



## Town of Niagara-on-the-Lake

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**REPORT #:** CDS-25-083

**COMMITTEE DATE:** 2025-06-03

**DUE IN COUNCIL:** 2025-06-24

**REPORT TO:** COTW-Planning

**SUBJECT:** Queen-Picton (Old Town) Heritage Conservation District Study: Phase 1 Study Report

### 1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 Council **RECEIVE** the Queen-Picton (Old Town) Heritage Conservation District Study: Phase 1 Study Report;
- 1.2 Council **ENDORSE** the recommended expanded Heritage Conservation District (HCD) boundary as shown on **Appendix I** to this report;
- 1.3 Council **DIRECT** Staff to amend the HCD Study Area By-law 2025-025 to revise the study area boundary to reflect the recommended expanded HCD boundary, and bring the amended by-law to the next Council meeting;
- 1.4 Council **APPROVE** the recommendations of the Queen-Picton (Old Town) Heritage Conservation District Study: Phase 1 Study Report; and,
- 1.5 Council **DIRECT** Staff to commence Phase 2, the Plan Phase of the Heritage Conservation District Study, and prepare an updated HCD Plan for the expanded HCD in accordance with the *Ontario Heritage Act*.

### 2. EXECUTIVE SUMMARY

- The Queen-Picton Heritage Conservation District ("HCD") was established in 1986 to protect the heritage character of the commercial core of Niagara-on-the-Lake's Old Town area ("Old Town").
- Section 40 of the *Ontario Heritage Act* provides that the Council of a municipality may undertake a study of any area of the municipality for the purpose of designating a heritage conservation district and may pass a by-law establishing an HCD study area for a period of one year.
- The Town awarded the contract for the HCD Study to Cultural Spaces, an Ottawa-based heritage consultancy firm. Based on their initial research, Cultural Spaces recommended a geographical boundary to define the Study Area. In February 2025, Council passed a by-law placing restrictions on alterations to property within the HCD study area for the period of one year.

- At a public open house held on April 1, 2025, a recommended boundary for an expanded HCD was presented, together with information on the analysis of the contributing and non-contributing properties, and age of construction tied to the statement of significance for the 1814 to 1914 development of the Old Town.
- Cultural Spaces prepared a draft Phase 1 Study Report summarizing their findings and expanded boundary for the district, which was presented to the Municipal Heritage Committee on May 7, 2025.
- Meetings were also held with the Niagara Foundation and Niagara-on-the-Lake Conservancy, and with Staff of the Niagara-on-the-Lake Museum to receive input on the draft Phase 1 Study Report.
- The MHC adopted the recommendations of Staff Report CDS-25-073 that the MHC endorse the findings and recommendations of the Study report, and support Staff bringing the Study Report forward to Council for consideration and direction to commence the Plan phase of the project. The draft Study Report is attached as **Appendix II** to this report.

### 3. PURPOSE

The purpose of this report is to present the draft Phase 1 Study Report to Council and seek the endorsement of Council on the findings and conclusions of the Report, and direction for Staff and the consultant to proceed to the Phase 2 of the project involving the preparation of an updated HCD Plan for the proposed expanded HCD.

### 4. BACKGROUND

The scope of the first phase of a heritage conservation district study is outlined in Section 40 (2) of Part V of the OHA:

The study shall:

- examine the character and appearance of the area that is the subject of the study, including buildings, structures and other property features of the area, to determine if the area should be preserved as a heritage conservation district;
- examine and make recommendations as to the geographic boundaries of the area to be designated;
- consider and make recommendations as to the objectives of the designation and the content of the heritage conservation district plan required under section 41.1; and
- make recommendations as to any changes that will be required to the municipality's official plan and to any municipal by-laws, including any zoning by-laws.

The consultant, in consultation with Heritage Planning Staff, has completed a draft HCD Study report for Phase 1 of the HCD Study, in accordance with the requirements of the OHA. The draft report is attached as **Appendix II**. The report is organized into the following sections:

1. Introduction
2. Inventory and Analysis of Heritage Value and Resources
3. Legislative and Policy Framework
4. Recommendations

## 5. DISCUSSION / ANALYSIS

### 5.1 Rationale for expanded HCD boundary

The Study recommends an expanded HCD including areas surrounding the current HCD centred on the Queen and Picton Streets commercial core, including the Queen Street Summer Homes character area, a portion of the Dock Area character area, and the residential areas surrounding the existing HCD. The map showing the recommended HCD boundary is attached as **Appendix I** to this report.

