



**Heritage Impact Assessment,
Parliament Oak Inn, 325 King
Street, Niagara-on-the-Lake**

Final Report

September 2024

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Project Number:
160940942


Limitations and Sign-off

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Signature

Christian Giansante, B.Eng.

Printed Name

Reviewed by:



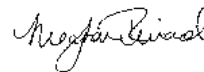
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Executive Summary

Two Sisters Resorts Corp. (the client) retained Stantec Consulting Ltd (Stantec) to prepare a Heritage Impact Assessment (HIA) for the Parliament Oak Inn, located at 325 King Street, in the Town of Niagara-on-the-Lake (the Town). The property is listed on the Town's *Municipal Register of Cultural Heritage Resources* and therefore is considered to have potential cultural heritage value and interest (CHVI). The property is situated adjacent to properties listed on the Town's *Municipal Register of Cultural Heritage Resources* and adjacent to designated properties under Part IV of the *Ontario Heritage Act*, including:

- 8 Centre Street (Listed)
- 287 King Street (Listed)
- 317 Regent Street (Listed)
- 327 Regent Street (Listed)
- 64 Centre Street (Designated, Part IV)

The property is located in the Downtown Heritage Character Area and within the proposed expanded boundaries for the Queen – Picton Heritage Conservation District.

A development proposal has been prepared which would result in the redevelopment of the property with a proposed boutique hotel as per plans by Peter J. Lesdow Architect provided to Stantec. As per the Town's draft *Heritage Impact Assessment Terms of Reference* (ToR), an HIA is required. The HIA has evaluated the property at 325 King Street, in the Town of Niagara-on-the-Lake, Ontario against *Ontario Regulation 9/06* and found that the property contains cultural heritage value or interest.

A Preliminary HIA dated February 3, 2023, was submitted to the Town as part of an Official Plan Amendment and Zoning By-Law Amendment application for the property and as part of a Notice of Intent to Demolish the existing structure at 325 King Street. The Preliminary HIA was presented to the Town's Municipal Heritage Committee (MHC) on April 5, 2023. The MHC provided recommendations that were presented to Council on April 25, 2023. The MHC recommendations were accepted by Council with amendments. The recommendations including amendments include:

- The Municipal Heritage Committee acknowledge the Notice of Intent to Demolish, dated February 10, 2023, served on behalf of the property owner for the former Parliament Oak School building located at 325 King Street in Old Town; and
- The Municipal Heritage Committee advise Council that the following additional Plans and Information are required to be submitted with the Notice of Intent to Demolish prior to the start of the 60-day timeline for demolition under Sections 27(9)(10) & (11) of the *Ontario Heritage Act*:
 - Require addendum to Stantec HIA, assessing development alternatives or mitigative measures for direct impacts to the 1948 school building that specifically considers preservation of the 1948 structure in whole or part, in its original location; and



- Require commemoration plan by CAHP that includes the salvage, preservation and/or commemoration of the following attributes:
 - Stone marker for oak tree
 - Bas relief panels
 - 1948 King Street façade and one storey building
 - King St landscaping & trees
 - Third stone oak tree panel on 1976 east elevation
 - Mature red oak #28
 - Underground railroad art installation
 - 1948 Time Capsule
 - Boundary Ordnance Stone
 - Acknowledge 67 years of use as a public school
 - Salvage and reuse of 1948 building materials including slate chalkboards, brick and hardware
 - “PARLIAMENT OAK SCHOOL” lettering
 - Acknowledge Lionel Ashton Hesson and his work
- Demolition waste management plan be put in place for the removal of debris from the site.

Following the recommendations from the MHC as amended by Council, the impact assessment and mitigation measures in Sections 7, 8, and 9 of this HIA were revised in lieu of an addendum to the HIA. The impact assessment was revised to assess the potential impacts to the 1948 school building resulting from the proposed development.

The impact assessment determined that the proposed development would result in direct and indirect impacts to 325 King Street and to potential indirect impacts to adjacent residential buildings. To mitigate these impacts, several development alternatives were considered as mitigation measures, including retention of the existing building *in situ* and integration of portions of the building or facade into the proposed design. The client has considered these mitigation alternatives and determined that they do not meet the aesthetic or functional requirements of the proposed development and are not feasible mitigation alternatives.

Since demolition is being pursued by the client, the mitigation measures below are recommended.



For the property at 325 King Street:

- Full heritage documentation of the property take place prior to any change to the property. A Documentation and Salvage Plan has been completed for the property and provides a complete overview of the property as well as directives for salvageable materials. Documentation activities were carried out through photography of the interior and exterior of the property. A component specific salvage, storage, and reinstatement plan has been completed for each of the components identified for salvage.
- Preparation of a Commemoration Plan to commemorate the history of 325 King Street. The Commemoration Plan includes site-specific history and specific commemoration requirements (i.e., interpretative signage, re-use of salvaged materials). A focus of the Commemorative Plan is telling the story of the buildings which proceeded the proposed development.

For the Downtown Heritage Character Area:

- To mitigate impacts to the Downtown Heritage Character Area, Design Guidelines are recommended for the proposed undertaking consistent with Parks Canada's *Standards and Guidelines for the Conservation of Historic Places in Canada*. The Design Guidelines should provide recommendations on height, massing, and setbacks; plan and form; architectural style and detailing; building materials; landscaping; and commemoration.
- To limit negative indirect impacts on individual properties adjacent to the proposed development, the adjacent listed and designated heritage properties should be isolated from construction-related activities. These controls should be indicated on all construction mapping, flagged in the field onsite, and communicated to construction team leads. Site plan controls should also include stabilization measures and protective barriers for the adjacent designated properties to indicate where construction activities should be limited, this should include at minimum the installation of temporary fencing around heritage features. In addition, vibration studies for the adjacent listed and designated properties should be completed under the direction of a qualified geotechnical engineer or vibration specialist. A recommended approach to vibration assessment is as follows:
 1. Pre-condition survey should be prepared by a qualified engineer to determine the maximum acceptable vibration levels, or PPV levels and the appropriate buffer distance between construction activities and the adjacent heritage resources.
 2. Vibration monitoring should be carried out and consist of monitoring the ground-borne vibration levels, in PPV while construction activities take place.
 3. Post-construction condition survey should be carried out as determined by the Geotechnical Engineer. Post-construction condition survey shall be conducted after completion of construction for comparison purposes.

To provide for the retention of historic information, copies of this report should be deposited with a local repository of historic material. Therefore, it is recommended that this report be deposited at the following locations:



Heritage Impact Assessment, Parliament Oak Inn, 325 King Street, Niagara-on-the-Lake

Executive Summary

September 2024

Niagara-on-the-Lake Museum

43 Castlereagh Street

Niagara-on-the-Lake, ON L0S 1J0

Niagara-on-the-Lake Public Library

10 Anderson Lane

Niagara-on-the-Lake, ON L0S 1J0

The Executive Summary highlights key points from the report only; for complete information and findings the reader should examine the complete report.



Table of Contents

LIMITATIONS AND SIGN-OFF	I
EXECUTIVE SUMMARY	II
PROJECT PERSONNEL.....	IX
ACRONYMS / ABBREVIATIONS	X
1 STUDY PURPOSE AND METHOD	1
2 METHODOLOGY.....	6
2.1 Policy Framework.....	6
2.1.1 Planning Act	6
2.1.2 The Provincial Policy Statement.....	6
2.1.3 Region of Niagara Official Plan	7
2.1.4 Town of Niagara-on-the-Lake Official Plans	7
2.2 Heritage Evaluation.....	9
2.2.1 Ontario Heritage Act.....	9
2.2.2 Niagara-on-the-Lake Criteria for Individual Buildings.....	10
2.3 Field Program.....	10
2.4 Assessment of Impacts	11
2.5 Mitigation Options	12
3 SITE HISTORY	13
4 SITE DESCRIPTION.....	14
4.1 Landscape Setting	14
4.1.1 North Section.....	14
4.1.2 West Section	15
4.1.3 South Section	15
4.1.4 East Section	16
4.2 Building Exterior.....	17
4.3 Adjacent Properties.....	18
5 EVALUATION OF CULTURAL HERITAGE VALUE OR INTEREST	19
5.1 Introduction	19
5.2 Ontario Regulation 9/06	19
5.2.1 Design/Physical Value.....	19
5.2.2 Historic/Associative Value	19
5.2.3 Contextual Value	20
5.2.4 Summary of O. Reg. 9/06 Evaluation.....	20
5.3 Niagara-on-the-Lake Criteria for Individual Buildings Evaluation	21
6 SUMMARY OF CULTURAL HERITAGE VALUE	22
6.1 Introduction	22
6.2 325 King Street	22
6.2.1 Draft Statement of Significance.....	22
6.3 64 Centre Street.....	23
6.3.1 Reasons for Designation	23
6.4 Listed Properties	24
6.5 Downtown Heritage Character Area	25
6.5.1 Statement of Cultural Heritage Value or Interest	25
6.6 Queen–Picton Heritage Conservation District	26



6.7	Additional Observations	27
7	IMPACT ASSESSMENT.....	28
7.1	Description of the Proposed Undertaking	28
7.2	Assessment of Impacts to Identified Heritage Value	28
7.3	Discussion of Impacts	33
8	ALTERNATIVES AND MITIGATION MEASURES	34
8.1	InfoSheet #5 Mitigation Options.....	34
8.2	Full Retention and Adaptive Reuse	35
8.3	Integration	36
8.4	Retention of Façade.....	37
8.5	Sympathetic Design	38
8.6	Demolition	38
8.6.1	Documentation and Salvage	39
8.6.2	Commemoration Plan.....	39
8.6.3	Design Guidelines	40
8.7	Buffer Zones, Site Plan Control, and Other Planning Mechanisms.....	40
9	RECOMMENDATIONS.....	42
10	REFERENCES.....	44

List of Tables

Table 1:	Historical Overview of 325 King Street.....	13
Table 2:	Evaluation of 325 King Street According to the Town's Criteria for Individual Buildings	21
Table 3:	Listed Properties adjacent to 325 King Street.....	25
Table 4:	Potential Impacts to Identified CHVI.....	30
Table 5:	InfoSheet #5 Mitigation Options	34

List of Figures

Figure 1:	Location of Study Area	4
Figure 2:	Study Area	5

List of Photos

Photo 4.1:	Open grassed area, looking northwest.....	14
Photo 4.2:	Mature Norway spruce, looking northeast.....	14
Photo 4.3:	Pavement area, looking southwest	15
Photo 4.4:	Semi-circle seating area, looking east.....	15
Photo 4.5:	Parking lot, looking east	16
Photo 4.6:	Mature trees along south elevation, looking east.....	16
Photo 4.7:	Oak tree marker underneath mature yew, looking west.....	16
Photo 4.8:	Underground railroad marker, looking northwest	16
Photo 4.9:	Mature oak species, looking north.....	17
Photo 4.10:	Basement hallway, looking south	17
Photo 4.11:	Looking west towards 64 Centre Street	18
Photo 4.12:	Looking southwest on Regent Street	18
Photo 4.13:	Looking northeast on King Street.....	18
Photo 4.14:	Looking southeast at the intersection of Centre Street and Regent Street.....	18



List of Plates

Plate 1:	Integration of heritage building into modern development (Barry Padolsky 2012)	37
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List of Appendices

Appendix A	2021 ERA Heritage Impact Assessment
Appendix B	Concept Plans
Appendix C	Design Brief



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Acronyms / Abbreviations

HIA	Heritage Impact Assessment
CHL	Cultural Heritage Landscape
CHVI	Cultural Heritage Value or Interest
HCD	Heritage Conservation District
LACAC	Local Architectural Conservation Advisory Committee
MCM	Ministry of Citizenship and Multiculturalism
N/A	Not applicable
NOTL	Niagara-on-the-Lake
n.d.	no date
O. Reg.	Ontario Regulation
OHA	Ontario Heritage Act



1 Study Purpose and Method

Two Sisters Properties (the client) retained Stantec Consulting Ltd (Stantec) to prepare a Heritage Impact Assessment (HIA) for the Parliament Oak Inn, located at 325 King Street, in the Town of Niagara-on-the-Lake (the Town), Ontario (Figure 1). The property is listed on the Town's *Municipal Register of Cultural Heritage Resources* and therefore is considered to have potential cultural heritage value and interest (CHVI). The property is situated adjacent to properties listed on the Town's *Municipal Register of Cultural Heritage Resources* and adjacent to designated properties under Part IV of the *Ontario Heritage Act* (OHA), including:

- 8 Centre Street (Listed)
- 287 King Street (Listed)
- 317 Regent Street (Listed)
- 327 Regent Street (Listed)
- 64 Centre Street (Designated, Part IV)

The property is located in the Downtown Heritage Character Area and within the proposed expanded boundaries for the Queen – Picton Heritage Conservation District (HCD). The boundaries of the HCD are under study for a proposed expansion. Impacts to the proposed expanded boundary of the HCD are not considered in this HIA.

A development proposal has been issued which would result in the redevelopment of the property with a proposed boutique hotel as per plans by Peter J. Lesdow Architect provided to Stantec on December 14, 2022. As per the Town's draft *Heritage Impact Assessment Terms of Reference* (ToR; NOTL 2017), an HIA is required in conjunction with the development of the property so that impacts to identified heritage attributes may be considered alongside mitigation options to lessen those impacts as part of the future development of the site. A previous HIA was completed in 2021 by ERA Architects for an alternate development proposal. This HIA builds on the findings of the 2021 HIA to reflect the revised development proposal.

This HIA follows the Town's ToR and is guided by the Ministry Citizenship and Multiculturalism's (MCM) Info Sheet #5 in *Heritage Resources in the Land Use Planning Process, Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement, 2005* (Info Sheet #5) (Government of Ontario 2006a). This document uses *Ontario Regulation* (O. Reg.) 9/06 for determination of cultural heritage value or interest (CHVI). As per the guidance contained in the Town's HIA ToR, this report contains the following components:

- Summary of background research and analysis
- Summary of CHVI assessments
- Draft statement of significance
- Assessment of existing conditions



- Heritage policy reviews
- Description and examination of proposed development/site alterations
- Development impacts
- Mitigation options, conservation methods, and proposed alternatives
- Recommendations
- Bibliography

For the purpose of this HIA, the Study Area is comprised of the municipal property boundary of 325 King Street (Figure 2).

A Preliminary HIA dated February 3, 2023 was submitted to the Town as part of an Official Plan Amendment and Zoning By-Law Amendment application for the property and as part of a Notice of Intent to Demolish the existing structure at 325 King Street. The Preliminary HIA was present to the Town's Municipal Heritage Committee (MHC) on April 5, 2023. The MHC provided recommendations that were to be presented to the Town Council for acceptance. The MHC recommendations were presented to Council on April 25, 2023. The MHC recommendations were accepted by Council with revisions. The recommendations include:

- The Municipal Heritage Committee acknowledge the Notice of Intent to Demolish, dated February 10, 2023, served on behalf of the property owner for the former Parliament Oak School building located at 325 King Street in Old Town; and
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 - Underground railroad art installation
 - 1948 Time Capsule
 - Boundary Ordnance Stone



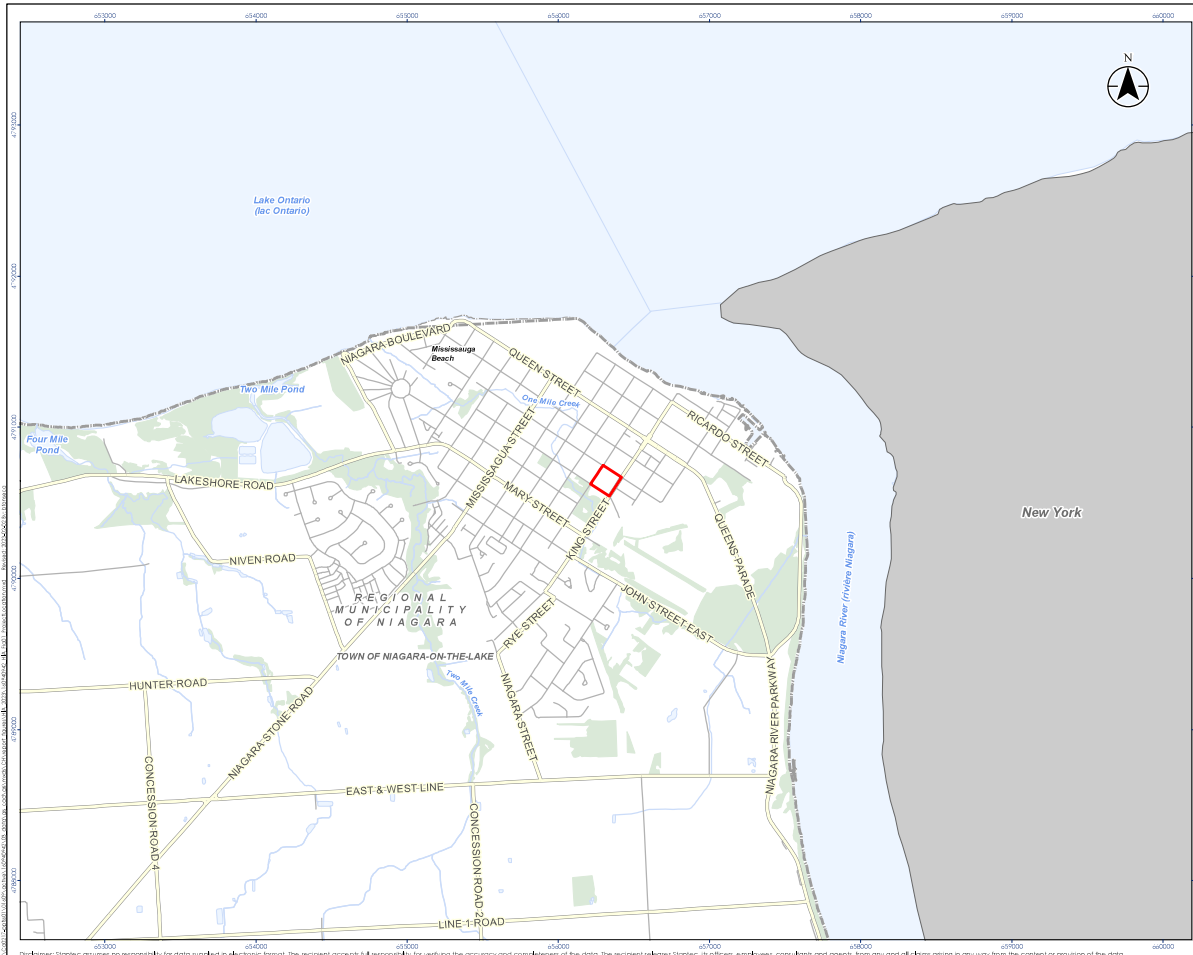
- Acknowledge 67 years of use as a public school
- Salvage and reuse of 1948 building materials including slate chalkboards, brick and hardware
- “PARLIAMENT OAK SCHOOL” lettering
- Acknowledge Lionel Ashton Hesson and his work
- Demolition waste management plan be put in place for the removal of debris from the site.

Following the recommendations from the MHC as amended by Council, the impact assessment and mitigation measures in Sections 7, 8, and 9 of this HIA were revised in lieu of an addendum to the HIA. The impact assessment was revised to assess the potential impacts and mitigation measures to the 1948 school building resulting from the proposed development.



Figure 1: Location of Study Area





- Legend**
- Study Area (Approx.)
 - Major Road
 - Minor Road
 - Watercourse
 - Municipal Boundary
 - Municipal Boundary, Lower
 - Waterbody
 - Wooded Area

0 0.5 1 km
1:25,000 (At original document size of 11x17)

- Notes**
1. Coordinate System: NAD 1983 UTM, Zone 17N
 2. Base features produced under license with the Ontario Ministry of Natural Resources and Forestry © Queen's Printer for Ontario, 2023.



Project Location
Niagara-on-the-Lake,
ON

1609-0942 REV A
Prepared by BF on 2023-09-02
Technical Review by DH on 2023-09-01

Client/Project
TWO SISTERS PROPERTIES
PARLIAMENT OAK INN, 325 KING STREET
HERITAGE IMPACT ASSESSMENT

Figure No.

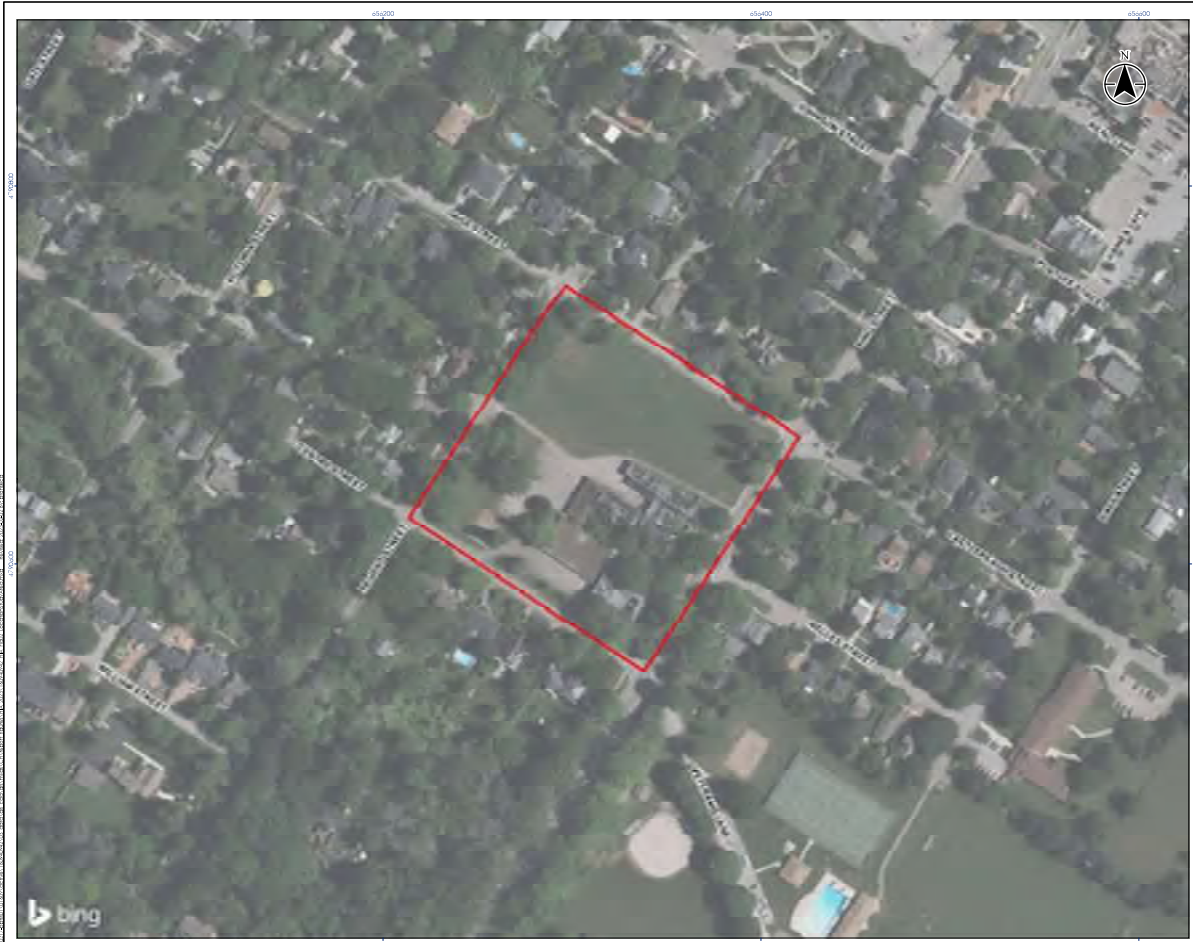
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Title
Location of Study Area

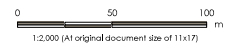
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Figure 2: Study Area





Legend
Study Area (Approx.)



