application. Hopefully, some on council will read them.

I see this application as a test for council implemented by SolMar. The developer has more than enough experience in NOTL to see this application as an outrageous over-reach that will be sure to raise the ire of residents and community organizations alike. The problem is that the complaints of residents over many of these recent inappropriate applications begin to sound like plain old NIMBYism and are easily dismissed. They are more than NIMBYism of course, given the massiveness of the over-reach and the impact on the ambiance of the Town and its economic future.

How council responds will set the tone for future applications. I would advise council to take the time to think about the long-term impact as well as unintended consequences, and take a truly strategic approach to this. It is an important first test.

To be sure, Bill 123 restricts the maneuverability of local governments and emboldens developers. I hate to say it, but the new council pushed itself further into a corner by making the blunder of publicly stating a commitment to avoid litigation at all costs. Even if this is the intent, making such a statement publicly just gives developers more sway in negotiations and may encourage some of them to eschew negotiation altogether. A predilection for communication over litigation is better expressed through actions than through statements of intent.

Despite these encumbrances, SolMar does have a number of properties in play right now, and this does give council

an opportunity to negotiate strategically and plan wisely, by putting the right developments in the right locations, thereby mitigating negative impacts overall and enhancing positive ones. All parties can emerge from this reasonably satisfied, if not outright happy. However, council must take the lead to achieve such an outcome. That is its role.

No reasonable person, whether a resident or developer, wants to diminish NOTL. And there truly is an appetite among residents for well designed, higher density housing that promotes affordability and diversity, even in Old Town. However, success in achieving this end hinges on adopting sound planning and architectural design principles and adopting a long-term holistic perspective. Council must be able to adopt and communicate such a perspective to achieve a positive end for all involved.

Hopefully, this comment is helpful. It is meant to be.

Michael Ennamorato



Sent from my iPhone

From: [REDACTED]
Subject: RE: OPA 2023-01 and ZBA 2023-01
Date: March 21, 2023 12:52:10 PM

Good Afternoon,

Thank you for your comments regarding the proposed Zoning By-law Amendment Application for 325 King Street.

Town Staff have made note of the additional comments in your email and will consider these in our review of the application.

Thank you,

Cassandra Cruickshank
Administrative Assistant Corporate Services
Phone: 905-468-3266 Ext 248
1593 Four Mile Creek Road, PO Box 100, Virgil ON L0S 1T0

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, March 21, 2023 12:15 PM
To: Clerks <clerks@notl.com>
Subject: OPA 2023-01 and ZBA 2023-01

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I'd like to make another comment concerning this development.

Does the town have a sense of how many hotel rooms we need going forward? Has there been any planning on this point? It would be a shame to see some of the long-established hotels fail under pressure from uncoordinated new hotel developments and more air b&bs coming on stream. The long-standing players are in a position of some vulnerability given the impact of the pandemic and some of those effects continue. It may not take much to push them over the edge or rethink the long-term prospects for their businesses in NOTL.

[REDACTED]

Sent from my iPhone

From: [REDACTED]
Subject: RE: Precedent
Date: April 17, 2023 12:21:48 PM

Good Afternoon,

Thank you for your comments which appear to be regarding the proposed Zoning By-law Amendment Application for 325 King Street.

Town Staff have made note of the comments in your email and will consider these in our review of the application.

Thank you,

Cassandra Cruickshank
Administrative Assistant Corporate Services
Phone: 905-468-3266 Ext 248
1593 Four Mile Creek Road, PO Box 100, Virgil ON L0S 1T0

-----Original Message-----

From: [REDACTED]
Sent: Monday, April 17, 2023 12:02 PM
To: Clerks <clerks@notl.com>
Subject: Precedent

[Some people who received this message don't often get email from margo foreman2@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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If this property description is allowed to move forward, then this will become Marotta on the Lake.

I actually approve of the little mews he created on Queen. If that kind of design is in his vision, then I am happy to consider.

I do not want some HR team to 'hold my hand' or 'plug my nose' while a developer tries to make 'as much money as possible' from our little town.

NOTL deserves respect. It is one-of-a-kind in Ontario. The birthplace of English speaking Canada and the place where our brave ancestors fought 'our Ukrainian War' with the 'dominant country' believing we would just 'roll-over' and become Americans.

Didn't happen then, so not falling to any 'developers whim' now.

Margo Foreman
[REDACTED]

Sent from my iPhone

From: [REDACTED]
Subject: RE: A retirement community opportunity
Date: May 16, 2023 11:35:15 AM

Good Morning,

Thank you for your comments regarding a proposed Zoning By-law Amendment Application.