The recommended expanded HCD represents the complete sequence of periods from the rebuilding of the town after the War of 1812 to World War I:

- Rebuilding (1814-1829)
- Growth (1830-1859)
- Prosperity (1860-1914)

The expanded HCD is divided into character areas: Residential Area; Commercial Core; Queen Street Summer Homes, and Institutional Core. The Commercial Core consists of the commercial properties fronting on Queen and Picton Streets in the existing Queen-Picton HCD, while the Institutional Core includes the concentration of churches and institutional uses bounded by King Street, Ricardo Street, Wellington Street and Picton Street, including Simcoe Park.

### 5.2 Statement of Significance

Section 4.2 of the draft HCD Study Phase 1 Report contains a detailed Statement of Significance on which the recommended expanded HCD is based. It is related directly to the requirements for HCD designation in Part V of the Ontario Heritage Act and its regulations, focused on: design and physical value, historical and associative value and contextual value.

The recommended expanded HCD's design and physical value is based in its rich architectural landscape of buildings primarily from the 1814 to 1914 period, highlighting an evolving character from Loyalist settlement to an economic, commercial and tourism hub. The grid pattern laid out in 1794, with wide tree-lined streets, characteristic of the Imperial model for British military towns has been maintained, together with integral green spaces such as Simcoe Park, Queen's Royal Park and the Niagara-on-the-Lake golf course.

The historical and associative value of the recommended expanded HCD is related to Ontario's military, political and social history. This history includes the Town's establishment by Loyalists and Indigenous allies fleeing war in the United States, continued by its designation as the first capital of Upper Canada, and extending to the burning of the town in 1813. Also important was the Town's role in the Underground Railroad as a refuge for slaves seeking freedom in Canada.

The contextual value of the area is in the relationship between the history and physical development of the town following the War of 1812 into a hub for shipping, industry and tourism. The original grid street pattern maintains a connection between the town and the waterfront. The commercial core contains commercial structures highlighting the growth of the town through a consistency of Georgian, Regency and Victorian architectural styles.

### 5.3 Contributing and Non-contributing Properties and HCD Plan Objectives

An analysis of all properties within the study area, has identified 257 of 527 (over 48 percent) properties in the recommended HCD boundary as contributing to the area's heritage value.

Contributing properties exhibited the following characteristics:

- a) were constructed during the district's period of significance from 1814 to 1914;
- b) are an example of a prevailing architectural style such as Georgian, Neoclassical, Regency, Classic Revival, Picturesque, Italianate, Second Empire, Queen Anne Revival, Edwardian, and the Ontario Cottage, and
- c) maintain their integrity and/or have contextual value as part of a concentration of historic buildings.

The draft report also outlines a set of objectives for a new HCD Plan for the proposed expanded HCD, including general objectives, social and community value objectives, development objectives and character area focused objectives. These objectives will be used to guide the development of a draft HCD Plan for the consideration of Council, if Council directs that Staff proceed to Phase 2, the Plan Phase of the project.

### 5.4 Report Recommendations

The draft report contains several recommendations that require a decision of Council, after consultation with the Municipal Heritage Committee (which occurred in April and May 2025):

1. **HCD Designation** – it is recommended that a portion of the Study Area be designated as an HCD under Part V of the Ontario Heritage Act, as it meets OHA regulations, with at least 25% of properties contributing to its heritage value.
2. **Proposed HCD Boundary** – it is recommended that the proposed HCD boundary, which includes 257 potentially contributing properties, be approved, to reflect and manage the area's heritage values. The boundary includes 79 listed properties on the Town's Municipal Heritage Register which would be protected once a new HCD Plan and by-law is approved.
3. **HCD Plan** – it is recommended that an HCD Plan be prepared to guide conservation efforts and manage future change within the designated district.
4. **Statement of Significance** – it is recommended that the provided Statement of Significance be adopted to define the heritage values, attributes, and justification for the proposed HCD designation.
5. **Individual Property Designations** – it is recommended that properties outside the proposed HCD boundary, particularly those in the Mary Street area and Dock Area, be considered for individual designation under Part IV of the Ontario Heritage Act.
6. **Municipal Policy Alignment** – it is recommended that the Town review and update municipal policies, including the Official Plan, Zoning By-law, and existing HCD Plan and By-law (to be replaced by a new HCD Plan and By-law), to align with the objectives of the proposed HCD.

### 5.5 Public comments

A public open house was held on April 1, 2025, at the Community Centre in Old Town on both the Official Plan Update and Heritage Conservation District Study projects. A series of display boards presented information on the research and analysis conducted by Cultural Spaces, and maps showing the periods of construction, Contributing and Non-contributing Properties, and the recommended expanded HCD boundary.