Notes
1. Coordinate System: NAD 1983 UTM Zone 17N
2. Base features produced under license with the Ontario Ministry of Natural Resources and Forests © Queen's Printer for Ontario, 2023
3. Cartography © 2023 Microsoft Corporation © 2023 Mapbox © 2023 Distribution Index Ltd



Project Location
Niagara-on-the-Lake,
ON
16094942 REV A
Prepared by BP on 2023-02-02
Technical Review by DH on 2023-02-01

Client/Project
TWO SISTERS PROPERTIES
PARLIAMENT OAK INN, 325 KING STREET
HERITAGE IMPACT ASSESSMENT

Figure No.
2
Study Area

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2 Methodology

2.1 Policy Framework

2.1.1 Planning Act

The *Planning Act* provides a framework for land use planning in Ontario, integrating matters of provincial interest in municipal and planning decisions. Part I of the *Planning Act* identifies that the Minister, municipal councils, local boards, planning boards, and the Municipal Board shall have regard for provincial interests, including:

(d) The conservation of features of significant architectural, cultural, historical or scientific interest

(Government of Ontario 1990)

2.1.2 The Provincial Policy Statement

The Provincial Policy Statement (PPS) was updated in 2020 and is intended to provide policy direction for land use planning and development regarding matters of provincial interest. Cultural heritage is one of many interests contained within the PPS. Section 2.6.1 of the PPS states that, “significant built heritage resources and cultural heritage landscapes shall be conserved” (Government of Ontario 2020).

Under the PPS definition, conserved means:

The identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted, or adopted by the relevant planning authority and/or decision maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments

Under the PPS definition, significant means:

In regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province, under the authority of the Ontario Heritage Act.



Under the PPS, “protected heritage property” is defined as follows:

property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province, and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

(Government of Ontario 2020)

2.1.3 Region of Niagara Official Plan

The 2022 *Region of Niagara Official Plan* contains specific policies that address the conservation of cultural heritage resources. The Plan states that Niagara is home to distinctive cultural heritage resources that contribute to a sense of identity and provide important social and economic benefits. Buildings, structures, spaces, views, archaeological sites, and natural elements of cultural heritage value are visible across the region. The objectives of the cultural heritage policies in the plan are to support the identification, conservation, wise use, and management of cultural heritage resources (Region of Niagara 2022).

2.1.4 Town of Niagara-on-the-Lake Official Plans

The 2017 *Town of Niagara-on-the-Lake Official Plan* contains policies that relate to heritage conservation. It states that the Town of Niagara-on-the-Lake is one of Ontario's oldest communities. The area was settled at the close of the American Revolution by Loyalists and Niagara-on-the-Lake has a long and distinguished history which parallels the growth of the Province. Section 18.2 of the Official Plan include heritage conservation specific goals, which include:

- *To protect, preserve and encourage the restoration of the original architectural detail wherever feasible on all buildings having architectural and historical merit within the context of the Town of Niagara-on-the-Lake, as well as on all buildings contributing towards the heritage value of the Town of Niagara-on-the-Lake.*
- *To encourage good contemporary building design by using sympathetic forms while avoiding simply copying historic architecture. To restrict building design that is not compatible with existing structures or unsympathetic alterations to buildings that would detract from the character of a Heritage Resource. Where lands or buildings have been designated pursuant to the Ontario Heritage Act the provisions of that Act regarding buildings and additions shall apply. In the Queen-Picton Heritage Conservation District the design of new buildings and structures shall also be subject to the requirements of the Queen-Picton Street Heritage District Plan.*
- *To prevent the demolition, destruction or inappropriate alteration or use of heritage resources.*
- *To encourage appropriate character and uses adjacent to heritage resources in those areas designated as Heritage Conservation Districts.*



- *To develop and encourage creative, appropriate and economically viable uses of heritage resources.*
- *To support and encourage the voluntary designation of historic buildings and structures.*
- *To recognize the importance of archaeological sites within the municipality that represent the physical remains of a lengthy settlement history and a fragile non-renewable cultural legacy*

(Town of Niagara-on-the-Lake 2017)

The Plan also identifies *Criteria for Assessing New Development* which includes a review of the application by the Local Architectural Conservation Advisory Committee (LACAC). The review by LACAC shall address the following:

- The impact of the development on existing heritage resources
- The proposed building design and its effect on the historic character of abutting properties and the streetscape

(Town of Niagara-on-the-Lake 2017)

Downtown Heritage Character Area

The Study Area is located within the boundaries of the Downtown Heritage Character Area. The Statement of Cultural Heritage Value or Interest for the Downtown Heritage Character Area is included in Section 6.5 of this HIA. Policies related to the area are identified in Section 7.3.2 of the Town's Official Plan (Town of Niagara-on-the-Lake 2017) . It states that,

"Should any site alteration, development, or demolition be proposed within any of these areas, a Heritage Impact Assessment will be required. This Heritage Impact Assessment must consider the potential impact to the overall area as well as to individual properties. Within these areas, the Town may request additional historical research, and/or an Ontario Regulation 9/06 Assessment prepared to the satisfaction of the Town on any property".

There are specific policies related to the Downtown Heritage Character Area in addition to the general policies of the Official Plan including:

- i. The Town may request, as part of any site alteration or development, a commemoration plan;
- ii. Any proposed site alteration or development must demonstrate how it will conserve the specific heritage values and attributes of the area as a cultural heritage landscape;
- iii. Any mid-block infill development must not be taller than any surrounding structures on the same block;
- iv. The Town will update the existing Queen-Picton Heritage Conservation District Plan;
- v. The Town will complete a Heritage Conservation District Plan for the area covered by the National Historic District;



- vi. In the event of any conflict between the Official Plan and any other plan, document, or statement that applies to this area, the highest standard for heritage conservation would apply; and
- vii. The Town will continue to designate individual properties under Section 29, Part IV of the Ontario Heritage Act in this area.

(Town of Niagara-on-the-Lake 2017)

2.2 Heritage Evaluation

2.2.1 Ontario Heritage Act

The criteria for determining CHVI is defined by O. Reg. 9/06 (Government of Ontario 2006a). In order to identify CHVI at least one of the following criteria must be met:

1. *The property has design value or physical value because it:*
 - i. *is a rare, unique, representative or early example of a style, type, expression, material or construction method*
 - ii. *displays a high degree of craftsmanship or artistic merit*
 - iii. *demonstrates a high degree of technical or scientific achievement*
2. *The property has historical value or associative value because it:*
 - i. *has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community*
 - ii. *yields, or has the potential to yield, information that contributes to an understanding of a community or culture*
 - iii. *demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community*
3. *The property has contextual value because it:*
 - i. *is important in defining, maintaining or supporting the character of an area*
 - ii. *is physically, functionally, visually or historically linked to its surroundings*
 - iii. *is a landmark.*

(Government of Ontario 2006b)



2.2.2 Niagara-on-the-Lake Criteria for Individual Buildings

Under the Town's Official Plan, the Town Council and LACAC shall consider the following criteria when evaluating individual buildings for designation under the OHA. A designated building should interpret the Town's heritage through architectural merit and/or historical association. The following is the applicable criteria:

- *Has the building been associated with the life of an historic personage or has it played a role in an important historic event.*
- *Does the building embody the distinguishing characteristics of an architectural type recognized for its style or period of construction, or is it a notable example of workmanship by an early master builder, designer or significant architect.*
- *Does the building or building type have special significance in that it forms an integral component of a particular neighborhood character within the community.*
- *The potential for illustrating the heritage value should be such that it will be possible for visitors to gain from the building an appreciation for the architecture or history with which it is associated.*
- *In considering the designation of a building, the extent of the original materials and workmanship remaining should be important to that designation.*
- *Intangible elements such as feeling, association and aesthetics shall be considered as well as the physical appearance of buildings or structures.*
- *Architectural character should be considered on the basis of style, plan and sequence of spaces, uses of materials and surface treatment and other details including windows, doors, lights, signs and other fixtures of such buildings and the relation of such factors to similar features of the buildings in the immediate surroundings*

(Town of Niagara-on-the-Lake 2017)

2.3 Field Program

A site assessment of the Study Area was undertaken on January 20, 2023, by David Waverman, Senior Heritage Landscape Architect, and Kimberley Beech, Landscape Architect in Training, both with Stantec. The weather conditions were cold and overcast with wind and rain. The site assessment included a review of the existing conditions of the property as identified in previous reports for the site, as well as a review of properties adjacent to the Study Area.



2.4 Assessment of Impacts

The assessment of impacts is based on the impacts defined in the MCM Infosheet #5. Impacts to heritage resources may be direct or indirect.

Direct impacts include:

- *Destruction of any, or part of any, significant heritage attributes or features*
- *Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance*

Indirect impacts do not result in the direct destruction or alteration of the feature or its heritage attributes, but may indirectly affect the CHVI of a property by creating:

- *Shadows that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden*
- *Isolation of a heritage attribute from its surrounding environment, context or a significant relationship*
- *Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features*
- *A change in land use such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces*
- *Land disturbances such as a change in grade that alters soil, and drainage patterns that adversely affect an archaeological resource*

(Government of Ontario 2006a)

In addition to direct impacts related to destruction, this HIA also evaluates the potential for indirect impacts resulting from the vibrations due to construction and the transportation of project components and personnel. This was categorized together with land disturbance. Although the effect of traffic and construction vibrations on historic period structures is not fully understood, vibrations may be perceptible in buildings with a setback of less than 40 metres from the curbside (Crispino and D'Apuzzo 2001; Ellis 1987; Rainer 1982; Wiss 1981). The proximity of the proposed development to heritage resources was considered in this assessment.



2.5 Mitigation Options

Mitigation options in this HIA were developed using those provided in the MCM Infosheet #5. The MCM Infosheet #5 mitigation options include, but are not limited to:

- *Alternative development approaches*
- *Isolating development and site alteration from significant built and natural features and vistas*
- *Design guidelines that harmonize mass, setback, setting, and materials*
- *Limiting height and density*
- *Allowing only compatible infill and additions*
- *Reversible alterations*
- *Buffer zones, site plan control, and other planning mechanisms*

(Government of Ontario 2006a)



3 Site History

The history of 325 King Street has been documented through previously completed reports for the site. The following section provides a brief overview of the history of the site based on the 2021 HIA for the property by ERA Architects (ERA 2021).

Table 1: Historical Overview of 325 King Street

Date	Description
1846	<ul style="list-style-type: none"> The site was purchased by Judge G.C. Campbell A two-storey brick house oriented towards King Street was constructed on the property
1865	<ul style="list-style-type: none"> The property was purchased by Senator Josiah Plumb A third storey and a mansard roof was added to the existing house
1913	<ul style="list-style-type: none"> The original "Parliament Oak" burned down
1915	<ul style="list-style-type: none"> A stone marker is erected on the property by the Niagara Historical Society to mark the location of the original location of the "Parliament Oak"
1948	<ul style="list-style-type: none"> Construction of the eight-room Parliament Oak school structure on the original 4-acre parcel of land
1956	<ul style="list-style-type: none"> Addition of west wing to the school structure with two additional classrooms
1966	<ul style="list-style-type: none"> Addition of south wing to the school structure with four additional classrooms, a staff room, and a library
1976	<ul style="list-style-type: none"> Addition of southeast wing to the school structure consisting of a gymnasium and a large format stone incised panel showing a contemporary interpretation of an oak tree
1993	<ul style="list-style-type: none"> Installation of interpretive art piece on the front lawn to commemorate the Underground Railroad and the 1793 <i>Anti-Slavery Act</i> The sculpture was one of seven placed by the Castellani Art Museum at Niagara University, and is the only Canadian site

Additional information can be found in the 2021 HIA for the property prepared by ERA Architects included in Appendix A.



4 Site Description

4.1 Landscape Setting

The Study Area at 325 King Street is a square shaped parcel bordered by King Street to the east, Gage Street to the north, Regent Street to the west, and Centre Street to the south. The surrounding context is residential, with four listed (287 King Street, 317 Regent Street, 327 Regent Street, and 8 Centre Street) and one designated (64 Centre Street) adjacent properties. The property contains one irregularly shaped school building, mature trees, large, grassed area, paved play area, semi circle seating area, parking lot, Underground Railroad Memorial, and the historical oak tree marker. The landscape of the property can generally be divided into four sections, the north section, the south section, the east section, the west section.

4.1.1 North Section

The north section of the Study Area is boarded by Gage Street. The north section of the Study Area is larger south and east sections as the school building being located in the southeast corner. This section of the Study Area is a large, grassed area with a soccer field located in the middle. The elevation rises slightly to meet the northwest corner of the school building, however, otherwise is generally flat. The northeast corner is screened by three mature Norway spruce (*Picea abies*) and two mature Norway maple (*Acer platanoides*) trees. The northwest corner is screened by two mature silver maples (*Acer saccharinum*) and four publicly owned mature trees. The perimeter of the north section is enclosed by a chain link fence.



Photo 4.1: Open grassed area, looking northwest



Photo 4.2: Mature Norway spruce, looking northeast

4.1.2 West Section

The west section of the Study Area is boarded by Regent Street. This section of the Study Area contains a large irregularly shaped paved area directly abutting the west elevation of the school. There are four square lines, basketball nets, and other game line work throughout the pavement. The pavement extends approximately 27 metres from the west elevation of the school building, beyond the pavement is a large, grassed area. A paved pathway dissects the west section of the Study Area in half, leading from the paved area, through the grassed area to Regent Street. A large grouping of trees consisting of (white mulberry (*Morus alba*), silver maple (*Acer saccharinum*), white pine (*Pinus strobus*), sugar maple (*Acer saccharum*), red oak (*Quercus rubra*), and white ash (*Fraxinus americana*)) are located south of the pathway within the grassed area. The southwest corner of the Study Area is bordered by a line of three publicly owned trees, smaller naturalized shrubbery, and one Norway spruce (*Picea abies*) directly in the corner of the Study Area. Abutting the southwest corner of the school building is a small grassed area with a semi-circle seating area, this area is enclosed by a grouping of four mature trees (white pine (*Pinus strobus*), silver maple (*Acer saccharinum*), white spruce (*Picea glauca*), and Norway maple (*Acer platanoides*). The perimeter of the west section is enclosed by a chain link fence.



Photo 4.3: Pavement area, looking southwest



Photo 4.4: Semi-circle seating area, looking east

4.1.3 South Section

The south section of the Study Area is bordered by Centre Street. The majority of this section is a parking lot with angled parking directly abutting the school building. To the west of the parking lot is a mature Norway spruce (*Picea abies*). On the east side of the parking lot is a grassed area with a grouping of three mature trees: silver maple (*Acer saccharinum*), sycamore (*Platanus occidentalis*), and Norway maple (*Acer platanoides*).



Photo 4.5: Parking lot, looking east



Photo 4.6: Mature trees along south elevation, looking east

4.1.4 East Section

The east section is boarded by in King Street and is the front entrance of the school building. The southeast corner consists of a mature Norway maple (*Acer platanoides*) and yew (*Taxus canadensis*). Beneath the mature yew is the historical oak tree marker placed by the Niagara Historical Society in 1915. In the centre of the section is an open grassed area consisting of mature red oak (*Quercus rubra*) and Norway maple (*Acer platanoides*). Located close to the school building perimeter is a mature red oak (*Quercus rubra*) that is significant in size. In the middle of the open grassed area is an Underground Railroad Memorial that can be accessed by the sidewalk via a flagstone pathway. The elevation increases to surround the northeast corner of the school building. The northeast corner of the building is lined with yew shrubs.



Photo 4.7: Oak tree marker underneath mature yew, looking west



Photo 4.8: Underground railroad marker, looking northwest



Photo 4.9: Mature oak species, looking north



Photo 4.10: Basement hallway, looking south

4.2 Building Exterior

The existing building at 325 King Street is a one-storey former institutional building designed in a simple transitional art moderne style. The building fronts onto King Street. The building was constructed in phases; the initial H-shape building was constructed in 1948 with subsequent additions in 1956, 1966, and 1976. The original H-shaped portion of the building is clad in buff brick and stone. There is a central tripartite main entrance with a separate entrance for boys and girls separated by a main entrance in between. The entrance is framed by two projecting brick walls with stone banding wings each displaying the large format sculptural stone panels. The stone panel diptych pairs a detailed heroic inscription with a figural bas relief representation by artist John B. Shawe which commemorates a summer session of the First Parliament of Upper Canada that supposedly occurred on the Site. The west panel reads:

"UPON THIS SITE, ACCORDING TO HISTORIC RECORDS, DURING A PERIOD OF EXTREMELY HOT WEATHER IN AUGUST 1793, ONE OF THE SESSIONS OF THE FIRST PARLIAMENT OF UPPER CANADA, WHICH PROVIDED THE BASIS OF FREEDOM AND DEMOCRACY IN THIS DOMINION, WAS HELD BENEATH A SPREADING OAK TREE UNDER THE CHAIRMANSHIP OF SIR JOHN GRAVES SIMCOE. FROM THIS TREE, WHICH BECAME KNOWN AS "PARLIAMENT OAK" AND WHICH FOR MANY YEARS STOOD AS A SYMBOL OF STRENGTH AND STABILITY, THIS SCHOOL RECEIVED ITS NAME."

To the rear of the south wing of the core section is the 1956 addition with two additional classrooms. South of the 1956 addition is the 1966 addition which includes an additional four classrooms, a staff room, and library. The 1976 gymnasium addition is located south of the 1966 addition, and includes a third 120 inch by 96 inch large format stone incised panel showing a contemporary interpretation of an oak tree.



4.3 Adjacent Properties

The adjacent properties to 325 King Street are a predominantly residential, with a small grouping of bed and breakfasts located in the south east corner. The properties are generally set back from the street and have a mixture of both mature and young vegetation with varying health conditions. The adjacent properties landscapes are a mosaic of English garden and contemporary garden design. The properties consist mainly of one to two-storey single-family residential structures with pitched roofs. The buildings have simple detailing and are constructed of utilitarian materials. The streetscape of the north and south adjacent roads, Gate Street and Centre Street, do not have sidewalks, creating a traditional residential feeling. The streetscapes of the east and west adjacent roads, King Street and Regent Street, have sidewalks on either side of the road. A description of the built form of the adjacent properties and the surrounding area is located within section 4.2.



Photo 4.11: Looking west towards 64 Centre Street



Photo 4.12: Looking southwest on Regent Street



Photo 4.13: Looking northeast on King Street



Photo 4.14: Looking southeast at the intersection of Centre Street and Regent Street

5 Evaluation of Cultural Heritage Value or Interest

5.1 Introduction

The criteria for determining CHVI is defined by O. Reg. 9/06 (see Section 2.2). If a property meets one or more of the criteria it is determined to contain, or represent, a cultural heritage resource. Where CHVI is identified, a summary statement of cultural heritage value will be prepared, and a list of heritage attributes which define the CHVI identified. A Cultural Heritage Evaluation for 325 King Street was completed in the 2021 HIA for the property by ERA Architects which is in turn based on the 2018 CHER prepared by Letourneau Heritage Consulting Inc. The content of that the 2021 HIA Evaluation is included in full in Section 5.2.

5.2 Ontario Regulation 9/06

5.2.1 Design/Physical Value

325 King Street is a mid-20th century single-storey school building with successive additions constructed to meet programmatic needs. The building exhibits transitional art moderne influences through its original H-shaped plan, low horizontal massing, prominent tripartite main entrance (separate boys' entrance, girls' entrance and main entrance in between) with a staggered, planar stone entry pavilion, and material treatment of buff brick, stone and concrete, and with an edifying figural sculptural programme that is associated with the style. The building features a minimum of architectural detail, which is generally limited to the original 1948 structure, and includes the stone sculptural panels, stone banding and the symmetrical recessed primary entrances at the east elevation. Although the building's modernist influences are representative of provincial, mid-century institutional architecture, and the inclusion of bas-relief panels is unique, 325 King Street is not a rare or early example of this style, expression or material treatment.

The bas-relief stone panels by John B. Shaw represent high degree of craftsmanship and artistic merit. Further, existing background research by Letourneau Heritage Consulting Inc. indicates these are a locally-rare example of a commemorative stone panel.

The building does not demonstrate a high degree of technical or scientific achievement.

5.2.2 Historic/Associative Value

Although there is some debate regarding its veracity, local lore holds that Sir John Graves Simcoe led a session of the first Parliament of Upper Canada under a grove of oaks on the property in August 1793. This narrative is significant to the community's understanding of the property and reflected in the name of the school, the bas-relief stone panels on the existing building and the legacy of tree planting over the years. Further, the existing building is directly associated with the public education system in Niagara-on-the-Lake, and functioned as the local school for many community members between 1948 and 2015.



Through its association with the First Parliament of Upper Canada, the site is tangentially associated with the 1793 Act to Limit Slavery; legislation promoted by abolitionist Simcoe that attempted to establish Upper Canada as a jurisdiction opposed to enslavement and its resultant economic structures. Although the legislation was compromised by local slave owners, Upper Canada was nevertheless considered a destination for fugitive enslaved persons, especially in the period just prior to the American Civil War, the most active period of the Underground Railroad network. A number of the self-emancipated settled in the early town of Niagara-on-the-Lake. While an interpretive art piece, from Castellani Art Museum at Niagara University, was installed on the property to commemorate this link to the Underground Railroad and the 1793 Anti-Slavery Act in 1993, this association is not specific to the property or existing building.

Despite the property's association with the first Parliament of Upper Canada, it does not have potential to yield further information that contributes to an understanding of a community or culture. In addition, the property does not have potential to yield further information about the Underground Railroad or the 1793 Act to Limit Slavery.

The existing building reflects the work of Canadian architect L.A. Hesson, while the bas-relief stone panels reflect the work of John B. Shawe, however, neither are known to be significant to a community.

5.2.3 Contextual Value

The area surrounding 325 King Street is typified by its low-rise built form dating to the 19th century. While the character of the area is generally supported by the scale of the existing building, the building is not considered singularly important in defining or maintaining this character.

While the Site's large street frontage, mature trees and existing front and side yard setbacks support the character of the Downtown Character Area, it was not identified as an Estate Lot within the Bray report (2018). Further, King Street and the Downtown Character Area contain a concentration of similarly sized lots, many of which have been altered or subdivided over time. As such, the Site is not considered singularly important in defining or maintaining this character.

The existing building is historically linked to the development and growth of the Town of Niagara on the Lake in the post-war period and functioned as an educational institution for more than 60 years. However, given the concentration of 19th century built form in the surrounding area, the building is not considered to be physically, functionally or visually linked to its surroundings.

5.2.4 Summary of O. Reg. 9/06 Evaluation

In conclusion, the above assessment for 325 King Street under Ontario Regulation 9/06 reveals that the property does not possess significant contextual value. The 1948 school structure, with its two bas-relief stone panels and modest details, possesses some design value, and the property possesses some historical value overall, however, the property is not considered a significant heritage resource that would merit individual designation under Part IV of the Ontario Heritage Act.



These findings are generally consistent with the evaluation for the property contained in the Cultural Heritage Evaluation Report prepared by Letourneau Heritage Consulting Inc. in November 2018 (at the request of the Town-of-Niagara-on-the-Lake).

(ERA 2021)

5.3 Niagara-on-the-Lake Criteria for Individual Buildings Evaluation

Table 2 provides a summary of the above discussion against criteria provided in the Town's Official Plan.

