

## Presentation Notes

Both the Existing 2017 Official Plan and the new, as yet unconfirmed Official Plan speak to the necessity of maintaining the historic charm and character of Old Town to the benefit of tourism and town residents.

Specifically, 2017 6.4 BUILDING HEIGHT RESTRICTIONS The Town of Niagara-on-the-Lake consists of low-rise structures in a small town setting with a large number of historic buildings. Generally, the building height has not exceeded 11 metres (36 feet). For the most part this low-rise character should be maintained and the implementing zoning by-law should limit building height accordingly. Special provisions may also be included in the implementing zoning by-law limiting the building height to less than 11 metres (36 feet) in low density residential, and established residential areas where the majority of the buildings are one or 1 1/2 storeys in height.

- 1) b) The predominant built form for intensification and redevelopment within the residential areas of the Built-up Area will be single detached, semi-detached and townhomes and low rise apartment buildings subject to the relevant development and compatibility policies of this plan. d) Mixed use development is also encouraged within the commercial areas of the Built-Up Area. The preferred built form for mixed use development is a minimum of 2 storeys with commercial and office uses on the ground floor, with residential units or office uses located above. The 2-storey height will ensure mix use developments are not underdeveloped. .the following urban design guidelines apply to intensification proposals in Virgil and the Old Town... a) Infill and intensification sites should match the average pre-established building setback of adjacent buildings within the block face... and **Conflicts Between Built Form and the Target In circumstances where a proposed development supports the Town's intensification target but does not support the compatibility policies of the Plan, the compatibility policies shall prevail.**

Additionally the Town's OP requires a study which I cannot find anywhere in the proponent's submission "6.5 Commercial Land The Town has a sufficient supply of land designated for commercial purposes; however, a review of commercial land will evaluate commercial policies and the supply of commercial space to insure long- term availability of commercial space to meet projected needs. A review of the commercial land supply will identify opportunities for greyfield redevelopment into mixed used areas. **A retail market impact study shall be undertaken by the proponent of any new or expanded Commercial designation. The Town will retain a peer reviewer at the applicant's expense. This study shall address the following:**a) The impact of the planned function of existing and designated commercial areas and particularly the Downtown. b) c) d) e) f) g) h) i) j) The need for the proposed use. The location, size and scale of the proposed development The potential for compatibility issues. The potential market impacts on existing and planned commercial areas, including downtowns and other shopping nodes. The potential for negative Impacts on the natural environment. The adequacy of the existing transportation Infrastructure including pedestrian and cycling Infrastructure, serving the proposed use. The adequacy of the existing water and wastewater infrastructure and other municipal services. The intent of the policies of this Plan. Where the trade area for a market study extends beyond the boundary of the Town, the Town will consult with the other municipalities within the trade area"

Furthermore “It is recognized that the downtown core in Old Town/Niagara lacks adequate parking arrangements. While there may be a sufficient supply of parking spaces their location and number in a particular area may not be appropriate or effective. The Council shall undertake to prepare a Municipal parking strategy for the Old Town. Off-street parking areas for commercial uses will be designed to facilitate the efficient off-street movement of vehicles and not to negatively impact on abutting or near-by residential uses. Vehicular accesses for new commercial developments will be restricted, as necessary, to minimize the effect of turning movements on adjoining roadways.”

Additionally, in the new as yet adopted Official Plan:

Development proposals shall demonstrate compatibility and integration with surrounding land uses by ensuring that an effective transition in built form is provided between areas of different development densities and scale. Transition in built form will act as a buffer between the proposed development and existing uses and should be provided through appropriate height, massing, architectural design, siting, setbacks, parking, public and private open space and amenity space. 4.7.3 Conflicts between Built Form and Intensification 4.7.3.1. In circumstances where a proposed development satisfies the Town’s intensification target but does not support the compatibility policies of the Plan, the compatibility policies shall prevail. 4.8 Community Design 4.8.1 Design Policies 4.8.1.1. The character of the Town is reflected in its cultural heritage resources, including, but not limited to, its heritage character areas, rural landscapes, tree-lined urban and semi-urban streetscapes, low profile development, walkable communities, and variety of architectural and design features

With the exception of Glendale, the Town consists of low-rise structures in a small town setting with a large number of cultural heritage resources. Generally, building heights in Old Town... do not exceed ten (10) metres. This low- rise character will be maintained, and the implementing zoning by- law will limit building height accordingly. Special provisions may be included in the zoning by-law limiting the building height to less than ten (10) metres in residential areas where the majority of the buildings are 1 or 1.5 storeys in height... and

Objectives for commercial development areas are as follows: a) To provide for an orderly distribution of commercial areas within the settlement areas of the Town to meet the shopping and service needs of residents and tourists. b) c) d) e) f) To adequately provide for local-serving commercial areas and, where necessary, to prevent their use for tourist serving uses. To ensure in commercial areas that cultural heritage resources are conserved. **To recognize the Queen-Picton Street area as the focus of tourist-serving commercial uses in the Old Town. 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. To minimize the impact of commercial development on the traffic carrying capacity of adjacent roads.**

Having reviewed The Planning Act, Current Provincial Planning Statement, Places to Grow Act, The Niagara Region OP it is clear that all of these documents encourage planning which is similarly oriented to:

- 1) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest

- 2) the promotion of built form that, (i) is well-designed, (ii) (iii) encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant communities
- 3) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;
- 4) Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.
- 5) The Region will endeavour to: ... e) support opportunities for nature and culture-based tourism by: ... iv. promoting excellence in urban design and requiring conservation of significant cultural heritage resources to foster a sense of place; vi. promoting revitalization and redevelopment within downtown and community cores to enhance their existing character.
- 6) The Region shall promote: a) the creation of liveable and vibrant urban areas and streets; b) community design that: i. offers a range of transportation options, including public transit and active transportation; ii. iii. respects the complete streets approach by creating safe and attractive interconnected streets; and, encourages a mix of land uses, a vibrant public realm and compact built form; d) well-designed buildings, high quality streetscapes, and attractive public spaces that create neighbourhood character and strengthen community identity and diversity; e) the integration of views of built and cultural heritage features, landmarks, and significant natural heritage features to enhance a sense of place;

I cannot understand how any building twice as high as any other structure in Old Town save perhaps the steeple of St. Andrew's Church can be determined to be compatible with its immediate residential surroundings or the character of Old Town. Furthermore, without the market impact study required under 6.5 of the Official Plan, how can the staff recommend adoption of the proposal without any assessment of impact?

Lord Mayor and Council I suggest that you not adopt the recommendation of Staff and send them and the proponent back to the drawing board.