Town Staff have made note of the comments in your email and will consider these in our review of the application.

Thank you,

Cassandra Cruickshank
Administrative Assistant Corporate Services
Phone: 905-468-3266 Ext 248
1593 Four Mile Creek Road, PO Box 100, Virgil ON L0S 1T0

-----Original Message-----

From: [REDACTED]
Sent: May 14, 2023 9:39 AM
To: [REDACTED]
Subject: A retirement community opportunity

[You don't often get email from margo.foreman2@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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Hi

I am a resident in Niagara on the Lake. I am also a daughter of a resident at your latest acquisition, VISTAMERE , in Oakville.

A recent discussion about your company's mandate has lead to this email.

In our community, there is a 4 acre property that is in the centre of old town. It is the site of an abandoned primary school.

It has been purchased by Mr. Benny Marotta. He has made a plan to the town to build a 60' high 129 room hotel and conference centre in the centre of a residential neighbourhood. He requires a drastic zoning amendment.

The change in zoning from 'Institution' to 'General Commercial' is quite believably, unacceptable.

During the recent 'town hall' meeting, the most frequent 'what would be acceptable' was discussion of an independent living centre. This would not require a zoning change.

You can imagine there are a large number of 'older seniors' who have lived in the old town most of their lives and are 'putting off' moving to 'residential care' because of the drastic social change required.

One resident said there would be a 'full occupancy' and a waiting list as soon as advertised.

My architect friend said that the size of school classrooms is ideal for the creation of one bedroom/bathroom/kitchenette units for independent living. This site could continue as a social hub of the community with a playground for visiting grandchildren and/or small residential homes for senior couples.

There has been a growing concern in the community that all the 'older/historic' homes are being priced out of the range of 'a young family's income.'

I anticipate a large number of smaller residential units would become available to the community with this 'aging in place' option available.

Speaking as a young senior living a block from this building site, I anticipate your response to this opportunity for both you and our community.

Thank you

Margo Foreman



Apple Tree Historic B&B

Sent from my iPhone

From: [REDACTED]
Subject: RE: OPA-01-2023 & ZBA-01-2023-325 King St NOTL (Parliamenst Oak)
Date: April 10, 2023 9:33:57 AM
Attachments: [MEMORANDUM Parlaiment Oak April 7.docx](#)

Good Morning,

Thank you for your comments regarding the proposed Zoning By-law Amendment Application for May 9, 2023.

Town Staff have made note of the comments attached to your email and will consider these in our review of the application.

Thank you,

Cassandra Cruickshank
Administrative Assistant Corporate Services
Phone: 905-468-3266 Ext 248
1593 Four Mile Creek Road, PO Box 100, Virgil ON L0S 1T0

From: [REDACTED]
Sent: Saturday, April 8, 2023 11:38 AM
To: Clerks <clerks@notl.com>
Cc: [REDACTED]
Subject: OPA-01-2023 & ZBA-01-2023-325 King St NOTL (Parliamenst Oak)

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 know that the content is safe. If unsure, forward the email to IT to validate.

**Saturday
April 8 2023**

Dear Clerk

Please find attached written comments on the application which are submitted to your per the terms of the subject Notice of Complete Application.

Please ensure these are part of the public record in this matter

Peter Howe

MEMORANDUM

SUBJECT: NOTICE OF COMPLETE APPLICATION-OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT ON PARLIAMENT OAK SITE (the “Notice of Complete Application” or “Application” and the “Project”, respectively)

The Town Clerk has issued the above Notice of Complete Application for the Project.

It invites dialogue.

Customarily the invited dialogue would review the appropriateness of the Project and the specifics of the accompanying zoning amendments to realize the concept envisioned in the Application.

But

This assumes the Town is correct in assessing the Application as complete in the first instance.

But

It is not complete for it is either the improper subject matter for such an application or is incomplete and misleading on its face.

Either because:

(A) the Project is not in fact the proper subject matter of an Official Plan amendment.

Just because an applicant fills out and completes the required steps prescribed for an Official Plan amendment does not in fact qualify the matter in and of itself as the proper subject matter of an Official Plan amendment.

It might look like an Official Plan amendment but is in fact something more and far in excess of what an Official Plan amendment is intended by law and regulation to encompass.

When an applicant is suggesting changes to an Official Plan that are so far beyond or in conflict with the Official Plan it seeks to change due to conflicts with the underlying principles and purposes of that Plan—it is not seeking to change something within the four corners of that Plan but to change the compass and orientation and direction of that Plan.

That would not be an amendment but an attempt to introduce policy that if accepted will establish new guidelines and principles overall of the Plan that are antithetical to the Plan itself.