Table 2: Evaluation of 325 King Street According to the Town's Criteria for Individual Buildings

Criteria of Official Plan	Y/N	Comments
Has the building been associated with the life of an historic personage or has it played a role in an important historic event.	N	The building is not associated with the life of a historic person. While the site has played a role in a historic event, the existing building is not associated with that even.
Does the building embody the distinguishing characteristics of an architectural type recognized for its style or period of construction, or is it a notable example of workmanship by an early master builder, designer or significant architect.	N	The building is mid-20 th century single-storey school building with successive additions constructed to meet programmatic needs. It is not a notable example of workmanship by an early master builder, designer or significant architect.
Does the building or building type have special significance in that it forms an integral component of a particular neighborhood character within the community.	N	The existing building is linked to the development and growth of the Town of Niagara on the Lake in the post-war period and functioned as an educational institution for more than 60 years. However, given the concentration of 19 th century built form in the surrounding area, the building is not considered to be an integral part of the neighbourhood character. The visitor will not gain additional appreciation for the area based on this building.
The potential for illustrating the heritage value should be such that it will be possible for visitors to gain from the building an appreciation for the architecture or history with which it is associated.	N	
In considering the designation of a building, the extent of the original materials and workmanship remaining should be important to that designation.	N	The materials used in the construction of the building are common and are not considered rare or unique.
Intangible elements such as feeling, association and aesthetics shall be considered as well as the physical appearance of buildings or structures.	N	The physical appearance of the mid-20 th century building is juxtaposed against the 19 th century built form in the surrounding area. The feeling, association, and aesthetics of the existing building are different from that of the surrounding neighbourhood
Architectural character should be considered on the basis of style, plan and sequence of spaces, uses of materials and surface treatment and other details including windows, doors, lights, signs and other fixtures of such buildings and the relation of such factors to similar features of the buildings in the immediate surroundings	N	The architectural character of the building is not rare or unique. Further, the architectural character of the building does not match that of the immediate surroundings.



6 Summary of Cultural Heritage Value

6.1 Introduction

Along with the CHVI identified for 325 King Street, the adjacent property at 64 Centre Street is designated under Part IV of the OHA. Additionally, the properties located at 8 Centre Street, 287 King Street, 317 Regent Street, and 327 Regent Street are listed on the Town's *Municipal Register of Cultural Heritage Resources*. The Study Area is also located in the Downtown Heritage Character Area and within the proposed expanded boundaries for the Queen – Picton Heritage Conservation District. An overview of their recognition is included below for the purposes of the impact assessment in this HIA.

6.2 325 King Street

The property at 325 King Street was previously evaluated against O.Reg. 9/06 in the 2021 HIA for the property by ERA Architects and in the 2018 CHER prepared by Letourneau Heritage Consulting Inc. The Draft Statement of Significance prepared by ERA is included below in its entirety.

6.2.1 Draft Statement of Significance

325 King Street is a mid-20th century single-storey school building with successive additions, constructed to meet educational programmatic needs. The original 1948 school is a one-storey brick structure in a symmetrical H-shaped plan. The architectural design is a reductive art moderne composition and with clear rectilinear massing, in conjunction with equally reductive figural architectural decoration associated with the style and its pre-war ideas about applying edifying sculpture to institutional buildings.

The southeast portion facing King Street features a prominent tripartite main entrance (separate boys' entrance, girls' entrance and main entrance in between) with a staggered, planar stone facade, flanked by two projecting wings each displaying large format sculptural stone panels. The stone panel diptych pairs a detailed heroic inscription with a figural bas relief representation by artist John B. Shawe which commemorates a summer session of the First Parliament of Upper Canada that may have occurred on the Site.

Although there is some debate regarding its veracity, local lore holds that Sir John Graves Simcoe, first Lieutenant Governor of Upper Canada led a session of the first Parliament of the Province under the shelter of an oak grove on the property in August 1793. This narrative is significant to the community's understanding of the property and reflected in the name of the school, the bas-relief stone panels on the existing building and the legacy of tree planting over the years.

Through its association with the First Parliament of Upper Canada, the site is tangentially associated with the 1793 Act to Limit Slavery; legislation promoted by abolitionist Simcoe that attempted to establish Upper Canada as a jurisdiction opposed to enslavement and its resultant economic structures. Although the legislation was compromised by local slave owners, Upper Canada was nevertheless considered a destination for fugitive enslaved persons, especially in the period just prior to the American Civil War, the



most active period of the Underground Railroad network. A number of the self emancipated settled in the early town of Niagara-on-the-Lake. An interpretive art piece, from Castellani Art Museum at Niagara University, was installed on the property to commemorate this link to the Underground Railroad and the 1793 Anti-Slavery Act in 1993. It is inscribed with a quote from Harriet Tubman, celebrated African American abolitionist: "When I found I had crossed, there was such a glory over everything. I felt as if I was in heaven. I am free and they shall be free. I shall bring them here."

The existing building is historically linked to the development and growth of the Town of Niagara on the Lake in the post-war period and functioned as an educational institution for more than 60 years. Further, the Site's large street frontage, mature trees and existing front and side yard setbacks support the character of the surrounding area.

Recommended Attributes:

- *The low horizontal one storey massing and symmetrical rectilinear forms with staggered planar entrances clad in stone*
- *The 2 bas-relief panels designed by John B. Shawe located on the south elevations*
- *The setback from King Street, containing lawns/landscaping with mature trees including several oaks*
- *The 1915 Parliament Oak stone tree-marker that details the site's association with the first Parliament of Upper Canada*
- *The third 120 inch by 96 inch large format stone incised oak tree panel, located on the east elevation of the 1976 gymnasium addition.*

(ERA 2021)

6.3 64 Centre Street

Located adjacent to the subject property, 64 Centre Street, known municipally as the Simpson-Ness House, is designated under Part IV of the OHA. The Statement of Cultural Heritage Value or Interest are described in the Town of Niagara-on-the-Lake By-law 1482-84 and is presented in its entirety verbatim below.

6.3.1 Reasons for Designation

The Simpson-Ness House c 1830

The house was built in the Georgian-Regency style of architecture about 1830. It has a large basement, ground floor, and a small attic. It is finished with rough cast. A one-storey verandah with trelliage was built the length of the house at the front. The verandah is presently being restored. A new face board has been placed and the struts in cement pillars have been replaced. The front door has a transom, above, and side lights. The front and side windows have six panes above and six panes below. 80% of the original cylinder-blown glass remains. The windows have side lights in the palatine style. Over the back and front doors and the windows front, side and back are surrounds, an unusual feature for houses in this area.



The inside walls of the house is lath under plaster. Four large rooms on the first and second floors open from a central hall that runs the entire length of the house. The ceilings are 10' with the exception of the kitchen ceilings which are 12'. A side wing of two large rooms with a small bedroom, bathroom over the kitchen was an addition, probably added when the cooking was brought up from the cellar.

The room on the left of the central hall has an addition of a decorative bay with French doors opening to the side garden. The room at the back off the right opening from the central hall has a large bay giving a view of the back property that slopes gently to the one-mile creek, that flows through the property. There are three decorative dormers in a sloping roof at the front of the house. There are two large decorative dormers in the sloping roof at the back of the house. The floors throughout the house are wide pine. The living-room and kitchen floors have been covered over with-hardwood. There is a small porch with a pine floor built off the kitchen. 80% of the hinge latching and butt locks on the doors are original. The dining-room, living-room and master bedroom retain the original fireplace with decorative mantels.

Underneath is the full basement with five casement windows. The sixth casement window was blocked when the addition was built. The original kitchen was in the basement which contains the remains of a bake oven and fireplace. The basement shows the remainder of a narrow pine floor. There are places in the ceiling showing that partitions were evident. The walls and ceiling still retain some of the original lath under plaster. A signature is on one of the plastered walls: W. J. Livingstone 1870. It is believed that blacks served in the house and the basement was their living quarters. A dumb waiter brought the food to the dining-room above. The original cellar stair was behind the front stair and part of it can still be seen in the basement ceiling. A small root cellar in the basement remains. There may have been another fireplace for heating water in the basement. It was destroyed when the addition or tail was built. The passage from the cellar to the outside is closed by the original door. In the passage is the remains of a large cistern. Brick columns in the basement support the large beams that run the length of the house.

A privy was built on the back of the house. It was covered by a simple cedar shake roof which later was covered by a more elaborate roof with trelliage. The surround from the back door had been placed on this building. Also some of the shutters from the house windows had been put on this building. This building has been removed as it had deteriorated. The surround was put back to its original position and the back wall of the house replaced before the house was painted. A large cement porch of the 1940's has been removed from the back door.

A garage (two-door) stands beside the house possibly built in the 1920's. It has a cedar shake roof under roof tiles. According to records, the land was granted to Joseph Small in 1796.

6.4 Listed Properties

Located adjacent to the subject property at 325 King Street are five properties listed on the Town's *Municipal Register of Cultural Heritage Resources*. They are identified in Table 3.



Table 3: Listed Properties adjacent to 325 King Street

Address	Title/Property Name
8 Centre Street	Lyon-Jones House
287 King Street	N/A
317 Regent Street	Law House
327 Regent Street	Hawley-Mud House

6.5 Downtown Heritage Character Area

As identified in Section 2.1.4, the 2017 *Town of Niagara-on-the-Lake Official Plan* contains policies that relate to heritage conservation. It also identified the boundaries of the Downtown Heritage Character Area and includes a Statement of Cultural Heritage Value or Interest for the Downtown Heritage Character Area.

6.5.1 Statement of Cultural Heritage Value or Interest

This character area contains a large portion of the cultural heritage resources in Old Town and forms the core of the National Historic District. For design/physical significance it has the square block pattern established from the earliest days of settlement and contains evidence of all periods of development from the Loyalist occupation to the present. There are many well-conserved examples of pre-1850 building types, architectural styles and materials representing the largest collection of pre-Confederation buildings in Canada. Conservation of more recent properties is also evident. One Mile Creek is visible throughout the area, on private as well as public property. The early street grid and widened main thoroughfares remain, as do some grassed verges with open gutters. Mature trees are a feature of the public realm as well as in private properties. Varied front and sideyard setbacks characterize the residential streets. The area has historical/associative value for its evidence of all phases of Old Town's evolution. Key properties and landscapes provide contextual significance. There are many landmarks within the area: it is also where the key cultural, public institutional and commercial properties are found.

Heritage Attributes:

- *Design/Physical*
 - *Churches and associated cemeteries (significant open spaces)*
 - *Mix of uses (residential, commercial, institutional, ecclesiastical)*
 - *(In pre-1850s buildings) predominance of styles within the British Classical tradition*
 - *Evidence of previous uses (commercial shops and offices, railway)*
 - *Wide right-of-way (99 feet) with street trees and grassed boulevard*
 - *Square blocks in a military grid pattern extending at right-angles to the river shoreline*
 - *Varied lot frontages*
 - *Mature street trees and private gardens*



- *Open gutters and grassed boulevards on residential streets*
- *One Mile Creek watercourse*
- *Varied built form (massing, age)*
- *Limited range of building materials used on pre-1850 buildings (frame, brick, roughcast)*
- *Tightly packed building frontages in the commercial core (minimal/no sideyard setbacks)*
- *Varied, but often generous side yard setbacks in the residential areas*
- *Varied front yard setbacks*
- *Many examples of infill buildings that harmonize with the early buildings in terms of materials and massing*
- *Historical/Associative*
 - *Associations with significant events (Loyalist settlement, military survey, War of 1812, burning and rebuilding of Newark, designation of heritage conservation districts)*
- *Contextual*
 - *Views down streets of river and between buildings*
 - *Topography (slight rise away from river)*
 - *Significant concentrations of pre-1850 buildings*
 - *Shaw Festival Theatre (sympathetic new development)*
 - *Prince of Wales Hotel (original and additions)*
 - *Apothecary (conserved building and museum)*
 - *Court House (current and historic uses)*
 - *Landmarks (Clock Tower)*

(Niagara-on-the-Lake 2017)

6.6 Queen–Picton Heritage Conservation District

The Study Area is located approximately 150 meters from the existing boundaries of the Queen-Picton Heritage Conservation District which is designated under Part V of the OHA. The Queen-Picton HCD Plan (HCD Plan) was adopted by Council in 1986. According to the HCD Plan, the

“extent of the district is all of those lands included in the area bounded by Prideaux and Byron Streets on the north, Johnson and Platoff Streets on the south, Wellington Street on the east and Gate Street on the west with said area to include those properties fronting on the south side of Prideaux and Byron Streets, the north side of Johnson and Platoff Streets, the west side of Wellington Street and the east side of Gate Street” (NOTL 1986).



The character of the district is comprised of,

“two types of architecture and a streetscape. The first is the historic business district fronting Queen and Picton Streets. This district is tightly built up and forms a varied continuous facade of buildings with a variety of age, size, style and set back. This is in contrast to later commercial areas in Ontario that were visually more uniform and formal. The second is the enclosing residential areas. This is a loose visual composition of detached residences set amongst gardens and trees. A number of commercial and institutional buildings also occur” (NOTL 1986).

A boundary of the HCD is under study to determine if the boundary should be increased to encompass additional areas. The proposed revisions to the boundary include 325 King Street. As the Study Area is not located within the current boundaries of the Queen-Picton HCD, no impacts to the HCD are anticipated.

6.7 Additional Observations

Through a review of desktop sources, previous reports, and field investigations, Stantec has identified the following site components that have the potential to contribute to the heritage value of the property:

- Mature red oak (*Quercus rubrus*); identified in the *325 King Street, Niagara-On-The-Lake, Ontario Arborist Report and Tree Inventory Report* (Stantec 2023) as #28
- Underground Railroad marker



7 Impact Assessment

7.1 Description of the Proposed Undertaking

The proposed development includes construction of a four-storey boutique hotel as per plans by Peter J. Lesdow Architect, which are included in Appendix B. The development requires the removal (demolition) of the existing building at 325 King Street. The design of the boutique hotel is inspired by the Second Empire Style with design elements that include a mansard roof, brick and stone cladding, arched windows, and an entrance portico supported by classically inspired columns. The design is also inspired by French Chateaux style specifically referenced to two unique buildings in Niagara-on-the-Lake, the Prince of Wales Hotel and the Old Court House, and by the former residential dwelling that was on the site until 1913.

The proposed development combines architectural elements from the historic structures listed above, including the use of brick and stone cladding, decorative window hoods, and mansard roof. The placement of the building within the property is planned in a way to create significant setbacks from the adjacent streets and to maximize the retention of many existing trees. The placement will also allow for the introduction of an open landscape behind the structure. Additional design details are available in the Design Brief prepared by Peter J. Lesdow Architect in Appendix C.

The open landscape behind the structure will be enclosed by a fencing that is proposed to extend around the perimeter of the property. The fencing is proposed to be constructed of aluminum segments interspersed with pre-cast concrete sections, at a height of approximately 1.8m with additional height of 5.8m at the rear of the property fronting Regent Street. This rear portion is where the commemorative wall with salvaged panels is proposed. The increase in height in this area is required to contain the salvaged bas relief panels and incised oak panel.

As noted in the Arborist Report (Stantec 2024a), tree removals are required to facilitate site grading and construction. Along the King Street frontage, 12 existing trees are proposed for removal, including one Manitoba maple, one willow, one Callery pear, three Norway maples, two Norway spruces, one yew, and two red oaks.

The proposed development will contain 129 hotel rooms and bar, lounge, and banquet space on the first storey of the building. A total of 248 parking spaces are proposed to be provided on site within two levels of underground parking with an additional eight parking spaces above ground.

7.2 Assessment of Impacts to Identified Heritage Value

Table 4 provides an assessment of potential impacts to the identified CHVI and heritage attributes as described in Section 6. As described in Section 2.2.2, Infosheet #5 was used to characterize impacts. Where impacts are anticipated, 'A' is listed in the column. Where there may be potential for indirect impacts, 'P' is listed in the column. Where no impacts to CHVI are anticipated, 'N' is listed in the column. Many of the impact categories are not applicable given the scope of the proposed undertaking and the



removal of buildings. Where this is the case, 'N/A' is entered in the table. Further discussion is provided in Section 7.3.



Table 4: Potential Impacts to Identified CHVI

Property	Potential for Direct Impact		Potential for Indirect Impact					Discussion
	Destruction	Alteration	Shadows ¹	Isolation	Obstruction	Change in Land Use	Land Disturbances	
325 King Street	A	A	P	P	P	P	A	<p>The proposed development will result in direct impacts related to the complete demolition of the existing structure at 325 King Street. Tangible heritage attributes, such as the low horizontal one storey massing and symmetrical rectilinear forms with staggered planar entrances clad in stone, will be demolished. Other identified heritage attributes will be altered including the 2 bas-relief panels designed by John B. Shawe located on the south elevations and the third 120 inch by 96 inch large format stone incised oak tree panel, located on the east elevation of the 1976 gymnasium addition.</p> <p>There is the potential for indirect impacts to the 1915 Parliament Oak stone tree-marker that details the site's association with the first Parliament of Upper Canada and to the setback from King Street, containing lawns/landscaping with mature trees including two red oaks and other mature trees that will be removed due to the proposed development. The indirect impacts relate to the change in land use from the former school to a hotel, potential isolation of the heritage attributes from their existing context, shadows that could impact site vegetation, obstruction of existing views to heritage attributes of the property, and land disturbance during construction to monuments if they are retained in situ.</p> <p>There is also an anticipated change in land use by turning the property from institutional use to commercial use as a hotel.</p> <p>Accordingly, mitigation measures must be prepared.</p>

¹ A site specific Shadow Study was completed and found that shadows from the proposed development would not extend beyond the property boundary. It is included in Appendix B.



Table 4: Potential Impacts to Identified CHVI

Property	Potential for Direct Impact		Potential for Indirect Impact					Discussion
	Destruction	Alteration	Shadows ¹	Isolation	Obstruction	Change in Land Use	Land Disturbances	
64 Centre Street	N	N	N	N	N	N	P	<p>The proposed undertaking is not anticipated to have direct impacts on the building at 64 Centre Street.</p> <p>Shadows from the proposed undertaking will not alter the appearance of a heritage attribute. No contextual heritage attributes or historical associations with the streetscape were identified in the designation by-law. No isolation impacts are anticipated as the building is the one of several residential properties in a residential area. The property will have no change in land use with the proposed undertaking.</p> <p>There is the potential for indirect land disturbances related to vibration from project activities as the building is within 20 metres of the proposed undertaking.</p> <p>Accordingly, mitigation measures must be prepared.</p>
8 Centre Street 287 King Street 317 Regent Street 327 Regent Street	N	N	N	N	N	N	P	<p>The proposed undertaking is not anticipated to have direct impacts on the listed properties at 8 Centre Street, 287 King Street, 317 Regent Street and 327 Regent Street.</p> <p>Shadows from the proposed undertaking will not alter the appearance of the properties. No contextual heritage attributes or historical associations with the streetscape were identified. No isolation impacts are anticipated as the buildings are part of the surrounding residential area. The properties will have no change in land use with the proposed undertaking.</p> <p>There is the potential for indirect land disturbances related to vibration from project activities as the building is within 20 metres of the proposed undertaking.</p> <p>Accordingly, mitigation measures must be prepared.</p>



Table 4: Potential Impacts to Identified CHVI

Property	Potential for Direct Impact		Potential for Indirect Impact					Discussion
	Destruction	Alteration	Shadows ¹	Isolation	Obstruction	Change in Land Use	Land Disturbances	
Downtown Heritage Character Area	N	A	N	N	P	N	P	<p>The proposed development has the potential for direct impacts to the Downtown Heritage Character Area. The proposed development exhibits design elements reminiscent of the Second Empire Style, which differs from the predominance of styles within the British Classical tradition associated with the Downton Heritage Character Area. The proposed development, located in a residential area, is partially inspired by the design of the Prince of Wales Hotel, located in a commercial district 300 metres northeast of the site. The placement of a commercial development in a residential area may alter the gradual transition from commercial area to residential area that is found in the Downtown Heritage Character Area.</p> <p>The inclusion of the masonry wall around the perimeter of the property may cause obstructions within the Downtown Heritage Character Area as it will obscure the setbacks and frontages associated with the Downtown Heritage Character Area.</p> <p>Due to the development's siting within the property boundary, there are no anticipated indirect impacts caused by shadows, isolation, or changes in land use. There is the potential for indirect land disturbances caused by vibration as the work is happening within the Downtown Heritage Character Area.</p> <p>Accordingly, mitigation measures must be prepared.</p>
Queen-Picton Heritage Conservation District	N	N	N	N	N	N	N	<p>The proposed development is located outside the existing boundaries of the Queen-Picton HCD. No direct or indirect impacts are anticipated to the heritage attributes of the HCD.</p> <p>Accordingly, mitigation measures are not required.</p>



7.3 Discussion of Impacts

Direct and indirect impacts were identified to the existing structure at 325 King Street. Therefore, mitigation measures are required to conserve the heritage attributes of the property.

There is also the potential for indirect impacts related to vibrations from construction activities to adjacent properties and to the Downtown Heritage Character Area. As outlined in Section 2.2.2, while impacts of vibration on heritage buildings are not well understood, vibrations may be perceptible in buildings with a setback of less than 40 metres. Given the direct adjacency of proposed development activities, mitigation measures are required to conserve the identified heritage resources due to these indirect impacts.

There is also potential for indirect impacts to the Downtown Heritage Character Area related to proposed design that may obscure existing views of setbacks and lot frontages within the Study Area that contribute to the Downtown Heritage Character Area as part of the *“varied, but often generous side yard setbacks in the residential areas”*. Mitigation measures are required to address the potential impacts.

Indirect impacts outside of land disturbance related to construction vibrations are not anticipated for the Downtown Heritage Character Area, including shadows, isolation of a heritage resource, and changes in land use. The shadows from the proposed undertaking will not alter the appearance of the identified heritage attributes of the Downtown Heritage Character Area. No significant views or contextual attributes were identified in the designation by-laws. While the properties will have a change in land use related to the proposed undertaking, as the property is changing from institutional use as a school to a commercial use as a hotel this is not associated with heritage attributes of the Downtown Heritage Character Area and therefore not determined to be an impact.



8 Alternatives and Mitigation Measures

As identified in Section 6.7, the proposed undertaking has the potential to result in direct and indirect impacts to identified CHVI of the subject property and to that of the adjacent designated properties. The proposed development considers the demolition of 325 King Street and the construction of a four-storey hotel structure. Direct impacts of demolition are anticipated to heritage attributes that are associated with the built form of the building. Intangible attributes related to the historical and associative values of the site will be altered, but mitigative options have been identified to enhance the intangible values of the site. The mitigation options and alternatives presented for the proposed development include:

- InfoSheet #5 Mitigation Options (see Section 2.5)
- Alternative of retention *in situ*
- Alternative of partial retention
- Demolition

Consideration for each option is given for both the appropriateness of the mitigation or alternative in the context of the CHVI identified and its associated feasibility. Also considered is an understanding of the surrounding context within which the Study Area is located.

8.1 InfoSheet #5 Mitigation Options

As shown in Table 5 below, the Mitigation Options presented in Section 2.5 have been assessed based on the development proposal as described in Section 7.1. As per InfoSheet #5, the mitigation measures are not meant to be exhaustive, and alternative mitigation measures or approaches are discussed in the following sections.

Table 5: InfoSheet #5 Mitigation Options

Mitigation Measure	Approach
Alternative development approaches	The proposed development is required to meet specific targets for building size, parking allowances, and site considerations. Reduced development that retains the existing building would likely result in a building that is isolated from its settings and surrounded by development to the point it would not be visible to the public. Adaptive reuse of the purpose-built institutional structure would also require considerable alterations that may impact the heritage attributes of the structure. Alternative development approaches for the property are discussed in Sections 8.2 to 8.5.



