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

SUBJECT: 325 King Street – Site Plan Approval Application
DATE: 2024-12-03
REPORT #: CDS-24-186
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DEPARTMENT: Community & Development Services

BACKGROUND INFORMATION

The purpose of this report is to provide information on the Site Plan Approval Application submitted for land municipally known as 325 King Street.

Official Plan Amendment (OPA-01-2023) and Zoning By-law Amendment (ZBA-01-2023) applications were approved by Council on June 25, 2024. Approval of these amendments facilitates the construction of a 19.0-metre tall, 4-storey hotel with associated uses, including a restaurant, outdoor restaurant patio, conference centre, banquet facilities, spa, retail uses, and personal service establishment as secondary uses to the hotel. The hotel is permitted to contain a maximum of 129 rooms, and the development must provide a minimum of 248 parking spaces.

As discussed in the Staff Recommendation Report (CDS-23-192, dated June 11, 2024), the following matters, among others, are to be addressed through the Site Plan Approval Application process:

- Servicing (detailed review), including the submission of a hydrogeological assessment and dewatering plan for the proposed underground parking structure
- Heritage matters, including the implementation of clauses for heritage commemoration and preservation and further Committee review
- Implementation of the Tree Inventory and Preservation Plan to ensure appropriate tree protection and replanting
- Detailed Landscape Plan
- Traffic monitoring
- Matters such as sidewalks, lighting, waste management, and all other site works

During the Council Meeting on September 24, 2024, the following motion was presented and approved:

“Whereas the Official Plan and Zoning amendments have been approved by Council for 325 King St.; and

Whereas this is a significant development project for the Town; and

Whereas there were serious concerns raised about parking, stormwater management, and other issues; and

Whereas the technical details of development are addressed at the site plan approval stage;

Therefore, be it resolved that Council requests the site plan for 325 King St. be reported to Council to provide comments and input to Staff on the information report before it is approved.”

Based on this approved Motion, Town Staff have prepared this report to collect comments from Council on matters related to the proposal.

Site Plan Application Submission

The Site Plan Approval Application for 325 King Street was deemed complete and circulated for comment to internal Staff and external Agencies on November 15, 2024. The materials submitted with the Application are outlined below:

- Arborist Report and Tree Protection Plan
- Architectural Set
- Commemoration Plan
- Cover Letters
- Documentation and Salvage Report
- Engineering Cost Estimate
- Heritage Impact Assessment
- Hydrogeological Assessment
- Landscape Cost Estimate
- Landscape Drawing Set
- Parcel Register
- Site Servicing and Stormwater Management Report & Plans
- Photometrics Plan
- Property Index Map
- Shadow Study
- Traffic Impact Study
- Urban Design Brief

The Site Plan Approval Application and accompanying documents have been circulated to Town Staff and applicable external Agencies for review and comment. The commenting period for the first submission of the Application has not yet closed, and Town Staff are still receiving comments. Once the commenting period closes, Staff will provide all comments to the applicant. The applicant will then work to address comments and requirements through future resubmission.

The information below provides a summary of the details of the submitted Architectural Drawing Set, Landscape Drawing Set, Site Servicing and Stormwater Management Report, and Hydrogeological Assessment. These materials are still under review. The summaries offered below do not constitute approval or acceptance of these materials.

The Architectural Drawing Set, including the site plan, elevations and floor plan, is attached as **Appendix I**. The Architectural Drawing Set notes the 4-storey hotel building, with 8 surface parking spaces located along the King Street frontage. Two 1-storey pavilions are proposed behind the hotel, along the Regent Street frontage. A loading space is proposed on either side of the hotel building, accessed from Centre Street and Gage Street, in approximately the centre of the block. Two levels of underground parking are provided, containing a total of 240 parking spaces. The first level of underground parking contains 119 parking spaces, and the second level of underground parking contains 121 parking spaces. In addition to the 129 hotel rooms, the uses proposed in the hotel include a spa, restaurant, bar, lounge, meeting space, and conference/banquet rooms.