The appropriate place to do so is in the prescribed overall review of the Official Plan at the time or times prescribed by the Planning Act.

So, the Notice of Complete Application should be revoked.

OR

(B) the Town has erred in its review of the Application and should not have issued the Notice of Complete Application as it is patent on its face to be either misleading or in error.

In this regard, reference is made to page 3 Section 11 “Official Plan Information” of the Application and, in particular, the responses to a number of the substantive questions posed therein as follows:

“DOES THIS APPLICATION CONFORM TO THE NIAGARA REGIONAL OFFICIAL PLAN”

The Applicant’s response is inadequate and does not state how or in what manner it conforms and to what provisions of the said plan it conforms. It is a “boiler plate” response without critical detail.

“DOES APPLICATION PROPOSE TO CHANGE OR REPLACE A DESIGNATION IN THE OFFICIAL PLAN? IF YES (THE APPLICANT HERE CONFIRMS IT DOES) WHAT IS THE OFFICIAL PLAN DESIGNATION THAT THE AMENDMENT IS PROPOSING TO CHANGE OR REPLACE?”

The Applicant’s response is inadequate and does not address the question at all.

“DOES THE PROPOSED AMENDMENT CHANGE, REPLACE OR DELETE A POLICY IN THE OFFICIAL PLAN? (THE APPLICANT HERE CONFIRMS IT DOES) IF YES, WHICH OFFICIAL PLAN POLICY IS TO BE CHANGED, REPLACED OR DELETED.

The Applicant’s response is inadequate and simply sites land use changes it is seeking but with no reference to the contextual policies that will be affected or curtailed and how so and why and what are the policy implications of doing so.

DOES THE PROPOSED AMENDMENT ADD A POLICY TO THE OFFICIAL PLAN. (THE APPLICANT HERE CONFIRMS IT DOES) IF YES, WHAT IS THE NATURE AND EXTENT OF THE OFFICIAL PLAN POLICY THAT THE AMENDMENT IS PROPOSING TO ADD?

Again, the Applicant’s response is inadequate not addressing the question put.

In these instances, the Application is flawed and should be returned to the Applicant to provide relevant information necessary for the public and the Town and its Council to better reflect on its appropriateness.

ACCORDINGLY

This Notice of Complete Application is either premature or inappropriate and if the rectifications are made it may well be that the Town will reject the revised Application as revealing material matters

that cause it to reject the Application as not appropriate or premature and better to be assessed after the next review of the Official Plan as prescribed by the Planning Act.

ACTION REQUIRED

Revoke the Notice of Complete Application and return to the Applicant its application.

Peter Howe

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████████████████

From: [REDACTED]
Subject: 325 King Street . Open House
Date: April 25, 2023 8:50:44 AM
Attachments: [325 King Street . Open House.doc](#)

You don't often get email from pamacoti@idirect.com. [Learn why this is important](#)

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 know that the content is safe. If unsure, forward the email to IT to validate.

Please find enclosed a summary of my comments presented at the open house. I would ask you forward these to the Mayor and Councillors for today's meeting.

Regrettably, I am unable to attend the meeting, but feel most strongly that the school should not be demolished at this time – if ever.

Thank you for your assistance.

Paul Shepherd
[REDACTED]

From: [REDACTED]
Subject: RE: Parliament Oak
Date: May 3, 2023 11:49:53 AM

Good Morning,

Thank you for your comments regarding the proposed Zoning By-law Amendment Application.

Town Staff have made note of the comments in your email and will consider these in our review of the application.

Thank you,

Cassandra Cruickshank
Administrative Assistant Corporate Services
Phone: 905-468-3266 Ext 248
1593 Four Mile Creek Road, PO Box 100, Virgil ON L0S 1T0

From: [REDACTED]
Sent: Wednesday, May 3, 2023 11:37 AM
To: Clerks <clerks@notl.com>
Subject: Parliament Oak

Some people who received this message don't often get email from paul.r.weiss@gmail.com. [Learn why this is important](#)

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I am absolutely against the proposal or any similar proposal to erect a hotel on this property. It is totally inconsistent with the surrounding residential area.

From:

Subject:

Date:

RE: Parliament Oak Site

April 18, 2023 3:07:27 PM

Good Afternoon,

Thank you for your comments regarding the proposed Zoning By-law Amendment Application for 325 King Street.

Town Staff have made note of the comments in your email and will consider these in our review of the application.