Mitigation Measure	Approach
Isolating development and site alteration from significant built and natural features and vistas	Due to the requirements of building size, parking space, driveways, and open space requirements, isolating development from the heritage resource is not feasible for the property. The possibility of alternative development approaches and isolating development from the heritage resource was considered with the project team but was considered not to be feasible due numerous site requirements and would result in a development that took up much more of the existing lot which would have adverse impacts on the Downtown Heritage Character Area. As such, isolating development and site alteration from the heritage resource is not feasible.
Design guidelines that harmonize mass, setback, setting, and materials	<p>The proposed undertaking will result in the removal of the structure and its associated CHVI from the property. Therefore, design guidelines are not required to harmonize with the existing structure within the Study Area but can serve to mitigate the loss of design value given the proposed demolition through commemoration. Additional Information as it relates to design guidelines is included in Section 8.6.3.</p> <p>With respect to potential impact related to setbacks within the Downtown Heritage Character Area, the proposed design allow for deep minimum building setbacks of between 20 and 25 metres on the side yards and 25 metres in the front yard. The approved Zoning By-law Amendment for the site locks into place these minimum setbacks shown on the plans in Appendix B. Therefore, this mitigation measure has been implemented.</p>
Limiting height and density	Limiting the height and density of the proposed undertaking is feasible and has been implemented into the design of the proposed development. The height of the new structure has been limited to four storeys and the footprint of the building has been reduced so that the building is set back from the adjacent streets. Therefore, this mitigation measure has already been implemented in the proposed development.
Allowing only compatible infill	The property is currently zoned for institutional uses. There are ongoing Official Plan Amendment Applications and Zoning By-law Amendment Applications for the site. Compatible infill may be achieved through the implementation of design guidelines that align with the heritage value of the Downtown Heritage Character Area. Additional Information as it relates to design guidelines is included in Section 8.6.3.
Reversible alterations	Given the proposed removal of the cultural heritage resource and extent of the development, reversible alterations are not applicable within the scope of the proposed undertaking.
Buffer zones, site plan control, and other planning mechanisms	The potential for land disturbance to previously identified built heritage resources have has been identified. Additional information as it relates to buffer zones, site plan controls and other planning mechanisms is included in Section 8.7.

8.2 Full Retention and Adaptive Reuse

Generally, retention in situ is the preferred option when addressing a structure where CHVI has been identified, even if limited. The benefits of retaining a structure, or structures, must be balanced with site-specific considerations. Not only must the CHVI be considered, so too must the structural condition of the heritage resource, the site development plan, and the context within which the structure, or structures, would be retained. Recognizing the need for balance is an important step in consideration of the preferred mitigation options.



In the case of the proposed development, full retention *in situ* and adaptive reuse of the building is not feasible as it would not accommodate the functional requirements of the proposed development. The proposed use of the site as the location of a contemporary hotel is in direct conflict with some, although not all, heritage attributes identified within this HIA. To retain all heritage attributes identified, the proposed development would need to occur within the existing structure, which would not sufficiently address the programmatic requirements of the hotel. The proposed development considers over 100 hotel rooms; this could not be achieved within the current building footprint. Furthermore, substantial alterations would be required to the existing structure to convert it to hotel use, which could adversely impact its CHVI.

While retention of the existing structure is the preferred option from an exclusively heritage perspective, the client has considered this mitigation alternative and determined that it does not meet the aesthetic or functional requirements of the proposed development and is not a feasible mitigation alternative. Functionally, the existing structure does not have a footprint that is suited to the uses of a commercial hotel. As noted by Peter J. Lesdow Architect, hotels typically have large open spaces such as entrance lobbies, restaurants, banquet rooms and their associated pre-function areas. The existing layout and structure of the school does not afford the required areas for these functions. Additionally, underground parking is contemplated for the site. Retention of the building *in situ* and the construction of an underground parking garage and basement facilities are mutually exclusive objectives.

As discussed in Section 5.1, the property has been subject to various heritage assessments and evaluations, none of which identified a strong case to designate the structure under Part IV of the OHA. Therefore, further options are explored below.

Where retention of the existing structure is not feasible or preferred due to non-heritage factors, then an alternative development approach is required to mitigate the impacts resulting from the proposed development.

8.3 Integration

Protection of the identified CHVI for the identified properties could potentially be achieved through integrating part of the existing structure into the plans for the new development. This could occur through integrating the 1947 structure into the proposed design or a modified design, with new construction integrated around the original structure (Plate 1).





Plate 1: Integration of heritage building into modern development (Barry Padolsky 2012)

To maximize useable space, portions of the structure that are not associated with the original 1948 school building may be removed or modified to suit programmatic requirements. Contemporary and compatible design language could be used adjacent to the 1948 school building. The client has considered this mitigation alternative and determined that it does not meet the aesthetic or functional requirements of the proposed development and is not a feasible mitigation alternative. While planning the design of the hotel, it was identified by Peter J. Lesdow Architect that a four-storey building was the most compact design to reduce the building mass within the property. The existing structure is not capable of supporting the construction of three additional floors above. The introduction of structural framing around the existing walls and footings was determined to not be feasible due to cost and constructability.

8.4 Retention of Façade

The heritage attributes identified for the 325 King Street are generally associated with the built form and are limited to the architectural details of the exterior. The integration portions of the 1947 facade within the proposed development would result in the retention of the historic façade of the Parliament Oak School and of some of its identified heritage attributes.

This approach to conservation is typically regarded as facadism. To mitigate the loss of the buildings and lessen the effect of facadism, consideration should be given to preservation of more than just the façades of the buildings. This should consider retention of the partial return elevations. The development may also need to be set back in some way from the façade line to separate the old and the new. The proposed design does not currently consider the integration of the existing structure within the new development. While retention of portions of the building *in situ* would represent a change from the original concept, it would also represent conservation of more CHVI associated with the site. The integration of a podium as noted in Section 8.3 could be differentiated through the use of compatible materials. This serves to distinguish the heritage components from the modern development. Materials selected for the podium could include stone or brick with similar tones to what is currently used in the structure and throughout the surrounding neighbourhood. The proposed setbacks from the adjacent streets due to the placement of

the building will also be retained along with the mature trees on the property. It is anticipated that the identified setbacks and sensitive building materials will, in part, mitigate the alteration of this streetscape.

The client has considered this mitigation alternative and determined that it does not meet the aesthetic or functional requirements of the proposed development and is not a feasible mitigation alternative. If the façade of the existing structure were to be retained *in situ*, the hotel would be located in the same position which would not be in keeping with the hotel's design objective of positioning it centrally within the site. This would limit the proposed landscape treatments which are intended to create a buffer between the hotel and the surrounding residential area. Additionally, the existing structure is not set back from King Street to allow proper functioning of vehicular movement and guest registration, pickup, and drop-off.

8.5 Sympathetic Design

Should integration of the structure not be feasible, sympathetic design could be applied to the design of the proposed development. The heritage attributes associated with the built form identified for 325 King Street are all mainly focused on the exterior architectural elements. Accordingly, mitigation measures to conserve the CHVI may focus on the retention of exterior heritage attributes through sympathetic design. Modification of the current design may allow for the inclusion of exterior heritage attributes of the identified properties into the front elevation of the proposed development. The client has considered this mitigation alternative and determined that it does not meet the aesthetic or functional requirements of the proposed development and is not a feasible mitigation alternative. The integration of exterior heritage attributes within the proposed hotel do not align with the preferred architectural design of the building. Additionally, the reuse of materials such as bricks from the existing school structure is not technically feasible due to their non-standard size and age.

8.6 Demolition

Where *in situ* retention is not feasible or when significant alterations are proposed, additional mitigation measures should be implemented. The proposed development considers the removal of the existing structure at 325 King Street. Although the following mitigation measures would not entirely avoid the impact of the proposed demolition of the former Parliament Oak School, they would seek to record the CHVI of the property by making the structure available for future study and by conserving the heritage value of the site in a modified context and setting.



8.6.1 Documentation and Salvage

Given the identified CHVI of the existing structure at 325 King Street and components identified by Stantec during the site assessment, it was determined that materials on site were worthy of salvage. A Documentation and Salvage Plan has been completed to fully document the existing structure and its surroundings, as well as identify materials worthy of salvage (Stantec 2024b). Documentation and associated salvage activities will be completed prior to the removal of the demolition of the building. Salvage will be completed at the discretion of the retained salvage company.

Some materials warrant salvage and reinstatement within the proposed development, including components that were identified to be of museum quality. Some of these components were identified to be of significance to the community. These include:

- The 2 bas-relief panels designed by John B. Shawe located on the south elevations
- The third 120 inch by 96 inch large format stone incised oak tree panel, located on the east elevation of the 1976 gymnasium addition.
- The 1915 Parliament Oak stone tree-marker that details the site's association with the first Parliament of Upper Canada
- The Castellani art installation to commemorate the Underground Railroad
- Materials associated with the Parliament Oak School including:
 - Buff bricks from the 1948 school building
 - The Parliament Oak School sign located above the central entrance
 - The Parliament Oak School cornerstone
 - The Parliament Oak School Time Capsule located in the building's cornerstone

A component specific salvage, storage, and reinstatement plan has been prepared and considers the components identified above. Additional materials may be identified as the development of the Documentation and Salvage Plan progresses.

Some other materials were identified to be of utilitarian and common use. There is no private or public interest in the materials identified in the building. However, some of the materials may be salvaged and reused within the community. Historic building materials are often high-quality and can be re-used in other buildings or incorporated into the modern building thereby offering a physical link to historical use of the properties. Through the selective salvage of identified heritage attributes and other materials, the CHVI of a property can be retained, if in a different context. Salvage acknowledges the heritage attributes in their current context and, where feasible, allows for reuse.

8.6.2 Commemoration Plan

A Commemoration Plan is often prepared as part of the documentation and salvage process, which is the case for the adjacent 323 King Street. A Commemoration Plan identifies options to recognize the CHVI associated with the site and provide strategies to guide the integration of salvaged elements into the design



of the new development. A commemorative display with the history of the property and use of salvaged materials are typically included in public areas of the development as part of a commemoration plan. A Commemoration Plan has been prepared under separate cover to identify commemorative strategies for the proposed development and heritage attributes of the site (Stantec 2024c)

8.6.3 Design Guidelines

The proposed development is located within the Downtown Heritage Character Area which is representative of the historic downtown business area of Niagara-on-the-Lake. The character of the area is defined by its associations with the growth of Niagara-on-the-Lake and its diverse commercial and residential environment, predominantly reflective of the British Classical tradition of architecture. To mitigate impacts to the Downtown Heritage Character Area, Design Guidelines should be prepared, in consultation with Heritage Planning staff and Heritage Professionals to be implemented as conditions of the site plan approval process. The design guidelines should be consistent with Parks Canada's *Standards and Guidelines for the Conservation of Historic Places in Canada*.

It is recommended that design guidelines of the development consider visual consistency at the street level, including attention to materials, architectural forms, architectural styles, fenestration patterns, and architectural details to reduce impacts of the new development within the streetscape. Design guidelines should also consider the design of perimeter fencing to address potential obstruction of the new building's setback within the site, to allow for some visibility of the generous side yard setbacks where appropriate. Design guidelines should also consider landscaping along the King Street frontage and elsewhere to consider replanting trees following grading and construction, where feasible, to compensate for the removal of those along the King Street frontage, particularly oak species.

8.7 Buffer Zones, Site Plan Control, and Other Planning Mechanisms

As the development is planned directly adjacent to designated and listed properties, site plan controls will serve to protect adjacent properties from construction activities. This includes stabilization measures and protective barriers for the adjacent buildings and landscape features to indicate where construction activities should be limited. An effective approach typically includes identification of heritage structures on all demolition and construction plans to provide for sensitive treatment throughout construction activities.

As identified in Section 7.2, there is the potential for indirect impacts to the designated properties resulting from construction-related ground vibration. To mitigate this risk, a strategy to carry out a pre-condition survey, vibration monitoring, and post-condition survey is typically employed. These plans are most often developed by a licensed Geotechnical Engineer with heritage experience.



The pre-construction condition survey typically includes screening the adjacent designated properties to establish the existing conditions and vulnerability of the structure. Following the pre-construction condition survey, acceptable vibration limits for the structure are established prior to construction based on existing conditions, soil conditions, and type of construction vibration. Should the need for monitoring be identified, monitoring the ground-borne vibration levels in peak particle velocity (PPV) while construction activities take place provide for the safeguarding of the structure in line with acceptable limits. The vibration monitoring program may include the installation of vibration monitoring equipment in the building. Where acceptable levels are exceeded, construction activities may need to be paused as directed by the Geotechnical Engineer to determine a less invasive method for construction. This could range from an adjustment in equipment to avoidance of a certain portion of the property given ground conditions. Only after vibration levels have decreased does construction resume. A post-construction condition survey would assist in documenting any damage associated with construction activities.



9 Recommendations

The HIA has considered 325 King Street based on previously completed assessments and confirmed that it has the potential to meet criteria of *O. Reg. 9/06*.

Following the evaluation, an impact assessment was carried out to identify the potential impacts of the proposed development. The impact assessment determined that the proposed development would result in direct and indirect impacts to 325 King Street and to potential indirect impacts to adjacent residential buildings. To mitigate these impacts, several design alternatives were considered, including retention of the existing building *in situ*, integration of portions of the building or facade into the proposed design, or modified design in a style similar to the 1947 building. The client has considered these mitigation alternatives and determined that they do not meet the aesthetic or functional requirements of the proposed development and are not feasible mitigation alternatives.

Since demolition is being pursued by the client, the mitigation measures below are recommended.

For the property at 325 King Street:

- Full heritage documentation of the property take place prior to any change to the property. A Documentation and Salvage Plan has been completed for the property and provides an overview of the property as well as directives for salvageable materials. Documentation activities included photography of the interior and exterior of the property. A component-specific salvage, storage, and reinstatement plan is included for each of the components identified for salvage.
- Preparation of a Commemoration Plan to commemorate the history of 325 King Street. A Commemoration Plan has been completed for the property and includes a site-specific history and specific commemoration requirements (i.e., interpretative signage, re-use of salvaged materials, and interpretive text).
- It is understood a Heritage Easement Agreement (Appendix D) has been entered into between the proponent and the Town. The Easement Agreement outlines the requirements for the salvage and conservation of the two bas-relief panels, stone incised panel, Parliament Oak school sign, some buff bricks, Parliament Oak stone tree marker, Castelliani Sculpture, Time Capsule and 1947 Cornerstone, Town boundary stone, and mature red oak tree. The Easement will guide conservation of the heritage attributes.

For the Downtown Heritage Character Area:

- To mitigate impacts to the Downtown Heritage Character Area, Design Guidelines are recommended for the proposed undertaking consistent with Parks Canada's *Standards and Guidelines for the Conservation of Historic Places in Canada*. The Design Guidelines should provide recommendations on height, massing, and setbacks; plan and form; architectural style and detailing; building materials; landscaping; and commemoration.



- To limit negative indirect impacts on individual properties adjacent to the proposed development, the adjacent listed and designated heritage properties should be isolated from construction-related activities. These controls should be indicated on all construction mapping, flagged in the field onsite, and communicated to construction team leads. Site plan controls should also include stabilization measures and protective barriers for the adjacent designated properties to indicate where construction activities should be limited, this should include at minimum the installation of temporary fencing around heritage features. In addition, vibration studies for the adjacent listed and designated properties should be completed under the direction of a qualified geotechnical engineer or vibration specialist. A recommended approach to vibration assessment is as follows:
 1. Pre-condition survey should be prepared by a qualified engineer to determine the maximum acceptable vibration levels, or PPV levels and the appropriate buffer distance between construction activities and the adjacent heritage resources.
 2. Vibration monitoring should be carried out and consist of monitoring the ground-borne vibration levels, in PPV while construction activities take place.
 3. Post-construction condition survey should be carried out as determined by the Geotechnical Engineer. Post-construction condition survey shall be conducted after completion of construction for comparison purposes.

To provide for the retention of historic information, copies of this report should be deposited with a local repository of historic material. Therefore, it is recommended that this report be deposited by Two Sisters Resorts Corp. at the following locations:

Niagara-on-the-Lake Museum
43 Castlereagh Street
Niagara-on-the-Lake, ON L0S 1J0

Niagara-on-the-Lake Public Library
10 Anderson Lane
Niagara-on-the-Lake, ON L0S 1J0



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APPENDICES



Appendix A 2021 ERA Heritage Impact Assessment



PARLIAMENT OAK RESIDENCES

HERITAGE IMPACT ASSESSMENT

325 King Street, Niagara-on-the-Lake
Issued/Revised: 3 December 2021

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Cover image: 325 King Street, Niagara-on-the-Lake (Source: ERA Architects)

CONTENTS

Executive Summary	iv
1 Introduction	1
2 Background Research and Analysis	15
3 Cultural Heritage Value Assessment	20
4 Draft Statement of Significance	23
5 Assessment of Existing Condition	25
6 Heritage Policy Review	26
7 Description of Proposed Development	38
8 Development Impacts and Mitigation Strategies	51
9 Conservation Strategy	57
10 Conclusion	58
11 Sources	59
Project Personnel	
11 Appendices	62

Appendix A: Draft Heritage Impact Assessment Guidelines, Town of Niagara-on-the-Lake
Appendix B: Town of Niagara-on-the-Lake By-law No. 1482-84
Appendix C: Relevant Background Information Extracted from Previous Submissions
Appendix D: Architectural Drawing prepared by Giannone Petricone Associates, dated Dec. 3, 2021
Appendix E: Municipal Heritage Committee Meeting Minutes, dated June 10, 2019



EXECUTIVE SUMMARY

Background

This Heritage Impact Assessment (HIA) has been prepared by ERA Architects (ERA) on behalf of Liberty Sites (3) Ltd. The purpose of this report is to evaluate the impact of the proposed redevelopment of the property known municipally as 325 King Street (the 'Site') on both on-site and adjacent heritage resources. This HIA was originally submitted on March 22, 2021 and has been revised in response to comments from Heritage Planning staff dated November 5, 2021. Revised content is indicated in pink text throughout this report.

The Site is currently occupied by the Parliament Oaks Public School and a large open space. The original school structure was constructed in 1948, with successive additions constructed in 1956, 1966 and 1976.

On May 14, 2019 the Municipal Heritage Committee (MHC) met to discuss its support for the Cultural Heritage Evaluation Report (CHER) prepared by Letourneau Heritage Consulting Inc. and the Heritage Impact Assessment (HIA) prepared by Megan Hobson, and provide recommendations to Town Council. Importantly, the MHC expressed it was not interested in pursuing Part IV designation under the Ontario Heritage Act (OHA). Council adopted these recommendations at its meeting on June 10, 2019.

Heritage Status

The Site contains one property listed on the Municipal Heritage Register as a non-Designated property. The Site is located within the proposed expanded boundaries of the Queen-Picton Streets HCD Study Area.

Potential Cultural Heritage Value

An evaluation of the property under Ontario Regulation 9/06, undertaken by ERA and contained in Section 3.0 of this report, determined that while the 1948 school structure does possess some modest design value through its two bas-relief stone panels and details, along with some historical value, it is not considered a significant heritage resource that would merit individual designation under Part IV of the Ontario Heritage Act (OHA).

These findings are generally consistent with the conclusions of a Cultural Heritage Evaluation Report prepared by Letourneau Heritage Consulting Inc. in November 2018 (at the request of the Town-of-Niagara-on-the-Lake) and the HIA prepared by Megan Hobson dated October 30, 2018.

Proposed Development

The proposed development, as illustrated in the architectural drawings prepared by Giannone Petricone Associates and ERA Architects, retains in-situ the frontispiece of the original 1948 school building and removes and replaces the later additions with a three-storey building containing residential uses. Seven house form buildings will also be constructed on the western portion of the Site. A heritage walk, approximately 7.0m in width, will be introduced along King Street, and will include a representation of the historic themes associated with the Site.

Impact Assessment & Mitigation Measures

While the proposed development will remove and replace later additions, the frontispiece of the 1948 school building (comprised of the primary (east) elevation and approximately 14.0m of the north and south elevations) will be retained in-situ. The repair and incorporation of these elevations maintains the

existing building's street presence along King Street while ensuring the legibility of the heritage building as a three-dimensional volume.

Further, the original stone panels by John B. Shawe will be retained and restored to their original condition, while the central entrance at the east elevation of the building will be rehabilitated to function as the primary entrance to the proposed residential lobby.

Design strategies have been incorporated to ensure the proposed development conserves the cultural heritage value of on-site and adjacent heritage properties, and the cultural heritage value and attributes of the council-adopted Downtown Heritage Character Area more broadly. They include:

The proposed development maintains the legibility of the 1948 school building, with a contemporary architectural expression above that is comprised of materials that are compatible with, yet distinguishable from heritage fabric, including brick and stone masonry panels, transparent glazing, and metal mullions, panels and fins;

The proposed three-storey building incorporates stepbacks above the heritage building along all elevations in order to differentiate between the heritage fabric and new construction;

The height of the proposed apartment building maintains the single-storey datum line of the 1948 frontispiece along King Street, and a single-storey datum line along the north and south elevations, that roughly corresponds to the height of the adjacent listed properties at 8 Centre Street and 287 King Street, and ensures new construction is compatible with, and complements, the identified cultural heritage value and attributes of the Downtown Heritage Character Area;

The proposed residences respond to the massing, architectural vernacular, and materiality of the adjacent heritage properties, and ensures the proposed development is compatible with, and complements, the identified cultural heritage value and attributes of the Downtown Heritage Character Area;

The proposed mid-block driveway includes landscape enhancements, and will provide clear visual separation between the rehabilitated heritage building and proposed new residences, while also directing vehicular traffic to the rear of the heritage building;

The proposed development will incorporate a comprehensive Interpretation Strategy that celebrates the history of the Site. **This strategy includes exhibition of the Parliament Oaks Tree Marker (1915), the Parliament Oak Inscription, the Parliament Oak Bas-relief Panel, and the Underground Railroad Statuary (1993), with interpretive panels that discuss the importance of the Site and conserved artefacts. The heritage walk may include a physical recreation of the outdoor Parliament session at a 1:1 scale, as reflected in the bas relief, provided sufficient publicly accessible space can be found within the Site.**

Summary

This HIA finds that the proposed development conserves the identified cultural heritage value of on-site and adjacent heritage resources. Further, the proposed development conserves, and appropriately responds to, the identified cultural heritage value and attributes of the council-adopted Downtown Heritage Character Area, while allowing for intensification of the Site.

1 INTRODUCTION

1.1 Scope of the Report

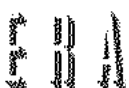
ERA Architects Inc. ('ERA') has been retained by Liberty Sites (3) Ltd. as the heritage consultant for the proposed redevelopment of the property known municipally as 325 King Street. This report considers the impact of the proposed development on both on-site and adjacent recognized heritage resources.

The purpose of an HIA, according to the Heritage Impact Guidelines for the Town of Niagara-on-the-Lake, is to determine how a significant or protected cultural heritage resource is impacted by a proposed development or site alteration and recommend a range of mitigative measures that must be applied based on factors such as significance, rarity and integrity, structural condition, location, contextual and environmental considerations, municipal policy objectives and proposed land uses. An HIA is required when any development or site alteration is proposed on or adjacent to lands, structures or buildings designated under the OHA or on an approved heritage resource inventory.

This HIA was originally submitted on March 22, 2021 and has been revised in response to comments from Heritage Planning staff dated November 5, 2021. Revised content is indicated in pink text throughout this report.

The following resources were referenced in the preparation of this report:

- Provincial Policy Statement (2020);
- A Place to Grow: the Growth Plan for the Greater Golden Horseshoe (2020);
- Ontario Regulation 9/06 Criteria for Determining Cultural Heritage Value or Interest;
- Town of Niagara-on-the-Lake Official Plan (2017);
- Council-Adopted Town of Niagara-on-the-Lake Official Plan (2019) (not yet in-force);
- Heritage Impact Guidelines for the Town of Niagara-on-the-Lake;
- Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada (2010);
- The Ontario Heritage Toolkit;
- Cultural Heritage Evaluation Report prepared by Letourneau Heritage Consulting Inc. in November 2018 (at the request of the Town-of-Niagara-on-the-Lake) and submitted to the Town in April 2019;
- Heritage Impact Assessment prepared by Megan Hobson in October 2018 (at the request of the owner of the Site) and submitted to the Town in May 2019; and,
- Niagara-on-the-Lake Estate Lot Study prepared by Bray Heritage in August 2018 and submitted to the Town in September 2018.