Public comments received were focused on the importance of also protecting the Chautauqua neighbourhood and the Victory Homes. These concerns are discussed in Section 5.6 of this report. The public also noted concerns with parking challenges in the existing HCD, and some indicated concern with the 1-year pause on alterations to property within the HCD Study Area.

#### 5.6 Consultation with Municipal Heritage Committee

On May 7, 2025, Cultural Spaces presented the draft HCD Study Phase 1 Report to the Municipal Heritage Committee. The MHC endorsed the findings and recommendations of the draft report, after providing comments and asking questions.

##### *Recommended HCD Boundary:*

It was noted that the block bounded by Wellington Street, Castlereagh Street, Davy Street and Platoff Street contains only two Contributing Properties and 14 Non-contributing Properties and it was suggested that the HCD boundary could be drawn mid-block between Wellington and Davy Streets, rather than along Wellington Street.

Response: The two Contributing Properties front on different streets, and while most properties in this block are non-contributing properties, it is important for any future development or alterations to property within this block to complement the heritage character of the district. It is not recommended that the HCD boundary be changed in this location.

The MHC also noted that a portion of the Dock Area of Old Town has been excluded from the recommended expanded HCD boundary, even though this area is where the military, fishing and boat building history of Old Town began.

Response: The Dock Area is an important part of the Town's past and present, and the portion of the Dock Area that contains a significant concentration of Contributing Properties has been recommended for inclusion in the expanded HCD boundary. For the remainder of the Dock Area there are 7 Contributing Properties which are recommended to be considered for individual property designation under the Ontario Heritage Act (Part IV), while all other properties have undergone significant change that impact the heritage character of the area. It is important to note that heritage conservation district designation under the Act is intended to guide change in an area of heritage character in a manner that conserves that heritage, but the portion of the Dock Area outside the recommended expanded HCD boundary has already experienced change that has adversely impacted its heritage character. A future review of the Dock Area Secondary Plan can consider other mechanisms to protect the remaining heritage character of the area.

The MHC also questioned why the Victory Homes in the block bounded by Castlereagh Street, Davy Street, King Street and the Legion property have not been included within the recommended expanded HCD boundary and asked how these homes can be protected from pressure for demolition if not within an HCD.

Response: The Victory Homes were constructed post-World War II to provide housing for veterans and represent a period outside of, and not contiguous with, the 1814 to 1914 period(s) of significance which align with the statement of significance and rationale for the recommended expanded HCD. Since the Victory Homes were not constructed during the

period(s) of significance on which the recommended HCD is based, they would be Non-contributing Properties, even if within the HCD, and would not be protected from the threat of demolition. Options which can be considered to protect the Victory Homes include: individual property designation; a separate HCD; and/or character area policies in the Town's Official Plan.

The MHC also asked about the protection of the heritage character of the Chautauqua neighbourhood.

Response: The Chautauqua neighbourhood is not contiguous with the Old Town heritage character areas that were the basis for determining the boundaries of the study area and was not analysed by Cultural Spaces for potential inclusion in an expanded HCD. This neighbourhood has a history and character distinct from the rest of Old Town deserving of a separate project/study. The Adopted 2019 Official Plan contains a direction to complete a secondary plan for the Chautauqua neighbourhood. As part of the Official Plan Update, Staff has met with members of the Chautauqua Residents Association and is currently reviewing relevant policies to determine if changes are needed.

The MHC commented that the discussion in the Study Report on architectural styles seems to not have considered all architectural styles represented in the study area (i.e. all Regency styles).

Response: The review by Cultural Spaces concluded that very few properties in the recommended expanded HCD are pure examples of one architectural style but instead represent a blending of architectural styles over the 1814-1914 periods of significance. The analysis undertaken focused on identifying architectural elements of a property that were predominant and assigned an architectural style based on that analysis.

#### 5.7 Consultation with Local Heritage Organizations

Staff and the consultant also met with representatives of the Niagara Foundation and Niagara-on-the-Lake Conservancy, to receive their input on the draft HCD Study Report.

At this meeting, the consultant was asked to explain the rationale for choosing the 1814-1914 period as the period of significance for a recommended expanded HCD. It was noted that a major period of construction activity in Old Town extended into the 1920's, according to the draft Study Report, including the construction of the former hospital on the 176 Wellington Street site.

Response: The Cultural Spaces team noted that they did not find evidence of a high concentration of new construction immediately post-1914 that contributed meaningfully to shaping the development of Old Town. The World War I period was characterized by a pause or even decline in construction. The next significant building phase was after World War II. The former hospital at 176 Wellington Street was built in 1951. The Cottage Hospital at 175 Queen Street was built as a residence in the 1820's and converted to a hospital in 1920. It is within the recommended expanded HCD boundary and is also designated individually under Part IV of the Ontario Heritage Act.