Thank you,

Cassandra Cruickshank
Administrative Assistant Corporate Services
Phone: 905-468-3266 Ext 248
1593 Four Mile Creek Road, PO Box 100, Virgil ON L0S 1T0

From:

Sent: Monday, April 17, 2023 4:45 PM

To: Clerks <clerks@notl.com>

Subject: Parliament Oak Site

Some people who received this message don't often get email from rhb@rhbaker.com. [Learn why this is important](#)

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Dear Sir,

I should like to convey to the Lord Mayor and members of Council, as well as to your planning staff, my strong conviction that:

- (i) no one, under current circumstances, in possession of his or her common sense, could possibly rationalize a decision to allow the siting and building of any, yet alone a large, hotel in the middle of an obviously residential part of the Old Town of Niagara-on-the-Lake; and

(ii) the official plan, enacted as it was to preserve the character of the town, is not simply a guideline to be ignored but rather a statement of limits which cannot and should not be exceeded in the interests of preserving the integrity of that character.

Yours truly,

Richard H. Baker

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Subject: FW: File #s OPA-01-2023 & ZBA 01-2023 325 KING
Date: April 10, 2023 8:13:39 PM

Please see below comments.

Donna Delvecchio, AOMC
Town Clerk / Manager of Legislative Services
Town of Niagara-on-the-Lake
1593 Four Mile Creek Rd.
P.O. Box 100, Virgil ON L0S 1T0
Phone: 905-468-3266 ext. 228
Fax: 905-468-2959

From: [REDACTED]
Sent: Monday, April 10, 2023 7:32 PM
To: Clerks <clerks@notl.com>
Subject: File #s OPA-01-2023 & ZBA 01-2023 325 KING

Some people who received this message don't often get email from steve@stevegoldberger.com. [Learn why this is important](#)

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 know that the content is safe. If unsure, forward the email to IT to validate.

Greetings,

I am writing to say that I find the above applications to be inappropriate and should be denied.

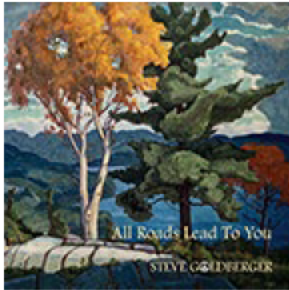
The proposed Commercial uses are not in keeping with the residential nature of this neighbourhood. Despite the location being just a few blocks from Queen St and the Pillar and Post, unlike the recent expansion of the Q hotel, it is just not close enough to warrant the change in Official plan and Zoning. Such a major change will upset the existing residential and community uses.

The existing official plan is so drastically different that what is being proposed and there is not a justifiable reason to make such substantial changes to the original intent of the current OP.

Also the historic significance of this site should be preserved.

Thank you.

Steve Goldberger



From:

Subject:

FW: File Nos: OPA-01-2023 and ZBA-01-2023, 325 King St., Niagara on the Lake

Date:

April 4, 2023 12:28:22 PM

Attachments:

[Letter to Lord Mayor and Town Council of NOTL.pdf](#)

Good Afternoon,

Confirming receipt of your request to attend the Public Meeting on May 9, 2023.
Additional information will be sent ahead of the meeting

Town Staff have made note of the comments in your email and will consider these in our review of the application.

Thank you,

Cassandra Cruickshank
Administrative Assistant Corporate Services
Phone: 905-468-3266 Ext 248
1593 Four Mile Creek Road, PO Box 100, Virgil ON L0S 1T0

From:

Sent: Tuesday, April 4, 2023 12:08 PM

To: Clerks <clerks@notl.com>

Subject: Re: File Nos: OPA-01-2023 and ZBA-01-2023, 325 King St., Niagara on the Lake

Some people who received this message don't often get email from waynem@chapmanmurray.com. [Learn why this is important](#)

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Dear Town Clerk:

Attached is my letter to the Mayor and Council. I would like to register in advance to attend the Public Meeting in person and I wish to be notified of all of the future decisions regarding the applications for this property.

Regards,

Robert Wayne Murray





Chapman Murray Associates Architects Inc.

April 3, 2023

Dear Mr. Lord Mayor and Council:

I understand that the property located at 325 King St. in the old Town is zoned Institutional or Greenbelt and the developer was well aware of this zoning and what he was allowed to build when he purchased the land. I'm sure that the members of Council will agree that their responsibility is to determine what is the ultimate and best use of this land and what will offer the greatest benefit to the Community, and not necessarily the greatest benefit to the developer.

This is simply a land use issue and at this very preliminary stage, the design of the building in this proposal is totally irrelevant (although, it's a building I would expect to see in Paris or Brussels, not in Niagara). I make the following comments as a resident in the area and as an Architect who has been involved in the design and operation of almost every hotel in the Old Town of Niagara on the Lake.