1.2 Decision History

On May 14, 2019 the Municipal Heritage Committee (MHC) met to discuss its support for the Cultural Heritage Evaluation Report (CHER) prepared by Letourneau Heritage Consulting Inc. and the Heritage Impact Assessment (HIA) prepared by Megan Hobson, and provide recommendations to Town Council. Importantly, the MHC expressed it was not interested in pursuing Part IV designation under the Ontario Heritage Act (OHA).

The following recommendations, contained in Appendix E, were forwarded to Town Council and approved as Resolution #11 on June 10, 2019:

Council moved the following recommendations contained in MHC-19-018 - 325 King Street - Cultural Heritage Evaluation Report & Additional 20th Century History to be amended as follows:

1.2 That the Committee forward the following comments to Council:

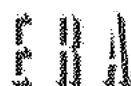
1.2.1 Support for the CHER and HIA reports and the research conducted by the heritage consultants and Town Historian.

1.2.2 Support for the preservation of heritage attributes on the property including the two carved stone bas-relief panels commemorating the session of Parliament, the stone marker commemorating the historic oak tree, the statuary for the Underground Railroad which could be moved to Voices of Freedom Park or another suitable location, the time capsule in the building's cornerstone which could be salvaged and donated to the NHS and Museum, and possibly the third stone carving featuring an oak tree.

1.2.3 There is no interest in pursuing Part IV designation under the Ontario Heritage Act at this time.

1.2.4 The MHC would like the opportunity to participate in a design charette in cooperation with the property owner at a future date concerning the possible conservation of the 1947 facade of the building.

1.2.5 That the original facade and front portion of the 1947 building be conserved for preservation and/or re-purpose and/or reuse in any new development.



1.3 Site Location and Description

The Site occupies the entirety of a town block in the Town of Niagara-on-the-Lake. The Site is bounded by Centre Street (south), Regent Street (west), Gage Street (north) and King Street (east).

The Site is currently occupied by a one-storey former school building, a paved recreation area, a surface parking area, and an open space.



1. Aerial photograph, with the Site outlined in red (Source: Google Earth, annotated by ERA Architects).

1.4 Current Context

The Site lies within a residential neighbourhood of Old Town, an area that has a variety of built form and landscape treatments as a result of continual development throughout the Town of Niagara-on-the-Lake's history.

The neighbourhood is typified by its low-rise residential buildings dating to the 19th century, located within the original military grid layout. The grid layout is approximately 30 degrees oblique to cardinal points. For the purpose of this report, descriptions of directions assume King Street to be a North-South street and streets perpendicular to be East-West. Therefore, the Queen and King Street intersection is north of the Site and Queen Street is west of King Street.

King Street is a primary thoroughfare into the downtown core and features a mixture of low-rise residential and commercial uses with a variety of lot frontages, generally increasing in density towards the core. Further, this portion of King Street is bookended by two large, low-rise hospitality establishments at major thoroughfares: Pillar and Post Inn & Spa (at the northwest corner of King Street and Mary Street) and the Prince of Wales Hotel (at the south west corner of King Street and Picton Street).

The Site is immediately surrounded by low-rise residential buildings. To the southeast is the Veterans Memorial Park, which includes recreational space such as a swimming pool and pavilion, baseball field and tennis courts. Two blocks to the north east is the commercial main street of Queen Street.



2. 1831 Map of the Military Reserve at Niagara by William Chewett with the Site indicated in red (Source: Brock University, annotated by ERA Architects).



3. Map showing existing building heights in the area surrounding the Site. The Site is outlined in red. (Source: ERA Architects).



4. Map showing existing building frontages, in metres, in the area surrounding the Site. The Site is outlined in red. (Source: ERA Architects).

1.5 Site and Context Photographs



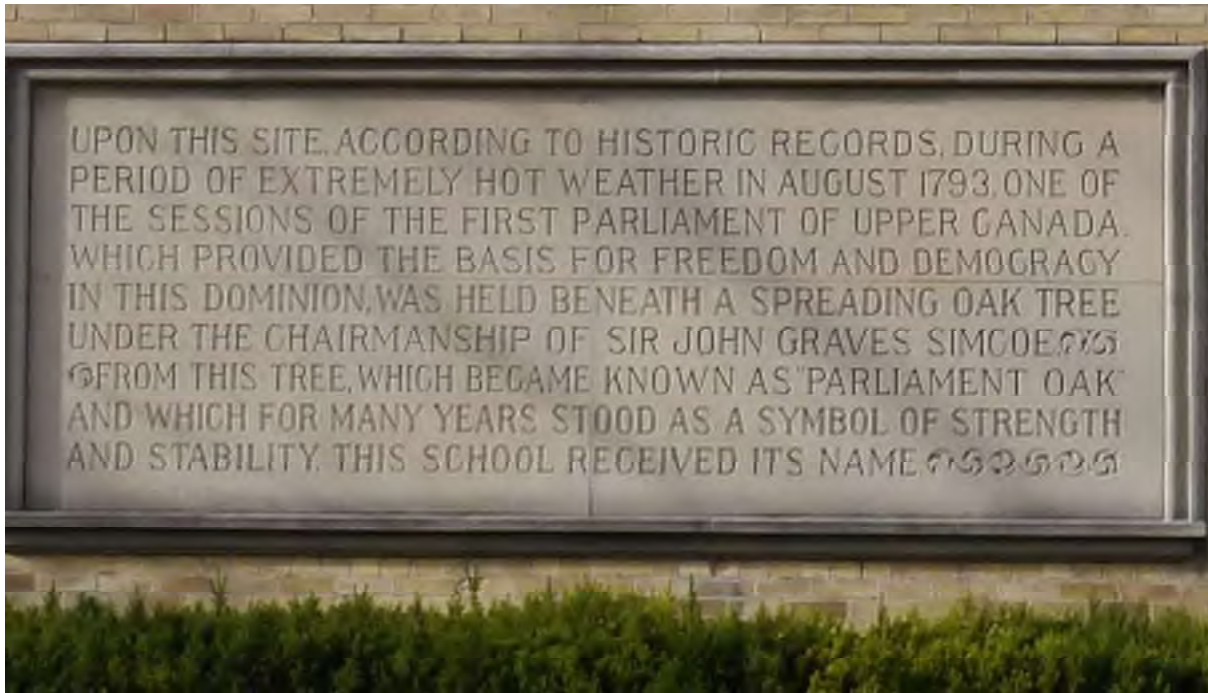
5. View of the primary (east) elevation of the Development showing the original 1948 structure (Source: ERA Architects).



6. View of the primary (east) elevation of the original 1948 structure, containing the primary entrances and bas-relief panels (Source: ERA Architects).



7. View of the central volume of the primary (east) elevation of the original 1948 structure, containing the primary entrances. Note the Parliament Oak signage above the central entrance (Source: ERA Architects).



8. Close-up view of the southern inscribed stone panel at the primary (east) elevation of the original 1948 structure (Source: ERA Architects).
9. Close-up view of the northern bas-relief stone panel at the primary (east) elevation of the original 1948 structure (Source: ERA Architects).





10. View of the southern bas-relief stone panel at the primary (east) elevation of the original 1948 structure (Source: ERA Architects).



11. View of the northern bas-relief stone panel at the primary (east) elevation of the original 1948 structure (Source: ERA Architects).



12. View of the north elevation of the original 1948 structure (Source: ERA Architects).



13. View of the north elevation and rear of the original 1948 structure, and part of the 1956 addition (right of photo), looking southwest (Source: ERA Architects).



14. View of the rear (west) elevation of the original 1948 structure and the 1956 addition (Source: ERA Architects).



15. View of the central courtyard of the original 1948 structure, looking east (Source: ERA Architects).



16. View of the rear (west) elevation of the 1956 addition (Source: ERA Architects).



17. View of the south elevation of the 1956 addition and part of the north elevation of the 1976 addition (Source: ERA Architects).



18. Carved mural on exterior gym wall depicting oak tree with letters "G.R." at the base (Source: ERA Architects).



19. View looking north on King Street from Centre Street. The Site is shown on the far left (Source: ERA Architects).

1.6 Heritage Context

On-Site Heritage Resources

The Site contains one property that is listed on the Municipal Register of Properties of Cultural Heritage Value or Interest.

325 King Street (Listed)

325 King Street is a one-storey former school building originally constructed in 1947. The property was listed on the Municipal Register in 2013.



20. Niagara-on-the-Lake Property Data Map showing the Site in red. (Source: Niagara Region, annotated by ERA Architects).

Adjacent Heritage Resources

The Site is considered adjacent to four properties on the Municipal Register, and one property designated under Part IV of the OHA.

Provincial Policy Statement, 2020

Adjacent: means for the purposes of policy 2.6.3, those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.

317 Regent Street (Listed)

317 Regent Street is a two-storey residential building dating to the 19th century. The house is known as the "Law House".

327 Regent Street (Listed)

327 Regent Street is a one-storey residential building built in the 19th century. The house is known as the "Hawley-Mud House".

287 King Street (Listed)

287 King Street is a modest Queen Anne style building built in the early 19th century.

8 Centre Street (Listed)

8 Centre Street is a two-storey residential building built c.1840. The house is known as the "Lyon-Jones House".

64 Centre Street (Part IV)

64 Centre Street is a two-storey house built c.1830. The house is known as the Simpson-Ness House. Designation by-law No.1482-84 was adopted by Town Council on November 1984. A copy of the by-law can be found in Appendix B of this report.

The Site is also considered adjacent to the Niagara-on-the-Lake National Historic Site (NHS).



21. Adjacent heritage resource at 317 Regent Street (Source: ERA Architects).



22. Adjacent heritage resource at 327 Regent Street (Source: ERA Architects).



24. Adjacent heritage resource at 287 King Street (Source: ERA Architects).



25. Adjacent heritage resource at 8 Centre Street (Source: ERA Architects).



26. Adjacent heritage resource at 64 Centre Street (Source: ERA Architects).

2 BACKGROUND RESEARCH AND ANALYSIS

2.1 Historical Context

The following resources were previously prepared for the Site and were reviewed and referenced in preparing this HIA:

- Cultural Heritage Evaluation Report prepared by Letourneau Heritage Consulting Inc. in November 2018 (at the request of the Town-of-Niagara-on-the-Lake);
- Heritage Impact Assessment prepared by Megan Hobson in October 2018 (at the request of the owner of the Site); and,
- Additional research provided by the Town Historian alongside the report by Letourneau Heritage Consulting Inc. in November 2018 (and at the request of the Town-of-Niagara-on-the-Lake).

These reports, specifically the CHER prepared by Letourneau Heritage Consulting Inc., contain comprehensive background research on the Site's historical context and built form evolution. The relevant sections have been extracted and can be found in Appendix C.

2.2 Site Evolution

The Site was first purchased by Judge G.C. Campbell in 1846, who constructed a two-storey brick house on the property oriented towards King Street. In 1865 the property was purchased by Senator Josiah Plumb, who is credited with adding a third storey and mansard roof to the existing house.

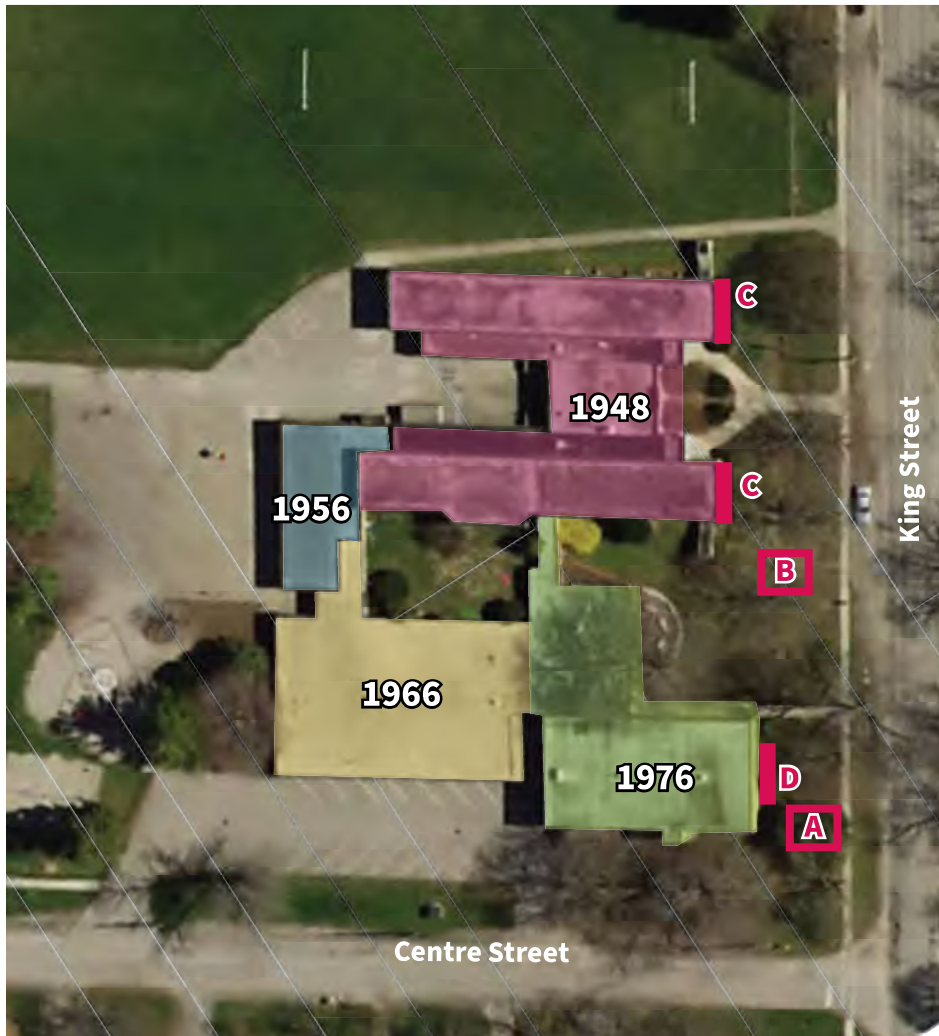
While the original house was dismantled prior to the construction of the existing school structure in 1948, the original 4-acre parcel was never subdivided. The original "Parliament Oak" of local legend burned down in 1913; the existing stone marker at the southwest corner of the property was erected by the Niagara Historical Society in 1915 to mark its location.

The original, eight-room Parliament Oak Public School was opened in 1948, with successive additions constructed in 1956, 1966 and 1976 to meet programmatic needs.

In 1993, an interpretive art piece was installed at the front lawn of the school commemorating the Underground Railroad and the 1793 Anti-Slavery Act. The sculpture was one of seven placed by the Castellani Art Museum at Niagara University, and is the only Canadian site.



Built Form Evolution



27. Aerial map indicating building evolution of the Site and location of existing site markers/plaques (Source: Google Maps, annotated by ERA Architects).

- A** Parliament Oak Tree Marker (1915)
- B** Underground Railroad Statuary (c.1993)
- C** Stone Bas-Relief Panels (1948)
- D** Incised Oak Tree Panel (1976)

2.3 Design

325 King Street

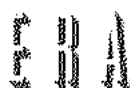
The school building at 325 King Street is designed in a simple transitional art moderne expression. The building footprint is concentrated to the south portion of the site facing King Street. The Site also contains a paved recreational area to the northwest, paved surface parking area to the southwest, and a large recreational open space to the northeast.

The property was developed as a school in 1948 (after previous residential use), followed by multiple additions completed in 1956, 1966, and 1976. The school building was constructed in the period following WWII (the municipality acquired the property in 1943), and represents 20th century advancements in primary school design such as large windows, larger classrooms with adequate space for domestic science, science teaching, breakout sessions in classes, and adequate wall space. The later additions of a library, storage space, and staff rooms are also reflective of primary school design during this time.

The original footprint of the school is a symmetrical one-storey H-plan, clad in buff brick and stone. The southeast portion facing King Street features a prominent tripartite main entrance (separate boys' entrance, girls' entrance and main entrance in between) expressed in a staggered, planar stone façade. This entry pavilion is framed by two projecting brick with stone banding wings each displaying the large format sculptural stone panels. The stone panel diptych pairs a detailed heroic inscription with a figural bas relief representation by artist John B. Shawe which commemorates a summer session of the First Parliament of Upper Canada that supposedly occurred on the Site. The west panel inscription reads:

"UPON THIS SITE, ACCORDING TO HISTORIC RECORDS, DURING A PERIOD OF EXTREMELY HOT WEATHER IN AUGUST 1793, ONE OF THE SESSIONS OF THE FIRST PARLIAMENT OF UPPER CANADA, WHICH PROVIDED THE BASIS OF FREEDOM AND DEMOCRACY IN THIS DOMINION, WAS HELD BENEATH A SPREADING OAK TREE UNDER THE CHAIRMANSHIP OF SIR JOHN GRAVES SIMCOE. FROM THIS TREE, WHICH BECAME KNOWN AS "PARLIAMENT OAK" AND WHICH FOR MANY YEARS STOOD AS A SYMBOL OF STRENGTH AND STABILITY, THIS SCHOOL RECEIVED ITS NAME."

To the rear of the south wing of the core section is the 1956 addition featuring two additional classrooms. South of the 1956 addition is the 1966 addition which includes an additional four classrooms, a staff room and library. The 1976 gymnasium addition is located south of the 1966 addition, and features a third **120 inch by 96 inch** large format stone incised panel showing a **contemporary interpretation** of an oak tree.



2.4 Architect

Lionel Ashton Hesson

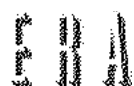
L.A. Hesson (1890-1973) was the architect of the original portion of the Parliament Oak School. Hesson was a Canadian architect who began his career as a draftsman in the department of Public Works and the Hydro Electric Power Commission of Ontario. He later worked briefly for Nicholson & MacBeth, Norman Kearns and W.J. Walsh before opening his own office in 1935. Of his limited works, other institutional buildings designed by Hesson include Merritton High School and the former Grantham Town Hall in St. Catharines.

The later additions of Parliament Oak School were designed by Doug Grayson and John Tries Construction Ltd. Additional research has not uncovered any details on this architect and firm.

John B. Shawe

John B. Shawe was born in Liverpool in 1885 and attended art school in Edinburgh. Shawe fought in both World Wars before relocating to Niagara-on-the-Lake in 1945, and was described in the *Niagara Advance* as an "artist, ex-soldier, circus stunt rider and amateur yachtsman" (See Figure 27).

While John B. Shawe is known for his sculptural work at 325 King Street and some oil paintings, further research has not uncovered any additional information on his artistic practice or portfolio.



3 CULTURAL HERITAGE VALUE ASSESSMENT

3.1 9/06 Heritage Evaluation

As part of this report, an assessment of the cultural heritage value of 325 King Street under Ontario Regulation 9/06 was undertaken by ERA Architects for the purposes of due diligence. A property may be designated under Section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest.

The results of this evaluation indicate that while the 1948 school structure has some design value, and the property has some historical value, the property has no significant contextual value. However, it is our opinion that the threshold to meet criteria under O. Reg 9/06 has not been satisfied. Further details of the evaluation, including a discussion of each of the categories of design or physical value, historical or associative value, and contextual value is included below:

1. The property has design value or physical value because it:

- i. is a rare, unique, representative, or early example of a style, type, expression, material, or construction method;*
- ii. displays a high degree of craftsmanship or artistic merit, or;*
- iii. demonstrates a high degree of technical or scientific achievement*

325 King Street is a mid-20th century single-storey school building with successive additions constructed to meet programmatic needs. The building exhibits transitional *art moderne* influences through its original H-shaped plan, low horizontal massing, prominent tripartite main entrance (separate boys' entrance, girls' entrance and main entrance in between) with a staggered, planar stone entry pavilion, and material treatment of buff brick, stone and concrete, and with an edifying figural sculptural programme that is associated with the style. The building features a minimum of architectural detail, which is generally limited to the original 1948 structure, and includes the stone sculptural panels, stone banding and the symmetrical recessed primary entrances at the east elevation. Although the building's modernist influences are representative of provincial, mid-century institutional architecture, and the inclusion of bas-relief panels is unique, 325 King Street is not a rare or early example of this style, expression or material treatment.

The bas-relief stone panels by John B. Shaw represent high degree of craftsmanship and artistic merit. Further, existing background research by Letourneau Heritage Consulting Inc. indicates these are a locally-rare example of a commemorative stone panel.

The building does not demonstrate a high degree of technical or scientific achievement.

2. The property has historical value or associative value because it:

- i. has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community;*
- ii. yields, or has the potential to yield information that contributes to an understanding of a community or culture, or;*
- iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.*

Although there is some debate regarding its veracity, local lore holds that Sir John Graves Simcoe led a session of the first Parliament of Upper Canada under a grove of oaks on the property in August 1793. This narrative is significant to the community's understanding of the property and reflected in the name of the school, the bas-relief stone panels on the existing building and the legacy of tree planting over the years. Further, the existing building is directly associated with the public education system in Niagara-on-the-Lake, and functioned as the local school for many community members between 1948 and 2015.

Through its association with the First Parliament of Upper Canada, the site is tangentially associated with the 1793 Act to Limit Slavery; legislation promoted by abolitionist Simcoe that attempted to establish Upper Canada as a jurisdiction opposed to enslavement and its resultant economic structures. Although the legislation was compromised by local slave owners, Upper Canada was nevertheless considered a destination for fugitive enslaved persons, especially in the period just prior to the American Civil War, the most active period of the Underground Railroad network. A number of the self-emancipated settled in the early town of Niagara-on-the-Lake. While an interpretive art piece, from Castellani Art Museum at Niagara University, was installed on the property to commemorate this link to the Underground Railroad and the 1793 Anti-Slavery Act in 1993, this association is not specific to the property or existing building.

Despite the property's association with the first Parliament of Upper Canada, it does not have potential to yield further information that contributes to an understanding of a community or culture. In addition, the property does not have potential to yield further information about the Underground Railroad or the 1793 Act to Limit Slavery.

The existing building reflects the work of Canadian architect L.A. Hesson, while the bas-relief stone panels reflect the work of John B. Shawe, however, neither are known to be significant to a community.

3. The property has contextual value because it:

- i. is important in defining, maintaining, or supporting the character of an area;*
- ii. is physically, functionally, visually, or historically linked to its surroundings, or;*
- iii. is a landmark.*

The area surrounding 325 King Street is typified by its low-rise built form dating to the 19th century. While the character of the area is generally supported by the scale of the existing building, the building is not considered singularly important in defining or maintaining this character.

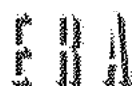
While the Site's large street frontage, mature trees and existing front and side yard setbacks support the character of the Downtown Character Area, it was not identified as an Estate Lot within the Bray report (2018). Further, King Street and the Downtown Character Area contain a concentration of similarly sized lots, many of which have been altered or subdivided over time. As such, the Site is not considered singularly important in defining or maintaining this character.

The existing building is historically linked to the development and growth of the Town of Niagara on the Lake in the post-war period and functioned as an educational institution for more than 60 years. However, given the concentration of 19th century built form in the surrounding area, the building is not considered to be physically, functionally or visually linked to its surroundings.

Summary Statement:

In conclusion, the above assessment for 325 King Street under Ontario Regulation 9/06 reveals that the property does not possess significant contextual value. The 1948 school structure, with its two bas-relief stone panels and modest details, possesses some design value, and the property possesses some historical value overall, however, the property is not considered a significant heritage resource that would merit individual designation under Part IV of the Ontario Heritage Act.