Comments were also provided that the policy wording of the future HCD Plan for the expanded HCD will need to strike a balance between ensuring the protection of the heritage of Old Town, while also managing change within the HCD. Staff and the consultant committed to meeting with these important heritage organizations after a draft HCD Plan is prepared to receive their input before finalizing an HCD Plan for the consideration of Council.

Staff and the consultant also met with the Curator and Assistant Curator of the Niagara-on-the-Lake Museum, who have provided valuable historical research assistance in the preparation of the draft HCD Study Report.

NOTL Museum Staff also expressed concerns with the exclusion of the Victory Homes, the Chautauqua neighbourhood, and a part of the Dock Area, from the recommended expanded HCD. Responses to these concerns are provided under Section 5.6 of this report. Staff and the consultant committed to meeting with NOTL Museum Staff after a Draft HCD Plan is prepared to receive their input before finalizing an HCD Plan for the consideration of Council.

#### 5.8 Amendment to the Study Area By-law

On March 27, 2025, Study Area By-law 2025-010 came into effect, pausing alterations to property within the Study Area for a period of 1-year from the date of passage (February 25, 2025), while the HCD Study is underway. This by-law has been appealed to the Ontario Land Tribunal by two property owners with respect to three properties within the Study Area. On May 21, 2025, Staff was advised that one of the appeals with respect to two of the properties has been withdrawn, with one appeal remaining in place.

Although the HCD Study is not yet concluded, and Council direction is required to proceed to the Plan Phase (Phase 2) of the Study, this report is recommending that Council endorse a recommended expanded HCD boundary, which does not include the entire study area. The expanded HCD boundary would not come into effect until Council adopts a final HCD boundary and HCD Plan at the conclusion of Phase 2 of the HCD Study.

Provided that Council endorses the recommended expanded HCD boundary, it is the opinion of Staff that the Study Area By-law could be amended to reduce the Study Area to the recommended expanded HCD boundary. Therefore, it is recommended that Staff be directed to bring forward an amendment to the Study Area By-law to the next Council Meeting, revising the boundary of the study area to match the recommended expanded HCD boundary. This would allow applications for alterations to property to proceed in the area excluded from the study area, and would likely resolve the one outstanding appeal of the Study Area By-law.

#### 5.9 Next Steps

If Council approves the recommendations of this report, Staff and the consultant will commence the next phase of the project, in which an updated HCD Plan is drafted for the proposed expanded HCD, and released for consultation with the MHC, public and heritage organizations, before being brought to Council for consideration.

## 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

- 7.1 Option 1: Council endorses the recommended expanded HCD boundary, approves the findings and recommendations of the Draft Queen-Picton (Old Town) Heritage Conservation District Study: Phase 1 Report, directs Staff to bring forward an amended Study Area by-law, and directs Staff to commence Phase 2, the Plan Phase of the project. (***Recommended***)
- 7.2 Option 2: Council refers the Draft HCD Study Report back to Staff for further consideration of comments provided by Council (***Not Recommended***)

## 8. FINANCIAL IMPLICATIONS

There are no financial implications arising directly from this report. The HCD Study is a funded project.

## 9. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications arising from this report.

## 10. COMMUNICATIONS

A project webpage has been created on the Town website to provide the public with information and updates on the HCD Study. LINK: Queen-Picton Heritage Conservation District Study | Town of Niagara-on-the-Lake (<https://www.notl.com/heritage-planning/queen-picton-heritage-conservation-district-study>).

A significant component of this HCD Study is the emphasis on engagement with local heritage experts, advocates, researchers, and the public. Upcoming engagement opportunities will be communicated in a timely manner.

## 11. CONCLUSION

The purpose of this report is to present the draft HCD Study Report to Council and seek the endorsement of Council of the findings and conclusions of the Report, including the recommended expanded HCD boundary, and direction to proceed to the Plan Phase of the project.



## 12. PREVIOUS REPORTS

- CDS-24-190: Queen-Picton Heritage Conservation District Study – Phase 1 Update
- CDS-24-164: Heritage Conservation District Study Volunteer Group – Summary of Findings and Next Steps
- CDS-25-043: Queen-Picton HCD Study – Revised Study Area By-law.
- CDS-25-073: Queen-Picton (Old Town) HCD Study Status Update

## 13. APPENDICES

- **Appendix I** – Recommended Expanded HCD Boundary and Character Areas
- **Appendix II** – Final Draft HCD Study Report

Respectfully submitted:

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