This block of land is surrounded on all four sides by small single- family houses. The reason that one should never impose an intensive use such as a large commercial hotel and conference center in the middle of small single-family houses is not theoretical; it's very logical. Any hotel operation requires a large number of service trucks bringing tons of food, beverages and supplies daily and removing garbage, recycling materials and waste every day.

These trucks will use the shortest and quickest routes to get to the hotel and those routes are Regent Street, Centre Street, and Gage Street. As you can see from the site plans all servicing and deliveries take place on Centre and Gage Streets. Dozens of trucks will be travelling four and a half blocks from Mississauga St. through narrow village roads to reach these service areas. These are not pickup trucks. If you've seen Sysco or Gordon Food Service trucks, you'll know that these are transport trucks and big trucks and small homes aren't compatible. That's basically why a large hotel shouldn't be located in the middle of a neighbourhood consisting only of single-family houses.

But it's not only trucks that are a concern. Cars will also be a problem since the hundreds of staff will be driving from other areas in the Peninsula to work at the hotel. Although I commented earlier that we shouldn't pay any attention to the design of the proposed building, I calculated from the drawings submitted that there will be over 700 dining and lounge seats. Yet only about one third of those seats will be occupied by the hotel guests. Therefore, contrary to R.V. Anderson report, the parking shown is about one third of what should be provided when staff, dining guests, conference goers and attendees at meetings are added to the hotel guest parking requirements. These cars will also be travelling not only on King St.

but also on Regent, Centre and Gage Streets where they may be parking, destroying these narrow roads lined with small heritage homes.

In conclusion, this developer has a habit of buying land with specific zoning and then trying to change its use to anything that will maximize his profit. The community and Council showed him that he couldn't do that at Randwood and hopefully they will have the same resolve with the Parliament Oak school site. As tiresome as this is becoming, we are under no obligation to please the developer or to consider a hotel as an appropriate use for this property.

The developer should be encouraged to propose a use consistent with the zoning which applied to the land when he purchased it, and he should ensure that any future use will be compatible with the neighborhood in use, size, scale, and character.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Wayne Murray', with a long horizontal line extending to the right.

Wayne Murray, OAA, MRAIC
Chapman Murray Associates Architects Inc.
and a Resident of
64 Centre St, Niagara on the Lake

From: [REDACTED]
Subject: FW: Proposed Hotel on Parliament Oak School Site, 325 King St. Niagara on the Lake
Date: June 7, 2023 9:26:33 PM
Attachments: [Pages from Proposed Hotel NOTL Comparison.pdf](#)
[Traffic Flows.pdf](#)

FYI –

From: Gary Zalepa <gary.zalepa@notl.com>
Sent: Wednesday, June 7, 2023 5:25 PM
To: Marnie Cluckie <marnie.cluckie@notl.com>; Kirsten McCauley <kirsten.mccauley@notl.com>
Subject: Fwd: Proposed Hotel on Parliament Oak School Site, 325 King St. Niagara on the Lake

Forwarded email received by Council.

Gary Zalepa

Lord Mayor
Niagara-on-the-Lake

905.468.6416

From: Wayne Murray [REDACTED]
Sent: Wednesday, June 7, 2023 5:04:32 PM
To: Adriana Vizzari <Adriana.Vizzari@notl.com>; Erwin Wiens <erwin.wiens@notl.com>; Gary Burroughs <gary.burroughs@notl.com>; Gary Zalepa <gary.zalepa@notl.com>; Maria Mavridis <maria.mavridis@notl.com>; Nick Ruller <nick.ruller@notl.com>; Sandra O'Connor <sandra.oconnor@notl.com>; Tim Balasiuk <tim.balasiuk@notl.com>; Wendy Cheropita <wendy.cheropita@notl.com>
Cc: Kevin MacLean [REDACTED] penny_coles <penny@notllocal.com>
Subject: Re: Proposed Hotel on Parliament Oak School Site, 325 King St. Niagara on the Lake

Some people who received this message don't often get email from waynem@chapmanmurray.com. [Learn why this is important](#)

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 know that the content is safe. If unsure, forward the email to IT to validate.