These findings are generally consistent with the evaluation for the property contained in the Cultural Heritage Evaluation Report prepared by Letourneau Heritage Consulting Inc. in November 2018 (at the request of the Town-of-Niagara-on-the-Lake).



4 DRAFT STATEMENT OF SIGNIFICANCE

4.1 Draft Statement of Significance prepared by ERA

325 King Street is a mid-20th century single-storey school building with successive additions, constructed to meet educational programmatic needs. The original 1948 school is a one-storey brick structure in a symmetrical H-shaped plan. The architectural design is a reductive *art moderne* composition and with clear rectilinear massing, in conjunction with equally reductive figural architectural decoration associated with the style and its pre-war ideas about applying edifying sculpture to institutional buildings.

The southeast portion facing King Street features a prominent tripartite main entrance (separate boys' entrance, girls' entrance and main entrance in between) with a staggered, planar stone facade, flanked by two projecting wings each displaying large format sculptural stone panels. The stone panel diptych pairs a detailed heroic inscription with a figural bas relief representation by artist John B. Shawe which commemorates a summer session of the First Parliament of Upper Canada that may have occurred on the Site.

Although there is some debate regarding its veracity, local lore holds that Sir John Graves Simcoe, first Lieutenant Governor of Upper Canada led a session of the first Parliament of the Province under the shelter of an oak grove on the property in August 1793. This narrative is significant to the community's understanding of the property and reflected in the name of the school, the bas-relief stone panels on the existing building and the legacy of tree planting over the years.

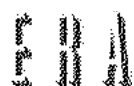
Through its association with the First Parliament of Upper Canada, the site is tangentially associated with the 1793 Act to Limit Slavery; legislation promoted by abolitionist Simcoe that attempted to establish Upper Canada as a jurisdiction opposed to enslavement and its resultant economic structures. Although the legislation was compromised by local slave owners, Upper Canada was nevertheless considered a destination for fugitive enslaved persons, especially in the period just prior to the American Civil War, the most active period of the Underground Railroad network. A number of the self-emancipated settled in the early town of Niagara-on-the-Lake. An interpretive art piece, from Castellani Art Museum at Niagara University, was installed on the property to commemorate this link to the Underground Railroad and the 1793 Anti-Slavery Act in 1993. It is inscribed with a quote from Harriet Tubman, celebrated African

American abolitionist: “When I found I had crossed, there was such a glory over everything. I felt as if I was in heaven. I am free and they shall be free. I shall bring them here.”

The existing building is historically linked to the development and growth of the Town of Niagara on the Lake in the post-war period and functioned as an educational institution for more than 60 years. Further, the Site's large street frontage, mature trees and existing front and side yard setbacks support the character of the surrounding area.

Recommended Attributes:

- The low horizontal one storey massing and symmetrical rectilinear forms with staggered planar entrances clad in stone
- The 2 bas-relief panels designed by John B. Shawe located on the south elevations
- The setback from King Street, containing lawns/landscaping with mature trees including several oaks
- The 1915 Parliament Oak stone tree-marker that details the site's association with the first Parliament of Upper Canada
- The third 120 inch by 96 inch large format stone incised oak tree panel, located on the east elevation of the 1976 gymnasium addition.



5 ASSESSMENT OF EXISTING CONDITION

5.1 325 King Street

A visual building condition assessment will be included as part of, and inform, the forthcoming Conservation Strategy.

6 HERITAGE POLICY REVIEW

The following were among the sources reviewed in preparing this HIA:

- Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada;
- The Province of Ontario's 2020 Provincial Policy Statement for the Regulation of Development and Land Use;
- The Ontario Heritage Act (R.S.O. 1990);
- Growth Plan for the Greater Golden Horseshoe (Consolidated 2020);
- Region of Niagara Official Plan (2014);
- Town of Niagara-on-the-Lake Official Plan (2017);
- Town of Niagara-on-the-Lake Official Plan (2019).

6.1 Review of Key Heritage Policy

The following section contains a summary of all relevant in-force and emerging policy and guideline documents that relate to the Site. An itemized evaluation and analysis of the conformance of the development proposal against these policies and guidelines is contained in Section 8.0 of this report.

Provincial Policy Statement (PPS) (2020)

The PPS provides policy direction on matters of Provincial interest related to land-use planning and development. Provincial plans, such as the Growth Plan for the Greater Golden Horseshoe, build upon the policy foundation set by the PPS and take precedence over the PPS in the event of conflicting policy direction. The PPS “*is intended to be read in its entirety and the relevant policies are to be applied to each situation*” (PPS Part III).

With respect to cultural heritage, PPS 2020 continues the long-established approach within provincial planning policy to conserve built heritage resources and significant cultural heritage landscapes.

Section 2.6 of the PPS titled “Cultural Heritage and Archaeology” provides specific direction regarding heritage sites. Policy 2.6.1 of the PPS states that:

Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

Provincial Policy Statement, 2020

Conserved: means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Significant: means
e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Further, Policy 2.6.3 of the PPS states that:

Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Consolidated 2020) (GPGGH)

‘A Place to Grow’ is the Ontario government’s initiative to plan for growth and development in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life.

Section 4.2.7 of the GPGGH addresses cultural heritage:

Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.

Region of Niagara Official Plan (2014)

Section 10C of the Region of Niagara Official Plan contains policies relating to Creative Places, including the conservation of cultural heritage resources. Section 10.C.1 addresses the objectives and states:

10.C.1.1 To support the identification and conservation of significant built heritage resources, significant cultural heritage landscapes and archaeological resources and areas of archaeological potential.

10.C.1.2 To recognize the aesthetic, cultural, and economic value of open space, parks and recreation opportunities that meet the leisure needs and desires of present and future residents and visitors.

10.C.1.3 To recognize the vital role that community infrastructure plays in nurturing Niagara’s cultural potential, improving quality of life, and the health and well-being of residents and visitors.

10.C.1.4 To recognize the importance of quality design and its role in reinvigorating and enhancing Niagara and Niagara’s economy.

10.C.1.5 To conserve significant built heritage resources and cultural heritage landscapes within the unique community context of every site.

Section 10.C.2.1 addresses the treatment of built heritage resources, cultural heritage landscapes and archaeological resources. Policy 10.C.2.1.1 states:

Significant built heritage resources and cultural heritage landscapes shall be conserved using the provisions of the Heritage Act, the Planning Act, the Environmental Assessment Act, the Funeral, Burial and Cremations Act and the Municipal Act.

Policy 10.C.2.1.2 states:

The Region shares an interest in the protection and conservation of significant built heritage resources and encourages local municipalities to develop policies to protect and conserve locally significant built heritage resources and to utilize its authority under the Ontario Heritage Act to designate individual properties, cultural heritage landscapes and heritage conservation districts that are of cultural heritage value or interest.

Policy 10.C.2.1.3 states:

Municipalities are encouraged to establish a Municipal Heritage Committee (MHC) to advise and assist Council on matters related to Parts IV and V of the Ontario Heritage Act. Local Councils may expand the role of this committee to advise and assist Local Councils on other matters of cultural heritage conservation.

Policy 10.C.2.1.4 states:

Public works projects and plans undertaken or reviewed by the Region, where in the vicinity of significant built and/ or cultural heritage landscapes will be designed in a sensitive manner and will provide appropriate mitigation measures in both design and location to conserve, enhance and complement the existing significant built and/ or cultural heritage resources.

Policy 10.C.2.1.5 states:

Where development, site alteration and/ or a public works project is proposed on or adjacent to a significant built heritage resource(s) or cultural heritage landscapes, a heritage impact assessment will be required. The findings of the assessment shall include recommendations for design alternatives and satisfactory measures to mitigate any negative impacts on identified significant heritage resources.

Policy 10.C.2.1.6 states:

The Region encourages local municipalities to establish Cultural Heritage Landscapes policies in their official plans and identify Significant Cultural Heritage Landscapes for designation. The purpose of this designation is to conserve groupings of features (buildings, structures, spaces, archaeological sites and natural elements) with heritage attributes that, together form a significant type of heritage form, distinctive from that of its constituent elements or parts.

Policy 10.C.2.1.7 states:

The local municipalities shall adopt official plan policies to conserve significant cultural heritage resources and ensure that development and site alteration on adjacent lands to protected properties will conserve the heritage attributes of the protected heritage property.

Town of Niagara-on-the-Lake Official Plan (2017)

Section 18 of the Town of Niagara-on-the-Lake Official Plan contains policies relating to heritage conservation. Section 18.2 addresses the goals and objectives of the plan, and states:

1. *To protect, preserve and encourage the restoration of the original architectural detail wherever feasible on all buildings having architectural and historical merit within the context of the Town of Niagara-on-the-Lake, as well as on all buildings contributing towards the heritage value of the Town of Niagara-on-the-Lake.*
2. *To encourage good contemporary building design by using sympathetic forms while avoiding simply copying historic architecture. To restrict building design that is not compatible with existing structures or unsympathetic alterations to buildings that would detract from the character of a Heritage Resource. Where lands or buildings have been designated pursuant to the Ontario Heritage Act the provisions of that Act regarding buildings and additions shall apply. In the Queen-Picton Heritage Conservation District the design of new buildings and structures shall also be subject to the requirements of the Queen-Picton Street Heritage District Plan.*
3. *To prevent the demolition, destruction or inappropriate alteration or use of heritage resources.*

4. *To encourage appropriate character and uses adjacent to heritage resources in those areas designated as Heritage Conservation Districts.*
5. *To develop and encourage creative, appropriate and economically viable uses of heritage resources.*
6. *To support and encourage the voluntary designation of historic buildings and structures.*
7. *To recognize the importance of archaeological sites within the municipality that represent the physical remains of a lengthy settlement history and a fragile non-renewable cultural legacy.*

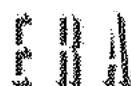
Section 18.3 contains heritage policies, with Policy 18.3.4 addressing criteria for assessing new development, and states:

Where a planning application has been received that proposes new development in the municipality, the Planning & Development Services Department for the Town shall include LACAC as a commenting agency to be given an opportunity to review the application and provide comments. The comments from all circulated agencies shall form part of the required planning report prepared by the Town. The review by LACAC shall address the following:

- a) The impact of the development on existing heritage resources*
- b) The proposed building design and its effect on the historic character of abutting properties and the streetscape.*

Section 18.4 contains general heritage conservation policies. Policy 18.4.1 states:

To assist in the program for preservation of the Town's heritage, Council has under Section 28 of The Ontario Heritage Act, established a "Local Architectural Conservation Advisory Committee" (LACAC). Members of this Committee are to be selected from local organizations, historical groups, architectural societies, interested individuals and other appropriate bodies in order to provide a combination of diverse skills and interests. The Committee's primary purpose shall be to advise and assist Council on all specified matters relating to the Ontario Heritage Act. The committee may also be responsible for other special heritage concerns of the Town as requested by Council.



Policy 18.4.6 continues:

Council, with the advice of LACAC, will regulate and guide alterations and additions to heritage resources. Council may also request comments from LACAC for any development within a Heritage District, proposed expansion area or where it is believed that a development may impact on heritage resources.

And, finally, Policy 18.4.9 states:

It shall be the policy of Council to seek the acquisition of easements on properties of architectural or historical significance in order to assure the preservation of these properties.

Town of Niagara-on-the-Lake Official Plan (2019)

In August 2019, Council adopted a proposed revised Official Plan for the entire Town that contains specific residential infill and intensification policies, specifically for sites located in or adjacent to Old Town. Although the new Official Plan was adopted by Council, it is not yet in-force and while not determinative of this study, the policies in the new official Plan have been carefully considered in the design and layout of the Development Site.

Section 7.0 of the new Town of Niagara-on-the-Lake Official Plan contains policies relating to Heritage, Archaeology and Culture, with Section 7.1.3 addressing the protection of cultural heritage resources. Policy 7.1.3.1 states:

Protection, maintenance, adaptive reuse and stabilization of existing cultural heritage attributes and features, as opposed to removal or replacement, will be the core principle for all conservation projects and for all developments that have the potential to impact cultural heritage resources.

Policies 7.1.3.2.e and 7.1.3.2.i discuss Heritage Impact Assessments and state:

In order to protect heritage resources, the Town will establish policies and procedures to:

e) Require preparation of a heritage impact assessment or heritage conservation plan for any proposed alteration, construction or development involving, adjacent to, or in the immediate vicinity of, a cultural heritage resource.

[...]

i) Review applications for development and site alteration on lands containing and adjacent to cultural heritage resources and require mitigative measures and/or alternative development approaches to conserve the heritage attributes impacted by the development. A Heritage Impact Assessment and/or an Archaeological Assessment may be required to demonstrate that the cultural heritage resources will be conserved. Development of lands adjacent to protected heritage properties shall be required to demonstrate that the heritage attributes of the adjacent protected heritage property are conserved through such approaches as appropriate siting of new development, setbacks, urban design and intensity and types of uses.

Policy 7.1.3.2.f discusses heritage conservation easements, and states:

f) Require provision of a heritage conservation easement, pursuant to the Ontario Heritage Act, as a condition of certain development approvals or as a condition of financial assistance for the purpose of:

i. conservation, restoration and maintenance of the heritage attributes of the property in perpetuity;

ii. prevention of demolition, construction and alterations which would adversely affect the heritage attributes of the property;

and

iii. establishment of criteria for approval of any development affecting the property.

The Site is considered adjacent to a designated heritage property. Policy 7.1.3.2.h discusses adjacent heritage properties designated under Part IV of the OHA, and states:

h) Require where development or site alteration is proposed on or adjacent to a Section 29, Part IV Ontario Heritage Act Designated property, and where the designation by-law predates 2005, that any application or heritage impact assessment include an updated

Statement of Cultural Heritage Value or Interest with a list of heritage attributes that is satisfactory to the Town. The potential impacts of any such development or site alteration must be evaluated against any identified heritage values or heritage attributes.

The Site is considered adjacent to the National Historic District in Old Town. Section 7.2 contains policies relating to Cultural Heritage Landscapes and Heritage Conservation Districts, and states:

7.2.1 The Town contains significant cultural heritage landscapes including identified landscapes such as the Queen-Picton Heritage Conservation District and the National Historic District in Old Town as shown on Schedules D1 to D3. The Town also contains other significant cultural heritage landscapes such as heritage character areas, parks, neighbourhoods, villages, public and private cemeteries, battlefields and natural areas. Cultural heritage landscapes are understood as existing at different scales, including an individual property, or a large neighbourhood. Identification and evaluation of the heritage attributes of these landscapes, while acknowledging that they will change and adapt over time, are important component of this Official Plan.

7.2.2 The Town will use all tools available to it to protect cultural heritage landscapes including, but not limited to, individual property designation under Part IV of the Ontario Heritage Act, identifying heritage character areas, preparing a Heritage Master Plan or separate Cultural Heritage Landscape Study(ies), identifying key views, and creating area specific design and/or development guidelines. For National Historic Sites or District, the Town will also use any Federally Commemorative Integrity Statement, Management Plan, or “Statement of Significance” and list of “Character Defining Elements” to guide its decision making.

Section 7.2.3 contains policies relating to Heritage Character Areas. Policy 7.2.3.1 states:

The Town has identified the following Heritage Character Areas as Cultural Heritage Landscapes based on a review by Bray Heritage (Estate Lot Study) in 2018, based on the available information on the areas and the concentration of “estate lots” in those areas:

- *Old Dock Heritage Character Area;*
- *Downtown Heritage Character Area;*
- *Queen Street Summer Homes Heritage Character Area; and*

- John Street East Summer Homes Heritage Character Area

Policy 7.2.3.3 states:

A number of other Heritage Character Areas may potentially be identified and added to the Plan as Cultural Heritage Landscapes and may include other candidate areas identified in the Bray report, or other character areas in the Town, following further research and review by the Town.

Policy 7.2.3.4 states:

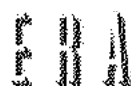
Should any site alteration, development, or demolition be proposed within any of these areas, a Heritage Impact Assessment will be required. This Heritage Impact Assessment must consider the potential impact to the overall area as well as to individual properties.

Within these areas, the Town may request additional historical research, and/or an Ontario Regulation 9/06 Assessment prepared to the satisfaction of the Town on any property.

The Site is contained within the Downtown Heritage Character Area. The cultural heritage value and heritage attributes of the Downtown Heritage Character Area are described in Section 7.2.3.6:

(a) Statement of Cultural Heritage Value or Interest: This character area contains a large portion of the cultural heritage resources in Old Town and forms the core of the National Historic District. For design/physical significance it has the square block pattern established from the earliest days of settlement and contains evidence of all periods of development from the Loyalist occupation to the present.

There are many well-conserved examples of pre-1850 building types, architectural styles and materials representing the largest collection of pre-Confederation buildings in Canada. Conservation of more recent properties is also evident. One Mile Creek is visible throughout the area, on private as well as public property. The early street grid and widened main thoroughfares remain, as do some grassed verges with open gutters. Mature trees are a feature of the public realm as well as in private properties. Varied front and sideyard setbacks characterize the residential streets. The area has historical/associative value for its evidence of all phases of Old Town's evolution. Key properties and landscapes provide contextual significance. There are many landmarks within the area: it is also where the key cultural, public institutional and commercial properties are found.



(b) Heritage Attributes

(i) Design/Physical

- *Churches and associated cemeteries (significant open spaces)*
- *Mix of uses (residential, commercial, institutional, ecclesiastical)*
- *(In pre-1850s buildings) predominance of styles within the British Classical tradition*
- *Evidence of previous uses (commercial shops and offices, railway)*
- *Wide right-of-way (99 feet) with street trees and grassed boulevard*
- *Square blocks in a military grid pattern extending at right-angles to the river shoreline*
- *Varied lot frontages*
- *Mature street trees and private gardens*
- *Open gutters and grassed boulevards on residential streets*
- *One Mile Creek watercourse*
- *Varied built form (massing, age)*
- *Limited range of building materials used on pre-1850 buildings (frame, brick, roughcast)*
- *Tightly packed building frontages in the commercial core (minimal/no sideyard setbacks)*
- *Varied, but often generous side yard setbacks in the residential areas*
- *Varied front yard setbacks*
- *Many examples of infill buildings that harmonize with the early buildings in terms of materials and massing*

(ii) Historical/Associative

- *Associations with significant events (Loyalist settlement, military survey, War of 1812, burning and rebuilding of Newark, designation of heritage conservation districts)*

(iii) Contextual

- *Views down streets of river and between buildings*



- *Topography (slight rise away from river)*
- *Significant concentrations of pre-1850 buildings*
- *Shaw Festival Theatre (sympathetic new development)*
- *Prince of Wales Hotel (original and additions)*
- *Apothecary (conserved building and museum)*
- *Court House (current and historic uses)*
- *Landmarks (Clock Tower)*

Section 7.2.3.6.C outlines additional policies that apply to the Downtown Heritage Character Area, and states:

(c) In addition to other policies of the Official Plan and any heritage conservation district plan, the following policies will also apply to the Downtown Heritage Character Area:

(i) The Town may request, as part of any site alteration or development, a commemoration plan;

(ii) Any proposed site alteration or development must demonstrate how it will conserve the specific heritage values and attributes of the area as a cultural heritage landscape;

(iii) Any mid-block infill development must not be taller than any surrounding structures on the same block;

(iv) The Town will update the existing Queen-Picton Heritage Conservation District Plan;

(v) The Town will complete a Heritage Conservation District Plan for the area covered by the National Historic District;

(vi) In the event of any conflict between the Official Plan and any other plan, document, or statement that applies to this area, the highest standard for heritage conservation would apply; and

(vii) The Town will continue to designate individual properties under Section 29, Part IV of the Ontario Heritage Act in this area.

Finally, Section 7.5.1 addresses opportunities to enhance cultural heritage resources and promote public education, and states:

The Town will support initiatives to enhance existing cultural heritage resources and promote public education, and will:

a) Enhance cultural heritage resources, particularly in heritage conservation districts, identified heritage character areas and other cultural heritage landscapes, as part of capital works and maintenance projects by means of tree planting, tree preservation, landscaping, street improvements, buried utilities, and the provision of street furniture, lighting, signage and other streetscaping initiatives.

b) Use fiscal tools, incentives and financial assistance to facilitate the maintenance and conservation of cultural heritage resources and provide other incentives as provided for under the Ontario Heritage Act, the Municipal Act and through other sources.

c) Commemorate cultural heritage resources through means such as interpretive signage programs and identification of designated properties through a municipal plaque program.

d) Provide resources to implement communication and education programs to foster awareness and appreciation of cultural heritage resources including web site information, walking tours, heritage award programs, workshops and heritage celebrations.

e) Participate in promotional or educational cultural heritage conservation programs provided by other levels of government or other agencies and groups.

f) Ensure that enhancement of cultural heritage resources does not negatively impact production in the specialty crop area.

7 DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development, as illustrated in the architectural drawings prepared by Giannone Petricone Associates and ERA retains and modifies portions of the existing 1948 school building, and removes later additions on the Site (see Figure 26), to accommodate construction of a three-storey building containing residential uses. The remainder of the property will be subdivided and **seven house form buildings (five single-detached residences and four semi-detached residences)** will be constructed with frontage along Centre Street, Regent Street and Gage Street.

A mid-block access driveway will be introduced, connecting Centre Street and Gage Street. A public accessible heritage walk, approximately 7.0m in width, will be introduced along King Street, **and feature key heritage artefacts found currently on-site with associated interpretation plaques.** Further, two green spaces are planned for the Site, a 296m parkette fronting onto Regent Street and a central garden area west of the midblock access driveway.

Proposed Apartment Building / Parliament Oak School Building

As drawn, the proposed three-storey building features an H-shaped plan - reminiscent of the original school footprint - and is rectilinear in massing. The proposed base incorporates the rehabilitated frontispiece of the 1948 school building, comprised of the east (primary) elevation and approximately 14m of the north and south elevations. The bas-relief stone panels that show signs of deterioration will be conserved and repaired in-situ. **The former incised oak tree panel at the gymnasium will be relocated within the Site and repaired as required.**

New construction at-grade fronting King Street is proposed to be clad in buff brick with openings framed by metal mullions to match the retained school building. The remainder of new construction features complementary brick and stone masonry panels. In addition, the proposed building incorporates transparent glazing and metal mullions, panels and fins throughout. The proposed building features a **4.4m** stepback along the east elevation above the retained frontispiece at the second storey, in addition to a **10.6m** stepback along the north elevation above the second storey and a **7.9m** stepback along the south elevation above the second storey. **Terraces will be introduced along the north and south elevations, as well as along the courtyards adjacent to the retained frontispiece. The grading will be raised to**

meet these ground floor terraces on Centre and Gage Street, referencing the datum of the existing raised landscape at the frontispiece's King Street entrance.

