



Town of Niagara-on-the-Lake

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REPORT #: CDS-24-187 **COMMITTEE DATE:** 2024-12-04
REPORT TO: Municipal Heritage Committee **DUE IN COUNCIL:** 2024-12-10
SUBJECT: Request for Comments – Seasonal Patio Program Minimum Design Standards

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 The Municipal Heritage Committee provide feedback on the proposed parameters of the Seasonal Patio Program (**Appendix I**) or other considerations as it impacts heritage designated properties.

2. EXECUTIVE SUMMARY

- The Town's Temporary Patio Program was established in 2020 to support local restaurants, bars and other food and drink establishments in their efforts to provide safe outdoor dining experiences during the COVID-19 pandemic.
- At the time, the Town created general guidelines for design and requirements for a Temporary Patio Program, intending to do a fulsome review later.
- Council has extended the Temporary Patio Program on an annual basis in 2021, 2022, 2023 and 2024.
- Council has directed Staff to create a Seasonal Patio Program, with refined minimum design standards.
- Staff are seeking input on the proposed minimum design standards (attached as **Appendix I**) from the Municipal Heritage Committee as it relates heritage designated properties within the Queen-Picton Heritage Conservation District and, potentially, any Part IV designated heritage properties.

3. PURPOSE

The purpose of this report is to gather input from the Municipal Heritage Committee (the “MHC”) on the proposed minimum design standards to accompany the proposed Seasonal Patio Program. Input from the MHC will assist in mitigating potential impacts to cultural heritage resources within the Queen-Picton Heritage Conservation District (the “HCD”) and individually designated properties.

4. BACKGROUND

Town Staff presented the existing 2020 minimum design standards and Temporary Patio Program parameters to the MHC in June 2023, with a request for initial feedback. The Committee provided the following recommendations to Staff:

- Patios be constructed of wood or metal rather than plastic;

- Patios be natural or stained wood or painted in a colour from the approved Niagara-on-the-Lake approved colour chart (or similar) to the satisfaction of the Director of Community and Development Services;
- Lighting on patios be simple in design, of a warm white light, that illumination be directed downward, and that no colour changing or flashing lighting is permitted to the satisfaction of the Director of Community and Development Services;
- Decorative free-standing flower pots or planting boxes are encouraged;
- No signage is permitted to be installed on the patio structure with the exception of one menu sign at a maximum size of 0.2 square metres in area;
- A Heritage Permit is required to be obtained by a property owner for the construction of any patio temporary or otherwise, which will result in soil disturbance or excavation, including the pouring of below-grade footings, or slab on grade foundations, or where any patio structure is proposed to be attached to an existing building or structure;
- Heritage Staff review and provide comments on all Temporary Patio Permit Program Applications;
- Non-branded umbrellas be used exclusively. If shade is required then non-branded pergolas and umbrellas are used instead of tents. Umbrella colours should be muted colours/tones compatible with Heritage District;
- Plantings be required not just encouraged;
- People on the street is better than vehicles;
- Concern about animals/pests beneath raised patios;
- Consider striking a joint MHC/UDC working group to create a theme or design standard;
- Consider minimum distance separation or spacing between patio structures; and
- Should the Town limit the number of patios.

The above feedback has been considered and, where feasible, incorporated into the proposed standards. The proposed minimum design standards are attached as **Appendix I** to this report.

5. DISCUSSION / ANALYSIS

The Queen-Picton Heritage Conservation District Plan (the “District Plan”) provides the objectives and policies to guide proposed changes within the HCD. The objectives outline the vision and goals for the HCD and the policies direct how to achieve that outcome. High level objectives within the District Plan include the following guidance as it pertains to the Physical Environment, Social Goals and Economic Goals.

The Physical Environment Goals of the District Plan state that is an objective to conserve and maintain the visible history of the Queen-Picton HCD through conservation of historic buildings and complimentary design supporting infrastructure. The elements of the streetscape are encouraged to be considered as a whole in order to achieve an environment that is functional and attractive. Objectives for the physical environment of the Queen-Picton HCD in Section 4.2 state:

- to achieve a cohesive, well-designed district that emphasizes the human scale and historic character of the streetscape.
- to encourage the preservation and enhancement of the historic building stock.

