

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

**SUBJECT:** Public Input Session  
200 John Street East and 588 Charlotte Street  
Official Plan Amendment (OPA-02-2020) revised  
Zoning By-law Amendment (ZBA-11- 2020) revised  
Draft Plan of Subdivision (26T-18-20-01) revised

**DATE:** 2022-06-09

**REPORT #:** CDS-22-029

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**DEPARTMENT:** Community & Development Services

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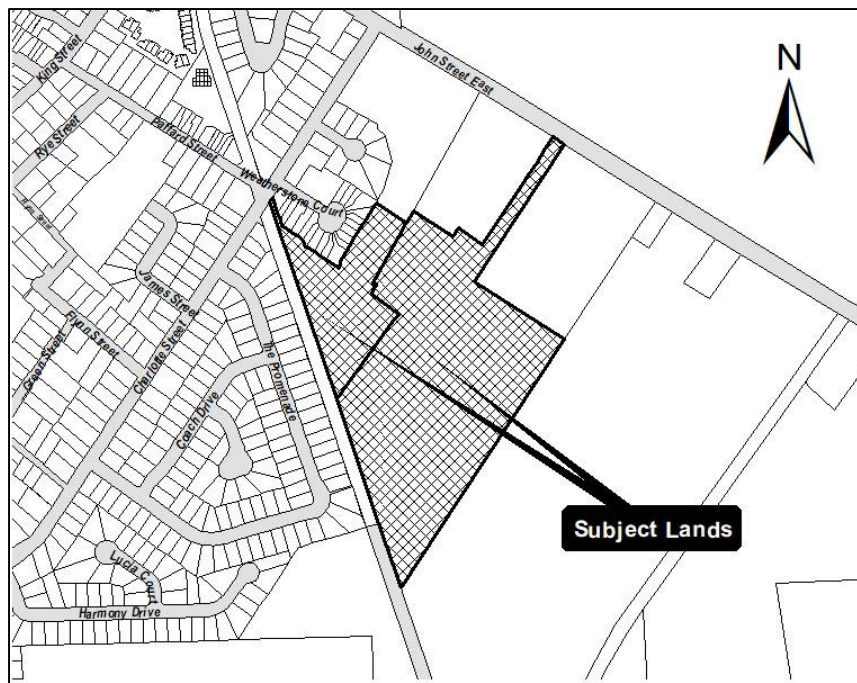
## BACKGROUND INFORMATION

The purpose of this report is to provide a summary of the residential development proposal for 200 John Street East and 588 Charlotte Street (“Rand Estate”) for the purpose of the Public Input Session on June 9, 2022. The report includes an overview of applications for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision and the applicable Provincial, Regional and local planning policies.

The Public Input Session is not a statutory meeting under the *Planning Act* or a meeting of Council.

### Location

The subject lands are comprised of two separate lots and are located on the south side of John Street East and the east side of Charlotte Street (see **Figure 1**).



**Figure 1:** Location of the subject lands

The subject lands are approximately 30.77 acres (12.45 hectares), with 7.76 metres of frontage on Charlotte Street and 20.10 metres of frontage on John Street East. The subject lands contain two single-detached dwellings, a two-storey carriage house, numerous other accessory buildings and structures. A stone wall is located around the north, west and south perimeter with gates at the entry points. A watercourse, regulated by the Niagara Peninsula Conservation Authority traverses the northwest property line behind Weatherstone Court. Surrounding lands include residential, agricultural and open space uses.

**The properties are designated as having cultural heritage value or interest under Part IV of the *Heritage Act*.**

### **Timeline**

In July 2020, the Town received applications for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision (the "Applications") to facilitate the development of the subject lands known as Rand Estate.

The Applications proposed the development of:

- 125 single-detached dwellings;
- 66 semi-detached dwellings; and
- blocks of land for parks, natural areas and future development all on a private road network

The Town processed these Applications, circulated for agency comments and held an Open House in June 2021 and statutory Public Meeting July 2021 to collect input from the public. Comments were compiled and provided to the applicant.

On March 11, 2022, the Town received a Revised Submission consisting of:

- 39 single-detached dwellings;
- 26 semi-detached dwellings;
- 107 townhouse dwellings; and
- blocks of land for parks, natural areas and future development all on a private road network

A copy of the revised proposed draft plan of subdivision and proposed landscape plan is included as **Appendix I**.

On April 6, 2022, the owner appealed the Applications to the Ontario Land Tribunal (“OLT”) for non-decision.