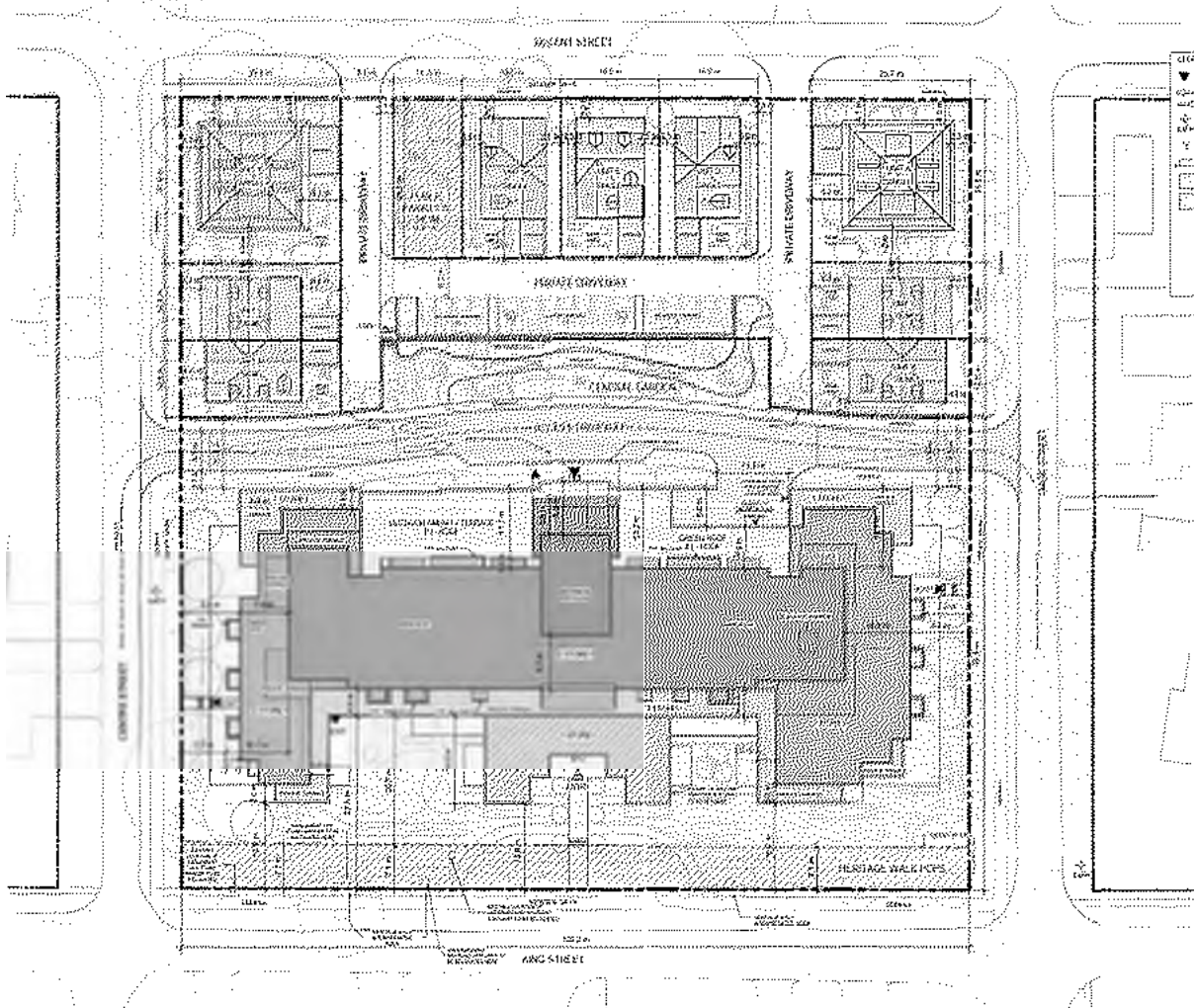
Pedestrian access to the residential lobby is proposed from the original entrance to the school off of King Street, as well as from the proposed access driveway to the west of the new apartment building. Vehicular access to below grade parking is proposed from the access driveway to the west (rear) of the apartment building, with access from Centre Street and Gage Street.

Proposed House Form Residences

Seven house form residences are proposed to be constructed on the western half of the Site. Five single-detached residences will front onto Regent Street, two semi-detached residences will front Centre Street, and two semi-detached residences will front Gage Street. As drawn, the proposed residences are sympathetic in footprint, massing and form to the surrounding residential context. Further, the proposed cottages are rectangular in plan, and feature varied roofscapes and wide porches. The semi-detached residences are designed to read as single-family residences, in keeping with the context.

The architectural expression of the residences is based on contemporary interpretations of local "Upper Canadian" residential architecture: one type refers to the 'Regency Cottage' (foursquare, low hipped roof, lantern) and the other employs early 19th c Georgian precedents (prominent main gabled volume with subordinate wing, with verandah). The two Regency residences anchor the corners of Regent Street at Gage and Centre streets (Unit A in Figure 29). The five 'Georgian' gabled residences serve as primary streetfaces on the three streets (Units B, C, D, and E in Figure 29).

Both house forms have wide, street facing porches or verandahs, large traditional multi-paned windows and simplified traditional detailing and trim. The Regency form is proposed to be clad in red brick and Georgian in painted clapboard. All colour palettes will conform to the Town's preferred heritage palette.



29. Site Plan (Giannone Petricone Associates, 2021).



30. Drawing of the east (primary) elevation of the proposed development, with frontage onto King Street.
(Giannone Petricone Associates, 2021).



31. Drawing of the north elevation of the proposed development, with frontage onto Gage Street.
(Giannone Petricone Associates, 2021).



32. Drawing of the south elevation of the proposed development, with frontage onto Centre Street.
(Giannone Petricone Associates, 2021).



33. Drawing of the west elevation of the proposed development, with frontage onto Regent Street.
(Giannone Petricone Associates, 2021).



34. Drawing of the west (rear) elevation of the proposed apartment building, with frontage onto the proposed laneway.
(Giannone Petricone Associates, 2021).



35. Drawing of the typical primary elevation of the proposed Bay and Gable Residences.
(Giannone Petricone Associates and ERA, 2021).



36. Drawing of the typical rear elevation of the proposed Bay and Gable Residences.
(Giannone Petricone Associates and ERA, 2021).



37. Drawing of the typical right elevation of the proposed Bay and Gable Residences.
(Giannone Petricone Associates and ERA, 2021).



38. Drawing of the typical left elevation of the proposed Bay and Gable Residences.
(Giannone Petricone Associates and ERA, 2021).



39. Drawing of the typical primary elevation of the proposed Regency Residences.
(Giannone Petricone Associates and ERA, 2021).



40. Drawing of the typical rear elevation of the proposed Regency Residences.
(Giannone Petricone Associates and ERA, 2021).



41. Drawing of the typical right elevation of the proposed Regency Residences. (Giannone Petricone Associates and ERA, 2021).



42. Drawing of the typical left elevation of the proposed Regency Residences. (Giannone Petricone Associates and ERA, 2021).



43. Drawing of the typical front elevation of the proposed Side Gable Residences. (Giannone Petricone Associates and ERA, 2021).



44. Drawing of the typical rear elevation of the proposed Side Gable Residences. (Giannone Petricone Associates and ERA, 2021).



45. Drawing of the typical right elevation of the proposed Side Gable Residences. (Giannone Petricone Associates and ERA, 2021).



46. Drawing of the typical left elevation of the proposed Side Gable Residences. (Giannone Petricone Associates and ERA, 2021).



47. Drawing of the typical front elevation of the proposed Front Gable Residences. (Giannone Petricone Associates and ERA, 2021).



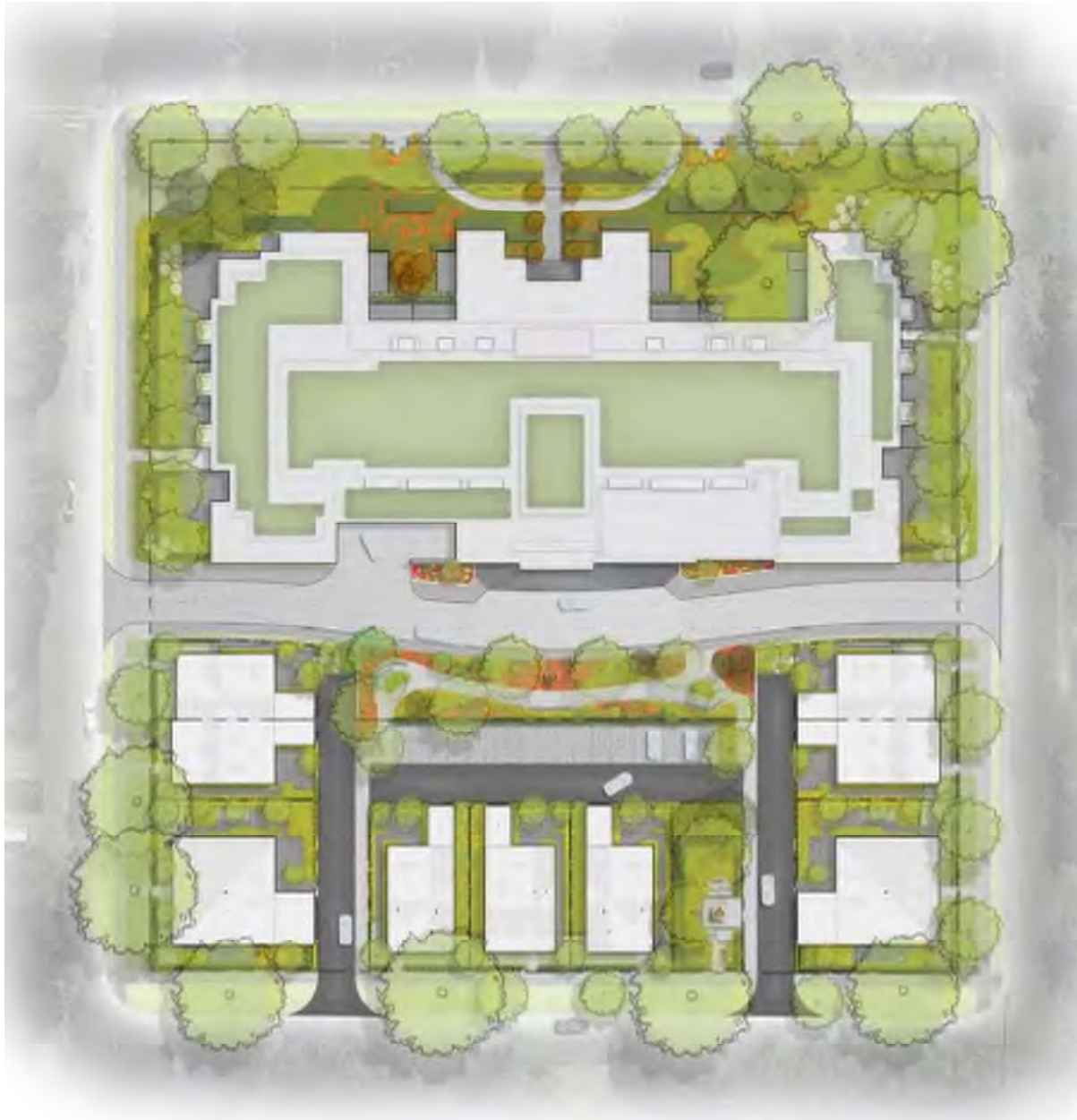
48. Drawing of the typical rear elevation of the proposed Front Gable Residences. (Giannone Petricone Associates and ERA, 2021).



49. Drawing of the typical right elevation of the proposed Front Gable Residences.
(Giannone Petricone Associates and ERA, 2021).



50. Drawing of the typical left elevation of the proposed Front Gable Residences.
(Giannone Petricone Associates and ERA, 2021).



51. Landscape Plan (Giannone Petricone Associates and ERA, 2021).



52. Render of the proposed apartment building as viewed from King Street, looking south. (Giannone Petricone Associates, 2021).



53. Render of the proposed apartment building as viewed from the mid block access driveway. (Giannone Petricone Associates, 2021).



54. Render of the proposed apartment building as viewed from the corner King Street and George Street, looking south west. (Giannone Petricone Associates, 2021).



55. Render of the proposed cottages, with the proposed Bay and Gable style on the right and proposed Regency style on the left. (Giannone Petricone Associates, 2021).

8 DEVELOPMENT IMPACTS AND MITIGATION STRATEGIES

8.1 Development Impacts

As described in Section 7.0 of this report, the proposed development conserves the frontispiece of the original 1948 school building on the Site in-situ, and removes and replaces later additions with a three-storey building containing residential uses. **Seven house form residences** will also be constructed on the western portion of the Site.

On-Site Heritage Resources

The existing building is listed on the Municipal Register of Properties of Cultural Heritage Value or Interest. While there is no municipally-prepared Statement of Significance, an evaluation of the property under Ontario Regulation 9/06 and draft Statement of Significance, contained in Sections 3.0 and 4.0 of this report respectively, indicate that the property's cultural heritage value and attributes are concentrated at the frontispiece of the original 1948 school building.

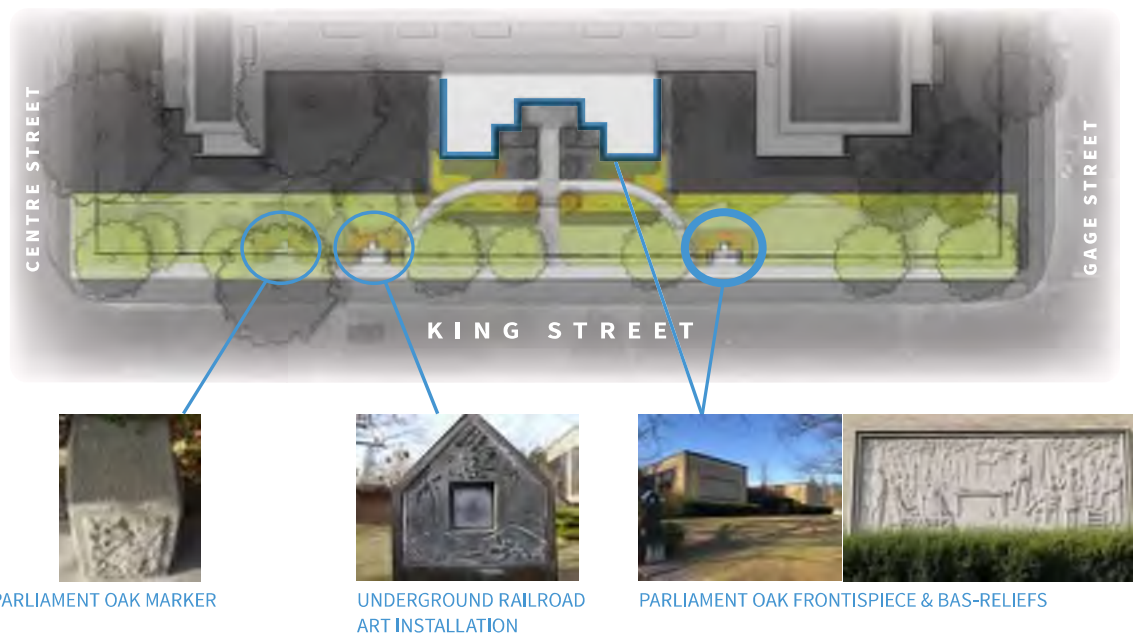
The proposed development will remove the additions and retain the frontispiece of the 1948 school building (comprised of the primary (east) elevation and approximately 14m of the north and south elevations) in-situ (see Figure 26). The original stone panels by John B. Shawe will be retained and restored to their original condition, while the central entrance at the east elevation of the building will be rehabilitated to function as the primary entrance to the proposed residential lobby **and the former incised panel of the oak tree at the gymnasium will be retained and relocated within the Site. The final location of the mural will be determined through the Site Plan process.** As such, no impact is anticipated as a result of the proposed development.

While the brick masonry of the heritage building's east, north and south elevations is currently proposed to be repaired, further assessment of the existing condition is required to determine the extent of deterioration and required repairs and will be included in a forthcoming Conservation Plan.

While the proposed development requires the temporary removal of the Parliament Oaks Tree Marker (1915) and Underground Railroad Statuary (1993), these elements will be reinstated in-situ on the Site and incorporated into the proposed heritage walk along King Street. Further details will be provided as part of the Commemoration Strategy for the Site.



56. Example of interpretation panels proposed for the heritage walk (Source: ERA Architects, 2021).



57. Proposed heritage walk (Source: ERA Architects, 2021).

Adjacent Heritage Resources

The massing of the proposed three-storey building responds to the scale of the recognized heritage properties adjacent to the Site. Terracing downwards to a height of one-storey along Centre Street and Gage Street, the height of the proposed building maintains a single-storey datum line along the street-facing elevations that is compatible with, yet subordinate to, the height of the adjacent listed properties at 8 Centre Street and 287 King Street.

While subdivision of the Site and introduction of new construction along Centre Street, Regent Street and Gage Street will change the context of the area, the massing, architectural style and materiality of the proposed semi-detached residences are compatible with, subordinate to and distinguishable from the adjacent recognized heritage properties at 317 Regent Street, 327 Regent Street and 64 Centre Street.

Further, the proposed landscape enhancements along Gage Street, Centre Street and Regent Street will not negatively impact the adjacent heritage resources, and will complement and reinforce the residential character of the area.

8.2 Mitigation Measures

A number of design considerations have been incorporated into the proposed design in order to provide a thoughtful response to the existing heritage context. Further, these considerations ensure that the proposed development is compatible with adjacent heritage properties and the cultural heritage value and attributes of the Downtown Heritage Character Area more broadly. They include:

Proposed Apartment Building / Parliament Oak School Building

- The proposed three-storey building maintains the legibility of the heritage building with a contemporary architectural expression above that is comprised of materials that are compatible with, yet distinguishable from heritage fabric. Specifically, the proposed development conserves the concentration of architectural detailing at the frontispiece of the 1948 school building, including

the staggered planar entrances clad in stone, and contrasts it with contemporary brick and stone masonry panels, transparent glazing, and metal mullions, panels and fins;

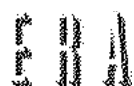
- The proposed three-storey building conserves and restores the bas-relief panels by John B. Shawe in-situ. Further, the former incised oak tree panel at the gymnasium will be conserved and relocated within the Site with its final location to be determined through the Site Plan process;
- The proposed three-storey building incorporates a 4.4m stepback above the heritage building along the east elevation in order to differentiate heritage fabric from new construction; and,
- The proposed three-storey building incorporates a 10.6m stepback along the north elevation and a 7.9m stepback along the south elevation above the second storey that maintains a compatible datum along Gage Street and Centre Street. These setbacks ensure the proposed development is compatible with, and complements, the identified cultural heritage value and attributes of the Downtown Heritage Character Area, and the adjacent listed properties at 8 Centre Street and 287 King Street.

Proposed Semi-detached Residences

- The proposed semi-detached residences respond to the massing, architectural vernacular, and materiality of the adjacent heritage properties, and ensures the proposed addition is compatible with, and complements the identified cultural heritage value and attributes of the Downtown Heritage Character Area;
- The proposed mid-block driveway includes landscape enhancements, and will provide clear visual separation between the rehabilitated heritage building and proposed new semi-detached residences, while also directing vehicular traffic to the rear of the heritage building; and,

Proposed Commemoration Strategy

- The proposed development will incorporate a comprehensive Commemoration Strategy through a publicly-accessible heritage walk that celebrates the history of the Site. The heritage walk will be an interactive approach to animating the heritage on-site, and



feature heritage moments in three outdoor "rooms" to allow for interpretation, contemplation and reflection. Heritage moments may include exhibition of the retained heritage attributes and sculptural components, including the Parliament Oaks Tree Marker (1915), the Parliament Oak Inscription, the Parliament Oak Bas-relief Panel, and the Underground Railroad Statuary (1993), with interpretive panels that discuss the importance of the Site and conserved artefacts. The heritage walk may include a physical recreation of the outdoor Parliament session at a 1:1 scale, as reflected in the bas relief, provided sufficient publicly accessible space can be found within the Site.

- In addition, the heritage walk will connect to cultural spaces surrounding the Site, including the Voices of Freedom Memorial, the Veterans Memorial Park and Butler's Barracks National Historic Site, and the Queen-Picton Heritage Conservation District.

8.3 Heritage Policy Discussion

Provincial Policy Statement

Pursuant to definitions contained in the PPS (2020), there is one heritage property on the Site that is listed on the Town of Niagara-on-the-Lake's Municipal Register of Properties of Cultural Heritage Value or Interest.

Consistent with the PPS, the proposed development conforms to the policies and guidelines of the Town's in-force (2017) and Council-adopted (2019) Official Plans. Further, the mitigation measures outlined in the preceding section adhere to the intent of these plans, and ensure that the proposed development conserves the identified cultural heritage value and attributes of the Council-adopted Downtown Heritage Character Area and adjacent heritage properties.

Growth Plan for the Greater Golden Horseshoe

In accordance with the Growth Plan (2020), the mitigation measures outlined above ensure that the proposed development conserves the cultural heritage value of the heritage resource, as well as the identified cultural heritage value and attributes of the Council-adopted Downtown Heritage Character Area, in order to foster a sense of place and benefit communities.

Region of Niagara Official Plan

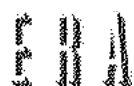
Consistent with the Region of Niagara Official Plan (2014), the proposed development conforms to the policies and guidelines of the Town's in-force (2017) and Council-adopted (2019) Official Plans. Further, the mitigation measures outlined in the preceding section adhere to the intent of these plans, and ensure that the proposed development conserves the identified cultural heritage value and attributes of the heritage resource and the Council-adopted Downtown Heritage Character Area.

Town of Niagara-on-the-Lake Official Plans

Consistent with the policies and guidelines of the Town of Niagara-on-the-Lake Official Plan (2017), the proposed development conserves the cultural heritage value of the listed building at 325 King Street and adjacent heritage resources. Further, the mitigation measures outlined in the preceding section adhere to the intent of the 2017 Official Plan, and ensure that the proposed development does not negatively impact the historic character of abutting properties and the streetscape.

In addition, this HIA has been prepared to satisfy Policy 7.1.3.2 of the Council-adopted but not in-force Town of Niagara-on-the-Lake Revised Official Plan (2019).

Although not yet in-force, the proposed development also conforms to the policies and guidelines of the 2019 Official Plan as the mitigation measures outlined in the preceding section ensure that the proposed development conserves and appropriately responds to the adjacent Part IV heritage property at 64 Centre Street and adjacent properties listed on the Town of Niagara-on-the-Lake Municipal Register. Further, the mitigation measures outlined in the preceding section ensures the proposed development will not negatively impact, and appropriately responds to, the identified cultural heritage value and attributes of the council-adopted Downtown Heritage Character Area, which are reproduced in Section 6.0 of this report.



9 CONSERVATION STRATEGY

9.1 Conservation Approach

The treatments selected as a conservation approach is a combination of *rehabilitation* and *restoration*.

The Standards and Guidelines for the Conservation of Historic Places in Canada (second edition) defines rehabilitation as:

Rehabilitation: The action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, while protecting its heritage value.

Restoration: The action or process of accurately revealing, recovering or representing the state on an historic, or an individual component, while protecting its heritage value.

The proposed conservation objective is to rehabilitate the frontispiece of the original 1948 building (comprised of the primary (east) elevation and approximately 14.0m of the north and south elevations), including restoring the panels, while allowing for intensification of the Site. **The incised oak tree panel at the gymnasium will also be restored and reincorporated into the proposed development.**

9.2 Outline of Proposed Conservation Strategy

The preliminary conservation strategy contemplates the repair of the retained frontispiece of the original 1948 school building (comprised of the primary (east) elevation and approximately 14.0m of the north and south elevations). The bas-relief stone panels at the east elevation will be restored to their original condition **while the incised oak tree panel at the east elevation of the gymnasium will be carefully removed, reinstated within the proposed development, and restored.** Further research and assessment of the bas-relief stone panels **and incised oak tree panel** are required to determine the extent of deterioration, required repairs/replacements and the optimal conservation approach.

Archival photographs and other documentation, where existing, will also be used to inform the conservation approach. A detailed assessment of the existing condition of the 1948 school structure, in addition to details on the construction-related protection and later repair of the heritage building, will be provided in a future Conservation Plan.



10 CONCLUSION

This HIA finds that the proposed development conserves the identified cultural heritage value of on-site and adjacent heritage resources. Further, the proposed development conserves, and appropriately responds to, the identified cultural heritage value and attributes of the council-adopted Downtown Heritage Character Area, which is not yet in-force, while allowing for intensification of the Site within its in-force policy context.

11 SOURCES

Letourneau Heritage Consulting Inc. Cultural Heritage Evaluation Report, 325 King Street, Niagara-on-the-Lake, Ontario. November 2018.

Megan Hobson. Heritage Impact Assessment, Parliament Oak Public School, 325 King Street, Niagara-on-the-Lake. October 30, 2018.