The Landscape Drawing Set is attached as **Appendix II**. The Landscape Drawing Set identifies the proposed plantings throughout the site. The proposal includes periphery wrought-iron fencing with a proposed height of 1.2 metres. Robust landscaping is proposed along the west half of the property, closest to Regent Street, including the maintenance of mature boulevard trees. A commemoration wall/feature and heritage plaques are proposed to be located along the Regent Street frontage. The proposal notes that 15 existing trees will be retained. The proposal does not include publicly accessible park space or land.

A Site Servicing and Stormwater Management Report was submitted with the Site Plan Approval Application. The objective of the Report is to outline a servicing plan for the proposal that includes an assessment of the servicing strategy and a stormwater management solution through addressing the following:

- Identification and review of existing municipal storm, sanitary and water services available for the site.
- Identification of Town and Region criteria with respect to sanitary, water and storm servicing, including stormwater management.
- Estimate water, sanitary and storm demands that will result from the proposed development.
- Investigation of the capacity of existing municipal watermains and sewers.
- Provide a summary of proposed servicing of the site with respect to water, sanitary and storm services.
- Recommendation and description of the proposed stormwater management system for the site to address water quality and discharge rate targets.

This Report is under review by Town Staff, including the Town's Engineering Peer Reviewer (Associated Engineering (AE)) and external Agencies. As of the date of preparation of this report, comments have not yet been received with respect to servicing or stormwater management.

A Hydrogeological Assessment was submitted with the Site Plan Approval Application. The scope of the Hydrogeological Assessment, as provided in the report, is as follows:

- Background review, including geological and hydrogeological information, topographic mapping, surface geology, natural heritage features databases, Town Official Plan, Niagara Peninsula Conservation Authority regulated area plans, and MECP water well records
- Fieldwork, including investigating natural features, groundwater receptors, structures, installation of monitoring wells, and collection of groundwater samples
- Short-term dewatering needs, based on reviewing the design drawings and considering findings of the current subsurface investigation, and the creation of a mitigation plan
- Long-term foundation drainage control requirements, based on reviewing the design drawings and subsurface investigation, to estimate the long-term foundation drainage flow rate, including groundwater seepage
- Permit requirements, including recommendations on the need to apply for any permits with the MECP and Niagara Region

This Report is under review by Town Operations Staff, the Town's Peer Reviewer (SLR Consulting) and external Agencies. The report includes significant technical information and findings. As of the date of preparation of this report, comments have not yet been received with respect to hydrogeological matters.

Site Plan Approval Process

When all requirements of the development have been addressed through the Site Plan Approval application review, the Site Plan would receive approval, and the associated agreement would be registered on title.

Town Staff works with applicants to ensure that submitted information addresses Town and Agency requirements prior to approval. Resubmissions of materials are often warranted with Site Plan Approval applications. The Planning Act requires approval of Site Plan applications within 60 days of being deemed complete. Town Staff work towards meeting this timeline when possible. However, when matters remain outstanding, it may not be possible to meet this timeline. Staff will continue to work through technical matters to address any outstanding matters prior to approval. Conditions may be imposed through the Site Plan Agreement that require clearance prior to issuance of a building permit. Staff may also consider a conditional Site Plan Approval; this approach requires the applicant to continue to satisfy conditions prior to obtaining formal Site Plan Approval. No development is permitted until all conditions have been addressed and formal Site Plan Approval is provided.

Council approved Site Plan Control By-law No. 2024-021 on March 26, 2024, to bring the by-law into conformity with recent Provincial changes and requirements. The updated by-law provides clarity for Town Staff, development proponents, the public, as well as Council. As required by the *Planning Act*, the bylaw delegates approval authority for Site Plan Approval applications to Town Staff (specifically, the Director of Community & Development Services) Accordingly, final approval of the Site Plan Approval Application for 325 King Street rests with the Director.

While the Site Plan process is an internal technical process (i.e., is not subject to approval by Council), the documents submitted with the Application are available for viewing by appointment at Town Hall.

NEXT STEP / CONCLUSION

As of the date of preparation of this report, the Site Plan Approval Application is under review and has not been approved.

ATTACHMENTS

- **Appendix I** – Architectural Drawing Set
- **Appendix II** – Landscape Drawing Set