### **Development Process**

The applicant has submitted the following background reports and studies with the Revised Submission in response to the comments received from the Town, Region, agencies and the public:

- Draft Plan of Subdivision
- Planning Assessment Report Addendum
- Landscape Plan and Heritage Commemoration Plan
- Functional Servicing Report
- Environmental Impact Study Addendum
- Engineering Drawings
- Assessment of Agricultural Urban Interface
- Arborist Report and Tree Inventory Report
- Urban Design Brief

All studies have been posted on the Town’s website: <https://www.notl.com/business-development/public-planning-notice/200-john-street-588-charlotte-street-rand-estate-opa>

The OLT appeal letter has also been posted. The appeal letter sets out the reason for appeal and the relief being sought. It requests the OLT approve the Applications, as amended by the Revised Submission.

The following information highlights changes to the Applications in the Revised Submission.

*Housing Mix and Density:* The revised plan reduces the number of residential dwellings from 191 units to 172 units, a decrease of nineteen units, and offers a greater mix of housing options. The number of single and semi-detached dwellings has decreased, and the plan has added townhouse dwellings.

*Setbacks from Existing Development and Stormwater Management Pond:* The original plan included an underground stormwater management holding chamber. The revised plan provides a traditional stormwater management pond facility, which increases the buffer between the

development to the south and west and incorporates an open space buffer which accommodates the stream and wooded area.

*Grading and Servicing:* The revised plan proposes a traditional stormwater management facility which will require less fill and grading. In addition, the incorporation of an underground pumping station for sanitary sewage reduces the need to raise grades or incorporate fill.

*Heritage Designation:* The objection to the heritage designation of the subject lands was withdrawn earlier this year. In March 2022, the *Heritage Act* designation by-laws (5389-22 and 5390-22) were registered on title.

*Open Space and Heritage:* The revised plan increases the amount of parkland and open space to include cultural heritage resources, to increase access to the Heritage Trail and to accommodate infrastructure. This network of open space includes:

**Heritage Park:** An open space block is proposed at the John Street East entrance of the subdivision. The park proposes to preserve the location and footprint of the original outdoor pool and the tea house in-situ. The Carriage House is proposed to be commemorated north of the pool area. The Tea House is proposed to be retained and restored. The original wooden pergola within the pool area is proposed to be commemorated through the construction of new contemporary pergola structures. The existing bath house (folly) is proposed to be relocated to the park and oriented towards the pool. The revised plan also includes suggestions for ways to provide information on the site's history within this park.

**Whistle Stop Trail Head Parkette:** A parkette is proposed at the south end of the site at the Heritage Trail where the original Whistle Stop wooden gazebo is proposed to be reconstructed.

**The Whistle Stop Walk:** A pedestrian walkway is proposed, traversing the site from the Heritage Park to the Whistle Stop Trail Head Parkette, providing a continuous connection through the site.

**Community Garden:** The elimination of the underground stormwater management tank near the Charlotte Street frontage allows for the proposed addition of a community garden. One of the existing sheds/outbuildings on site is also proposed to be relocated to this area for adaptive reuse.

**Stormwater Management Facility:** A landscaped walkway is proposed to meander around the entire facility and connect to the community garden.

*Access and Private Road Network:* The proposed access to John Street East, between 176 and 210 John Street East, remains.

The existing pillars at John Street East are proposed to be moved and reconstructed to allow for a wider entrance while maintaining the current appearance and stone wall. The revised plan includes a re-designed private road right-of-way with a rural cross-section. The road has been realigned closer to the west property line to protect a large grouping of trees on the east side of the entrance. Additional trees are proposed to provide a landscape buffer between the driveway and 210 John Street East. A walkway is proposed between the existing trees to provide pedestrian access to John Street.

*Trees:* The revised plan also proposes the planting of approximately 280 new trees along streets, around the stormwater management facility, and within the open space and park blocks.

*Sidewalks and Trails:* The revised plan includes a trail connection between the Two Sisters vineyard and the proposed subdivision. It also facilitates pedestrian movement with locating sidewalks on both sides of most streets within the subdivision. An emergency access is proposed through the Community Garden to provide emergency vehicle connection to Charlotte Street.

### **Policy Review**

A summary of the applicable Provincial, Regional and local planning policies was provided in the initial information report for the Public Meeting in July 2021. The policy environment remains unchanged, a copy of the earlier Policy Review is attached as **Appendix II**.

### **Zoning By-law Amendment**

The application has been revised in accordance with the revised draft subdivision plan layout and to provide specific development standards for the residential uses. **Appendix III** provides details on the existing zoning and the requested Zoning By-law Amendment.

### **NEXT STEP / CONCLUSION**

The Applications have been appealed and are now before the OLT. The Town has hired The Planning Partnership (“TPP”) and other experts to review the Applications and advise Council. The consultant team will be present at this Public Input Session to hear all submissions.

Once an application has been appealed to the OLT, the municipality has no statutory obligation to consult with the public. Notwithstanding, the Town has elected to convene a Public Input Session.

The next step in the OLT process is the scheduling of a case management conference. Once scheduled, the Town will post the date on its website.