Dear Lord Mayor and Councillors:

Attached is a drawing of the proposed Marotta Hotel with the Prince of Wales Hotel in front of it clearly (showing that it's too big) and a site plan showing the serious traffic issues. Other points

to consider:

1. It won't create any jobs for Niagara on the Lake. All staff will come from Niagara Falls or St. Catharines. The developer has no local consultants No local builders will be used on the construction as they won't qualify for bonding for such a large project. Therefore it won't benefit the community or its residents.
2. Based on my experience of, designing building and managing many Niagara on the Lake hotels, the parking being proposed is only 2/3 of what is needed, especially when there will be several wedding functions the same day. Cars will park on both sides of Centre, Gage and Regent Streets making them impassible.
3. By comparison, the Pillar and Post Hotel provides 325 parking spaces for a similar number of guest rooms and banquet spaces, or 50% more than is being proposed.
4. Conde Nast Traveler's selection of Niagara on the Lake as "ONE OF THE 50 PRETTIEST TOWNS IN THE WORLD" was probably made because our residents have always prevented the Town from being ruined by incompatible buildings proposed by unsympathetic developers.
5. There will be 13 driveways and streets opening onto the one block of King St. between Centre and Gage Streets. At check-in and check-out times there would be hundreds of cars making left turns in and out of the hotel site. See The attached site plan drawing showing where collisions will occur most frequently.
6. The proposed building is longer than Queen's Landing Hotel and 1½ times higher than it, the Pillar and Post, and the Prince of Wales Hotel.
7. The proposed hotel is totally surrounded by small private homes.
8. All of the streets surrounding the site are narrow neighbourhood roads unable to handle the hundreds of cars and truck traffic travelling to and from the proposed hotel everyday.
9. King St. will probably need to be widened and left turn lanes at Centre and Gage Streets will have to be provided. There may have to be stop lights at King and Mary Streets to manage traffic flow.
10. There are hundreds of hotel rooms already approved on commercially zoned property in the Old Town. So there's no need for another hotel. However, even if someone wanted to build one, it has to be in a commercial zone and comply with the Town's height bylaws, just like the other hotels in Town.

In conclusion, the location is totally wrong considering the zoning and the traffic issues. What would you think about a building larger than Queen's Landing in the front yard of your house? The exterior design is also totally wrong. It's a style that was traditionally used for institutional buildings in Europe at the end of the 1800's. There's nothing like it in Niagara, or probably in this country AND IT CONTRAVENES THE TOWN'S HEIGHT BYLAW BY MORE THAN 50%.

As you can see on the site plan drawing showing traffic patterns, there will be countless serious collisions on the four streets surrounding the property. Furthermore, this building won't provide temporary or permanent employment for any Niagara on the Lake residents, except the owner. Hopefully, these facts will make you re-think any support for Mr. Marotta's hotel and encourage you to make a decision based on what is best for the

Community and not what is best for the developer.