- to guide the construction of new buildings so that they are of good design, compatible with the historic district to ensure that the supporting infrastructure including traffic patterns and car parking complements the human scale, historic character and businesses in the district.
- to introduce positive features that will enhance the atmosphere and visual appeal of the streetscape including landscaping, street lights, signage and pedestrian amenity.
- to minimize the impact of tourism and business activity in the commercial district on the surrounding residential areas.
- to promote heritage conservation as a natural consideration in the development of the district.

Social Goals for the Queen-Picton HCD acknowledge that the downtown area is an active business, social and residential area where the community congregates. The District Plan seeks to strengthen the small town atmosphere and character of the HCD. Social objectives in Section 4.3 state:

- to preserve and strengthen the small town character of the Queen-Picton district.
- to enhance community pride and identity in the district
- to involve the local community in major issues affecting the district.
- to develop the Queen-Picton district as a place to live in as well as a place to shop and work.
- to foster community recognition of the historic and architectural significance of the district and its origins.

Economic Goals for the Queen-Picton HCD support a competitive and progressive business environment with full use of the historic building stock and compatible infrastructure. Economic Goals in Section 4.4 include:

- to maintain and enhance Queen-Picton Street as a progressive and profitable commercial district in the town.
- to develop improvement programs that will relieve problems in the district such as car parking, traffic flow and negative effects on neighbouring residential areas.
- to promote the historic character of the Queen-Picton district as a basis for economic development.
- to use the building stock in a full and profitable manner for business and residences.
- to provide incentives and assistance to the individual property owners to utilize sound and beneficial preservation procedures in their improvement plans.

The Physical Environment, Social and Economic Goals recognize that the Queen-Picton HCD is a functional area that serves an important economic and social function for the Town. It also highlights that the area is defined by the historic buildings and streetscape which provides a special sense of place. The addition of outdoor patios to the streetscape within the commercial area of the HCD changes the appearance of the streetscape. However, on Queen Street, the patios are generally located in the on-street parking spaces. The construction of the outdoor patios in the on-street parking spaces means that visually the streetscape will be enlivened by people rather than visually dominated by parked vehicles, which contributes to a more progressive and profitable commercial district and contributes to a better place to live, shop

and work. However, the construction of patios in parking spaces contributes to the loss of parking spaces.

The District Plan does not provide policies specific to outdoor patios. However, the District Plan provides guidance for achieving compatibility within the Streetscape of the HCD, specifically through recommended colours, materials and visual rhythm.

Keeping in mind the guidance from the HCD and the previous inputs, proposed minimum design standards have been drafted. Town Staff are seeking input from MHC on the proposed parameters or other requirements to refine the revised minimum design standards.

6. STRATEGIC PLAN

The content of this report supports the following Strategic Plan initiatives:

Pillar

1. Vibrant & Complete Community

Priority

1.1 Planning for Progress

Action

1.1 b) Planning for Progress Initiatives

7. OPTIONS

Not applicable.

8. FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

9. ENVIRONMENTAL IMPLICATIONS

Not applicable.

10. COMMUNICATIONS

The recommendations of the MHC will be forwarded to Council for consideration as part of the proposed Seasonal Patio Program.

11. CONCLUSION

The input of the Municipal Heritage Committee is requested to provide feedback on the proposed minimum design standards for the Seasonal Patio Program or other considerations, with specific regard for parameters that would mitigate potential impacts to cultural heritage resources within the Queen-Picton Heritage Conservation District and individually designated properties.

12. PREVIOUS REPORTS

- MHC-21-010 – Request for Comments – Temporary Patio Permit Program
- CDS-23-127 – Request for Comments – Temporary Patio Program Review

13. APPENDICES

- **Appendix I – Draft Minimum Design Standards**

Respectfully submitted:

Prepared by:

A handwritten signature in black ink, appearing to read 'Aimee Alderman', with a large, stylized initial 'A'.

**Aimee Alderman, MCIP, RPP
Manager of Development Planning**