Regards,

R. WAYNE MURRAY, B.ARCH, OAA, MRAIC
Chapman Murray Associates Architects, Inc.

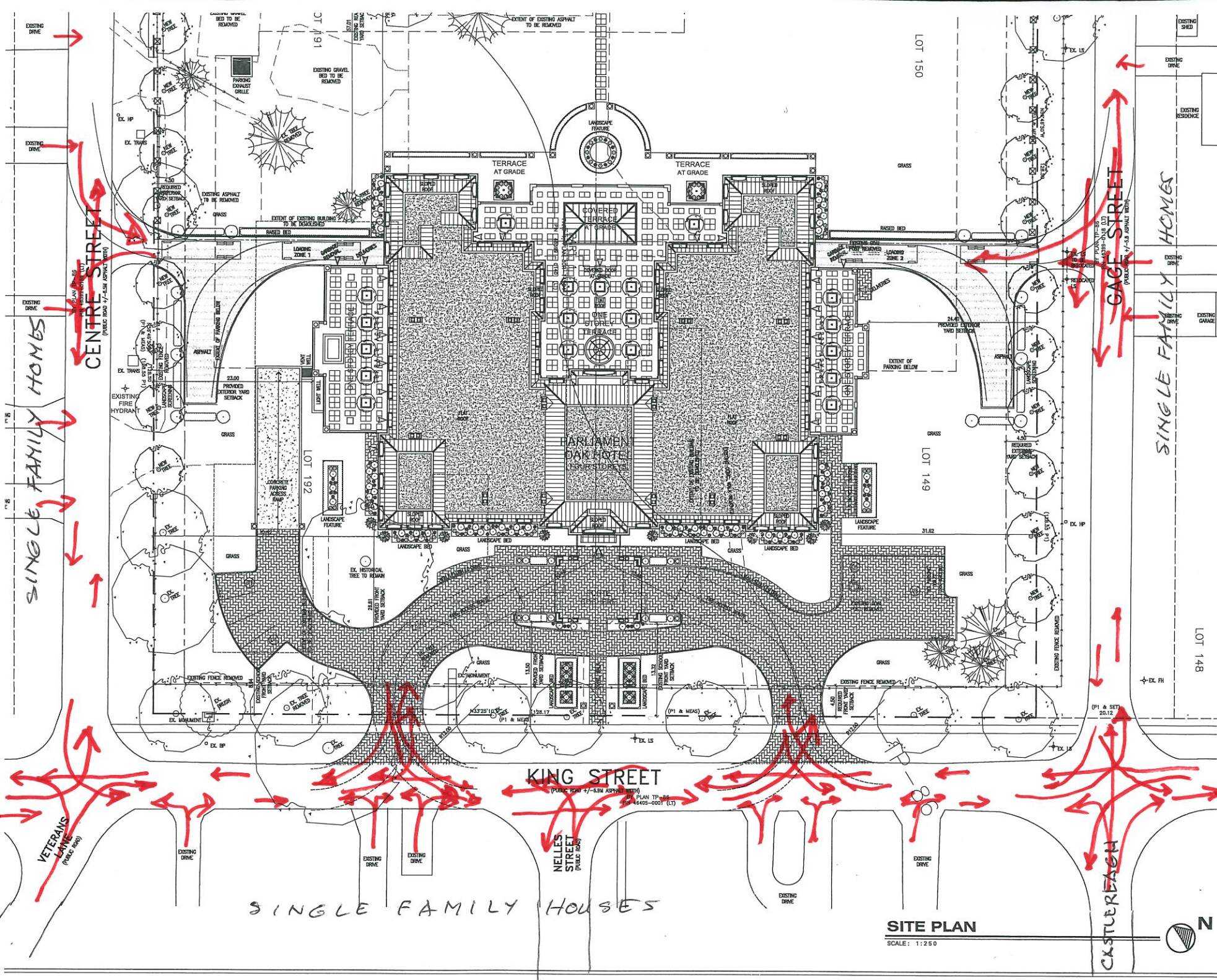




Proposed Hotel

325 King Street, Niagara-On-The-Lake

Compared to the Prince of Wales Hotel



GENERAL CC

- BY-LAW 7.9.2
- a) Minimum Lot Frontage
 - b) Minimum Lot Area
 - c) Maximum Lot Coverage
 - d) Minimum Landscaped
 - e) Minimum Front Yard Setback
 - f) Minimum Interior Side
 - g) Minimum Exterior Side
 - h) Minimum Rear Yard Setback
 - i) Minimum Building Height
 - j) Maximum Building Height
 - k) Minimum Accessory Building
 - l) Minimum Accessory Building
 - m) Side Yard Setback (as amended)
 - n) Minimum Accessory Building
 - o) Side Yard Setback (as amended)

PARKING RE

- Hotel, Motel = 1 per to other uses
- Restaurant = 1 per
- Restaurant Outdoor F GLFA of outdoor parking requirements if take-out restaurant
- Conference Rooms or Conjunction with O 18.5m²

TOTAL PARKING REQ

REQUIRED DESIGNATED PARKING SPACES

PARKING PROVI

- STANDARD PARKING AT GRADE
- BELOW GRADE
- DESIGNATED ACCESS AT GRADE
- BELOW GRADE
- TOTAL PARKING PROVIDED

LEGEN

- BUILD
- BUILD
- ASPH
- PAVER
- CONC
- NOTE: ALL AREAS NOT MATCH
- DECIDUOUS
- EXIST REMO
- EXIST REMO
- TREE
- LOW G
- SHRUB
- POWEE

SITE PLAN

SCALE: 1:250



From:

Subject:

RE: File #s OPA-01-2023 & ZBA-01-2023 -325 KING sTREET NIAGARA-ON-THE-LAKE (the "Property")

Date:

April 17, 2023 3:42:13 PM

Attachments:

[MEMORANDUM Parlaiment Oak April 7.docx](#)

Good Afternoon,

Thank you for your comments regarding the proposed Zoning By-law Amendment Application for 325 King Street.

Town Staff have made note of the comments in your email and will consider these in our review of the application.

Thank you,

Cassandra Cruickshank
Administrative Assistant Corporate Services
Phone: 905-468-3266 Ext 248
1593 Four Mile Creek Road, PO Box 100, Virgil ON L0S 1T0

From:

Sent: Monday, April 17, 2023 3:13 PM

To: Clerks <clerks@notl.com>

Cc:

Subject: File #s OPA-01-2023 & ZBA-01-2023 -325 KING sTREET NIAGARA-ON-THE-LAKE (the "Property")

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 know that the content is safe. If unsure, forward the email to IT to validate.

April 17 2023

Madame Clerk

Attached is a submission by myself and my wife Judy McLeod, related to the Notice of Complete Application as well as the related Notice of Intent to Demolish related to the Property.

The gist of the submission is that the Town has erred in recording

the Applicant's application as complete and accordingly until rectification occurs it should not entertain any requests whether for demolition or otherwise until the Application is in fact properly completed

It is impossible for the public to assess how to address this Application as well as related requests for demolition on the subject lands until the Applicant and the Town have provided to the public an intelligible application that clearly puts the Applicant's case and therefore the one that the public, the administration, the Town Council need to meet.

I assume all submissions in relation to this matter are available on-line for review?

Peter howe and Judy Mcleod

Peter Howe and Judy McLeod

MEMORANDUM

SUBJECT: NOTICE OF COMPLETE APPLICATION-OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT ON PARLIAMENT OAK SITE (the “Notice of Complete Application” or “Application” and the “Project”, respectively)

The Town Clerk has issued the above Notice of Complete Application for the Project.

It invites dialogue.

Customarily the invited dialogue would review the appropriateness of the Project and the specifics of the accompanying zoning amendments to realize the concept envisioned in the Application.

But

This assumes the Town is correct in assessing the Application as complete in the first instance.

But

It is not complete for it is either the improper subject matter for such an application or is incomplete and misleading on its face.

Either because:

(A) the Project is not in fact the proper subject matter of an Official Plan amendment.

Just because an applicant fills out and completes the required steps prescribed for an Official Plan amendment does not in fact qualify the matter in and of itself as the proper subject matter of an Official Plan amendment.

It might look like an Official Plan amendment but is in fact something more and far in excess of what an Official Plan amendment is intended by law and regulation to encompass.

When an applicant is suggesting changes to an Official Plan that are so far beyond or in conflict with the Official Plan it seeks to change due to conflicts with the underlying principles and purposes of that Plan—it is not seeking to change something within the four corners of that Plan but to change the compass and orientation and direction of that Plan.

That would not be an amendment but an attempt to introduce policy that if accepted will establish new guidelines and principles overall of the Plan that are antithetical to the Plan itself.

The appropriate place to do so is in the prescribed overall review of the Official Plan at the time or times prescribed by the Planning Act.

So, the Notice of Complete Application should be revoked.

OR

(B) the Town has erred in its review of the Application and should not have issued the Notice of Complete Application as it is patent on its face to be either misleading or in error.

In this regard, reference is made to page 3 Section 11 “Official Plan Information” of the Application and, in particular, the responses to a number of the substantive questions posed therein as follows:

“DOES THIS APPLICATION CONFORM TO THE NIAGARA REGIONAL OFFICIAL PLAN”

The Applicant’s response is inadequate and does not state how or in what manner it conforms and to what provisions of the said plan it conforms. It is a “boiler plate” response without critical detail.

“DOES APPLICATION PROPOSE TO CHANGE OR REPLACE A DESIGNATION IN THE OFFICIAL PLAN? IF YES (THE APPLICANT HERE CONFIRMS IT DOES) WHAT IS THE OFFICIAL PLAN DESIGNATION THAT THE AMENDMENT IS PROPOSING TO CHANGE OR REPLACE?”

The Applicant’s response is inadequate and does not address the question at all.

“DOES THE PROPOSED AMENDMENT CHANGE, REPLACE OR DELETE A POLICY IN THE OFFICIAL PLAN? (THE APPLICANT HERE CONFIRMS IT DOES) IF YES, WHICH OFFICIAL PLAN POLICY IS TO BE CHANGED, REPLACED OR DELETED.

The Applicant’s response is inadequate and simply sites land use changes it is seeking but with no reference to the contextual policies that will be affected or curtailed and how so and why and what are the policy implications of doing so.

DOES THE PROPOSED AMENDMENT ADD A POLICY TO THE OFFICIAL PLAN. (THE APPLICANT HERE CONFIRMS IT DOES) IF YES, WHAT IS THE NATURE AND EXTENT OF THE OFFICIAL PLAN POLICY THAT THE AMENDMENT IS PROPOSING TO ADD?

Again, the Applicant’s response is inadequate not addressing the question put.

In these instances, the Application is flawed and should be returned to the Applicant to provide relevant information necessary for the public and the Town and its Council to better reflect on its appropriateness.

ACCORDINGLY

This Notice of Complete Application is either premature or inappropriate and if the rectifications are made it may well be that the Town will reject the revised Application as revealing material matters

that cause it to reject the Application as not appropriate or premature and better to be assessed after the next review of the Official Plan as prescribed by the Planning Act.

ACTION REQUIRED

Revoke the Notice of Complete Application and return to the Applicant its application.

Peter Howe

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