Niagara Advance. 1970. July 1. *With a glass of Demerara and a slice of lemon*. Page 7.

Project Personnel

Michael McClelland, Principal, OAA, FRAIC, CAHP

Michael McClelland, a founding principal of ERA Architects Inc., is a registered architect specializing in heritage conservation, and in particular in heritage planning and urban design. After graduating from the University of Toronto Michael worked for the municipal government most notably for the Toronto Historical Board, advising on municipal planning, permit and development applications, and on the preservation of City-owned museums and monuments.

Michael is well known for his promotion and advocacy for heritage architecture in Canada and in 1999 was awarded a certificate of recognition from the Ontario Association of Architects and the Toronto Society of Architects for his contribution to the built environment and to the profession of architecture.

Julie Tyndorf, Associate, RPP, MCIP

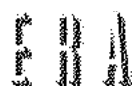
As an Associate with ERA Architects, Julie Tyndorf MCIP, RPP, CAHP, engages in the field of heritage conservation through urban planning. Her key areas of focus are on municipal heritage policies and the heritage approvals process as they relate to new development. Julie specializes in the interpretation and preparation of complex policy and assessment documents, and works with property owners on the adaptive reuse and rehabilitation of heritage buildings in evolving urban environments.

In addition to her position at ERA, Julie is actively involved with the School of Urban and Regional Planning at Ryerson University as a sessional lecturer, as the past Chair of the Ryerson Planning Alumni Association, and as a mentor to current students and recent grads from Ryerson's undergraduate and graduate-level planning programs.

Julie is a member of the Canadian Institute of Planners, a Registered Professional Planner with the Ontario Professional Planners Institute, and a Professional Member of the Canadian Association of Heritage Professionals.

David Winterton, Associate, OAA, NYS, MRAIC

As an Associate at ERA, David provides senior leadership and is actively involved in all aspects of the diverse practice including: design and architectural services, office and studio management, mentoring, research, scholarship and writing. Prior to ERA, David was a Project



Manager and Project Architect at Robert A.M. Stern Architects where he worked on various complex, high budget multifamily residential, single family residential and commercial projects.

Due to his keen interest in the preservation and improvement of the public realm he founded the Friends of Allan Gardens in 1999, a group formed to advocate for the restoration of the Palmhouse and grounds of one of Toronto's oldest parks, and on whose board of directors he currently serves.

David received his Bachelor of Architecture degree from the University of Toronto and his Master of Architecture degree from McGill University. He is a registered architect in Ontario, the State of New York, and a member of the Royal Architectural Institute of Canada.

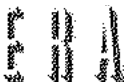
Evan Manning, M. Pl.

Evan Manning, a project manager at ERA Architects, holds a Master's of Planning in Urban Development from Ryerson University. His work with the preservation organization Dominion Modern imparted a respect for our modern built heritage that guided the direction of his graduate studies with particular focus on Toronto's post-industrial landscapes and post-war suburbs.

Brendan McCabe

Brendan holds a BA Urban Studies from the University of Calgary. Before joining ERA Brendan helmed an NPO focused on the interloping spheres of arts, identity, and the built environment in Calgary AB. His passion and appreciation for the social fabric inherent to urban life, in addition to his public engagement and teaching experiences throughout Canada, inform both his planning theory and practice.

12 APPENDICES



APPENDIX A:

Draft Heritage Impact Assessment Guidelines, Town of Niagara-on-the-Lake

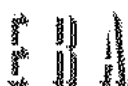
HERITAGE IMPACT ASSESSMENT GUIDELINES

DRAFT

In order to conserve significant cultural heritage resources, the Town of Niagara-on-the-Lake will require a Heritage Impact Assessment to guide the design of any proposed development that impacts a significant or protected heritage resource. The heritage resource may be designated under Part IV or Part V of the Ontario Heritage Act or listed on the Heritage Resource Inventory or the Heritage Resource Register or it may be located in the Queen-Picton Heritage Conservation District Expansion Area, the National Heritage District, the Village of Queenston or the St. Davids Established Village Area.

A Heritage Impact Assessment determines how a significant or protected cultural heritage resource is impacted by a proposed development or site alteration and can recommend a range of mitigative measures that must be applied based on factors such as significance, rarity and integrity, structural condition, location, contextual and environmental considerations, municipal policy objectives and proposed land uses.

Heritage impact assessments may also be used to determine if and when demolition, relocation, salvage or other potentially negative impacts are permissible. In such instances a clear, well-documented rationale will be required to justify such extreme measures.



Policy Context

The authority for requiring a Heritage Impact Assessment is derived from the following legislation.

Ontario Heritage Act Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest

The Planning Act, Section 2(d)

Provincial Policy Statement, Section 2.6.1, 2.6.2 and 2.6.3

Heritage Impact Assessment Requirements and Objectives

Historical Research, Site Analysis and Evaluation

1. Assess and determine the cultural heritage value of the subject property, documenting all heritage buildings and structures as found and noting all heritage attributes and other character defining elements including architectural integrity, designer or architect, rarity of style or form, structural alterations and history of use.
2. Identify, document and assess any other unique attributes of the site and surrounding area that may contribute to the cultural heritage value of the subject property such as cultural heritage landscapes, natural heritage features, archaeological potential and streetscape character.
3. Provide digital images documenting all cultural heritage attributes. Include plans showing existing lot dimensions as well as the location/setbacks of all buildings, structures and site features that contribute to the cultural heritage landscape. Also note existing driveways and vegetation as found on the site.

Identification of the Significance and Heritage Attributes of the Cultural Heritage Resource

1. Document all historical heritage attributes associate with the subject property including historical persons, groups, trends, themes and events and their importance for the nation, province and/or community.

Description of Proposed Development or Site Alteration

1. Describe the rationale and purpose of the proposed development.
2. Describe how the development fits with the planning policies and objectives of the Town of Niagara-on-the-Lake

Measurement of Development or Site Alteration Impact

1. Determine physical condition and structural integrity of structures and other heritage attributes found on the property such as landscape features, and confirm if conservation, rehabilitation and/or restoration are feasible.
2. Outline the rationale of any proposals (eg. demolition, road widening, public works etc.) being proposed by the property owner or other agencies that might impact the heritage resources on the property.

Consideration of Alternatives, Mitigation and Conservation Methods

1. Outline demolition, encroachments, alterations or other proposed actions that may impact heritage resources on the subject property and recommend appropriate mitigation. A clear rationale and justification should be provided for the proposed actions and should include salvage, documentation through measured drawings, high resolution digital interior and exterior photographs, and plaquing. Every effort should be made to ensure retention, conservation and adaptive re-use of significant heritage resources in situ, particularly where significant contextual features remain.
2. Identify required short-term site conservation, site security and building stabilization measures as required to protect significant heritage resources during any period of vacancy, limited use or construction.
3. Outline long-term conservation or rehabilitation measures and adaptive re-use options as applicable.
4. Recommend site planning and landscaping measures that may be adopted to ensure that significant heritage resources are effectively protected or enhanced.
5. If the subject property is adjacent one or more listed or designated heritage properties, evaluate any impacts on those properties and recommend appropriate mitigation to ensure the significant heritage resources on the adjacent properties are not negatively impacted. Mitigation may include, but is not limited to, the following:
 - a. Providing alternative development approaches that conserve and enhance the significant heritage resource.
 - b. Isolating development and site alteration from significant built and natural features, views and vistas.
 - c. Providing architectural design guidelines that harmonize the mass, façade treatment, setback, setting and materials of any new building or structures with a significant heritage resource.
 - d. Limiting height and density.
 - e. Providing conservation, restoration or adaptive re-use plans as necessary.
 - f. Ensuring compatible lotting patterns in order to preserve the streetscape character.
 - g. Providing vegetative buffer zones, tree planning, screening and fencing.
 - h. Enforcing site plan control and other planning mechanisms.

Summary Statement and Conservation Recommendations

1. Provide a summary of the Heritage Impact Assessment including:
 - The significance of the cultural heritage resource.
 - The impact of proposed development on the cultural heritage resource.
 - A brief outline of the conservation/mitigative measures or alternative development approaches recommended in order to minimize impact on the cultural heritage resource and, if applicable, any mitigative measures that are not appropriate.

Review and Approvals

Staff will make a determination of the need for a Heritage Impact Assessment during pre-consultation with the applicant.

Heritage Impact Assessments shall be submitted to the Town of Niagara-on-the-Lake Planning & Development Services Department.

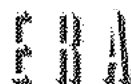
A Heritage Impact Assessment shall be completed by a qualified heritage consultant who is a member of the *Canadian Association of Heritage Professionals* (formerly known as the Canadian Association of Professional Heritage Consultants – www.caphc.ca). The qualifications of consultant completing the Heritage Impact Assessment shall be included along with references for any literature cited and a list of persons contacted during the study and referenced in the report.

Five hard copies of the assessment and one electronic copy in .pdf format saved on a CD shall be submitted.

PLEASE NOTE:

Heritage Impact Assessments may be subject to a peer review and will be circulated and discussed at the Municipal Heritage Committee's regularly scheduled meeting. They may also be circulated to Town staff for comment.

Heritage Impact Assessments shall be approved by the Director of Planning & Development Services or designate and will be considered by Planning staff in processing and making a recommendation to Council on the subject planning applications.



Sources and References

Ministry of Culture (Ontario) Info Sheets

http://www.culture.gov.on.ca/english/cultdiv/heritage/info_sheet

Info Sheet No.1 – “*Built Heritage Resources*”

Info Sheet No.2 – “*Cultural Heritage Landscapes*”

Info Sheet No.5. – “*Heritage Impact Assessments and Conservation Plans*”

Info Sheet – “*Eight Guiding Principles in the Conservation of Built Heritage Properties*”

Info Sheet – “*Heritage Conservation Principles for Land Use Planning*”

National Parks Service, Technical Preservation Services.

Preservation Tech Notes: Temporary Protection Number 3 – Protecting a Historic Structure During Adjacent Construction

<http://www.nps.gov/history/hps/tps/technotes>

Parks Canada

Standards and Guidelines for the Conservation of Historic Places in Canada.

<http://www.pc.gc.ca/docs/pc/guide/nldclpc-sgchpc>

Mark Fram

Well Preserved: The Ontario Heritage Foundation's Manual of Principles and Practice for Architectural Conservation. Erin: Boston Mills Press.

Town of Niagara-on-the-Lake

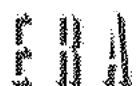
Heritage Resource Inventory, 2004

Heritage Resource Register, 2007

Designation By-laws for Properties Designated Under Part IV of the Ontario Heritage Act

APPENDIX B:

Town of Niagara-on-the-Lake By-law No. 1482-84





An agency of the Government of Ontario



Un organisme du gouvernement de l'Ontario

This document was retrieved from the Ontario Heritage Act e-Register, which is accessible through the website of the Ontario Heritage Trust at **www.heritagetrust.on.ca**.

Ce document est tiré du registre électronique. tenu aux fins de la *Loi sur le patrimoine de l'Ontario*, accessible à partir du site Web de la Fiducie du patrimoine ontarien sur **www.heritagetrust.on.ca**.

C O R P O R A T I O N
OF THE
TOWN OF NIAGARA-ON-THE-LAKE

BY-LAW NO. 1482-84

**A BY-LAW TO DESIGNATE THE PROPERTY KNOWN
MUNICIPALLY AS THE SIMPSON-NESS HOUSE,
64 CENTRE STREET, NIAGARA-ON-THE-LAKE
AS BEING OF ARCHITECTURAL AND HISTORICAL
VALUE AND INTEREST**

WHEREAS section 29 of The Ontario Heritage Act, 1974 authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of architectural or historic value or interest; and

WHEREAS the Council of the Corporation of the Town of Niagara-on-the-Lake has caused to be served on the owners of the lands and premises known as the Simpson-Ness House at 64 Centre Street, Niagara-on-the-Lake and upon the Ontario Heritage Foundation, notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in the same newspaper having general circulation in the Municipality once for each of three consecutive weeks; and

WHEREAS the reasons for designation are set out in Schedule "B" hereto; and

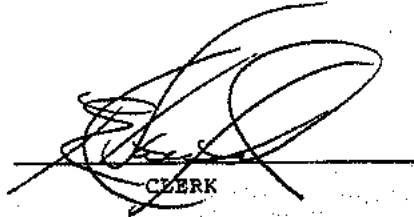
WHEREAS no notice of objection to the proposed designation has been served on the clerk of the municipality;

THEREFORE the Council of the Corporation of the Town of Niagara-on-the-Lake enacts as follows:

1. There is designated as being of architectural and historical value and interest the real property known as the Simpson-Ness House at 64 Centre Street, Niagara-on-the-Lake more particularly described in Schedule "A" hereto.
2. The municipal solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule "A" hereto in the proper land registry office.

3. The Clerk is hereby authorized to cause a copy of this by-law to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and to cause notice of the passing of this by-law to be published in the same newspaper having general circulation in the municipality once for each of three consecutive weeks.

READ A FIRST AND SECOND TIME THIS 12 DAY OF November, 1984.
READ A THIRD TIME AND PASSED THIS 12 DAY OF November, 1984.



CLERK



LORD MAYOR

SCHEDULE "A" to

BY-LAW NO. 1482-84

The Simpson-Ness House
64 Centre Street

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Town of Niagara-on-the-Lake, in the Regional Municipality of Niagara, (formerly in the Town of Niagara, in the County of Lincoln) and being composed of part of Lots 195, 196, 233 and 234, Plan No. 86 in the said Town of Niagara-on-the-Lake, and more particularly described as follows:

COMMENCING at a point in the Southerly limit of Centre Street distant therein 195 feet from its intersection with the Easterly limit of Victoria Street;

THENCE South 34 degrees, 40 minutes West, 280.13 feet to a point;

THENCE South 29 degrees, 25 minutes East, 86.11 feet to a point;

THENCE South 55 degrees, 28 minutes East, 148.0 feet to a point in the Westerly limit of Regent Street;

THENCE North along Regent Street 34 degrees 44 minutes East, 317.40 feet to a point in the Southerly limit of Centre Street;

THENCE North 55 degrees, 28 minutes West, 225.0 feet to the Point of Commencement herein.

SCHEDULE "B"

to

BY-LAW NO. 1482-84

The Simpson-Ness House c 1830

The house was built in the Georgian-Regency style of architecture about 1830. It has a large basement, ground floor, second floor and a small attic. It is finished with rough cast. A one-storey verandah with trelliage was built the length of the house at the front. The verandah is presently being restored. A new face board has been placed and the struts in cement pillars have been replaced. The front door has a transom, above, and side lights. The front and side windows have six panes above and six panes below. 80% of the original cylinder-blown glass remains. The windows have side lights in the palatine style. Over the back and front doors and the windows front, side and back are surrounds, an unusual feature for houses in this area.

The inside walls of the house is lath under plaster. Four large rooms on the first and second floors open from a central hall that runs the entire length of the house. The ceilings are 10' with the exception of the kitchen ceilings which are 12'. A side wing of two large rooms with a small bedroom, bathroom over the kitchen was an addition, probably added when the cooking was brought up from the cellar.

The room on the left of the central hall has an addition of a decorative bay with French doors opening to the side garden. The room at the back of the right opening from the central hall has a large bay giving a view of the back property that slopes gently to the one-mile creek, that flows through the property. There are three decorative dormers in a sloping roof at the front of the house. There are two large decorative dormers in the sloping roof at the back of the house. The floors throughout the house are wide pine. The living-room and kitchen floors have been covered over with hardwood. There is a small porch with a pine floor built off the kitchen. 80% of the hinge latching and butt locks on the doors are original. The dining-room, living-room and master bedroom retain the original fireplace with decorative mantels.

Underneath is the full basement with five casement windows. The sixth casement window was blocked when the addition was built. The original kitchen was in the basement which contains the remains of a bake oven and fireplace. The basement shows the remainder of a narrow pine floor. There are places in the ceiling showing that partitions were evident. The walls and ceiling still retain some of the original lath under plaster. A signature is on one of the plastered walls; W. J. Livingstone 1870. It is believed that blacks served in the house and the basement was their living quarters. A dumb waiter brought the food to the dining-room above. The original cellar stair was behind the front stair and part of it can still be seen in the basement ceiling. A small root cellar in the basement remains. There may have been another fireplace for heating water in the basement. It was destroyed when the addition or tail was built. The passage from the cellar to the outside is closed by the original door. In the passage is the remains of a large cistern. Brick columns in the basement support the large beams that run the length of the house.

A privy was built on the back of the house. It was covered by a simple cedar shake roof which later was covered by a more elaborate roof with trelliage. The surround from the back door had been placed on this building. Also some of the shutters from the house windows had been put on this building. This building has been removed as it had deteriorated. The surround was put back to its original position and the back wall of the house replaced before the house was painted. A large cement porch of the 1940's has been removed from the back door.

A garage (two-door) stands beside the house possibly built in the 1920's. It has a cedar shake roof under roof tiles. According to records, the land was granted to Joseph Small in 1796.

APPENDIX C:

Relevant Background Information Extracted from Previous Submissions.

The following background information has been extracted from the following reports:

- Cultural Heritage Evaluation Report prepared by Letourneau Heritage Consulting Inc. in November 2018 (at the request of the Town-of-Niagara-on-the-Lake) and submitted to the Town in April 2019;
- Additional research provided by the Town Historian alongside the report by Letourneau Heritage Consulting Inc. in November 2018 (and at the request of the Town-of-Niagara-on-the-Lake); and,
- Heritage Impact Assessment prepared by Megan Hobson in October 2018 (at the request of the owner of the Site) and submitted to the Town in May 2019.

APPENDIX D:

Architectural Drawings prepared by Giannone Petricone Associates, dated
December 3, 2021

Parliament Oak Residences
325 King Street, Niagara-On-The-Lake, Ontario, L0S 1J0
OPA/ZBA



CONTEXT MAP

Table with 4 main sections: 1. General Information (Project Name, Address, etc.), 2. Site Information (Site Area, etc.), 3. Building Information (Building Area, etc.), and 4. Other Information (Other Information, etc.).

Table with 2 columns: Sheet Number and Sheet Name. It lists various sheets including Cover Sheet, Site Plan, Ground Floor Site Plan, etc.

Table with 4 columns: APPLICANT, ARCHITECT, HERITAGE ARCHITECT, and PROJECT DIRECTORY. It lists the names and contact information of the various parties involved in the project.

Table with 4 columns: ITEM, PROJECT DESCRIPTION, MAJOR OCCUPANCY(S), and BUILDING AREA (m2). It contains detailed information about the project, including the number of units, the number of floors, and the building area.

All drawings, specifications, related documents and design are the copyright property of the architect and must be returned upon request. Reproduction of the drawings, specifications, related documents and design in whole or in part is strictly forbidden without the architect's written permission.

Revision Date

NOT FOR CONSTRUCTION

Table with 2 columns: Revision and Date. It lists the revision history of the drawing.

ERA Architects Inc.
625 Church Street West, Toronto, ON M5T 2G1
T 416.693.4497 E info@eraarch.ca
giannone petricone associates
Giannone Petricone Associates Inc. Architects
462 Wellington Street West, Toronto, Canada M5V 1E3,
T 416.591.7788 F 416.591.1293 E mail@gaia.com

PARLIAMENT OAK RESIDENCES
325 KING STREET, NIAGARA ON-THE-LAKE, ONTARIO, L0S 1J0

SHEET TITLE

COVER SHEET

Table with 2 columns: DRAWN BY and CHECKED BY. It lists the names of the people who drew and checked the drawing.

A0.01

Revision
Date

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giannone
petricone
associates

PARLIAMENT OAK
RESIDENCES
KING STREET, NIAGARA ON-THE-LAKE
ONTARIO, L0S 1J0

SURVEY

A0.02

PLOT DATE: 2021-12-03 11:13:46 AM

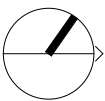
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3 RE-ISSUE FOR OPA/ZBA 2021-12-03
2 ISSUED FOR OPA/ZBA 2021-03-18
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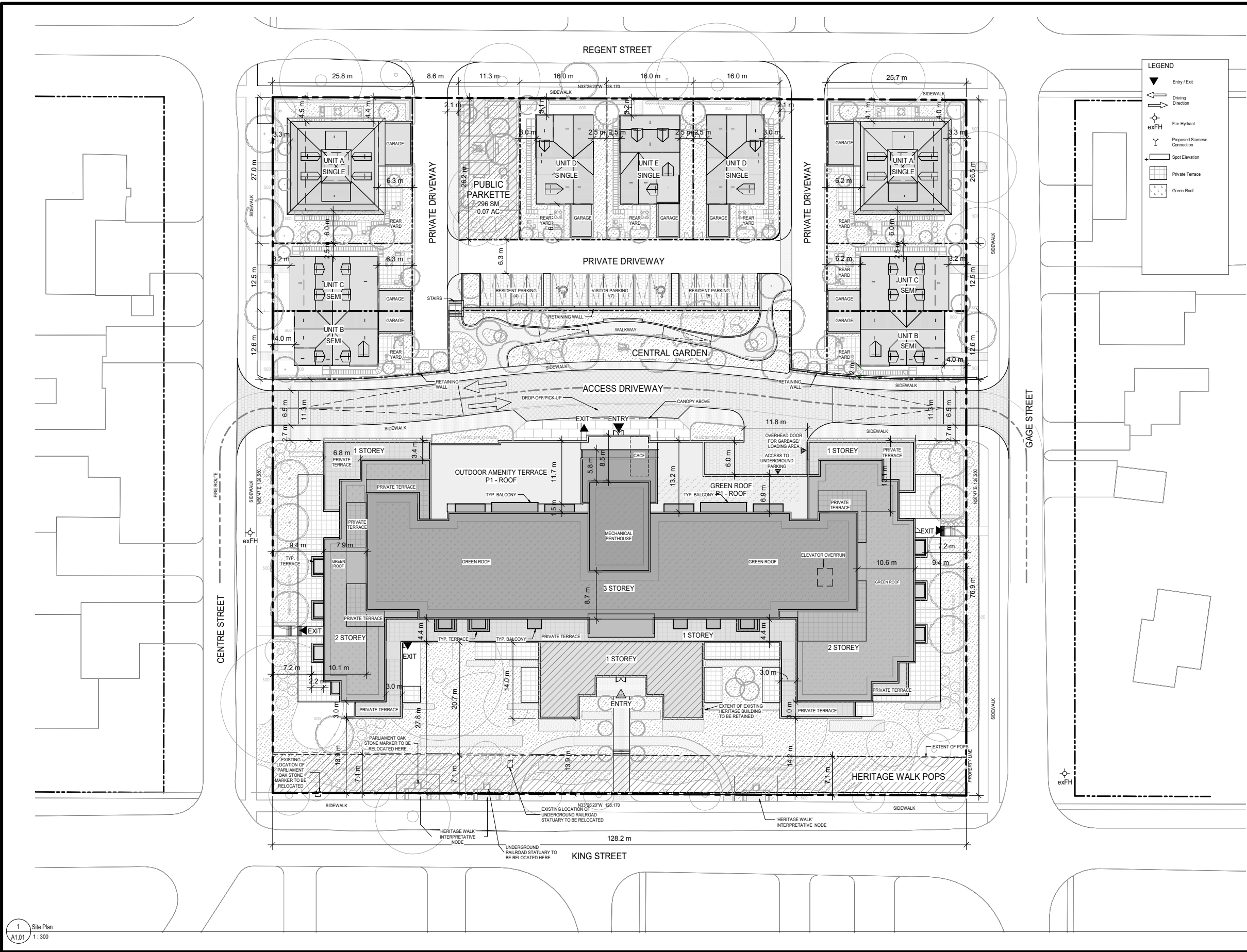
SHEET TITLE

SITE PLAN

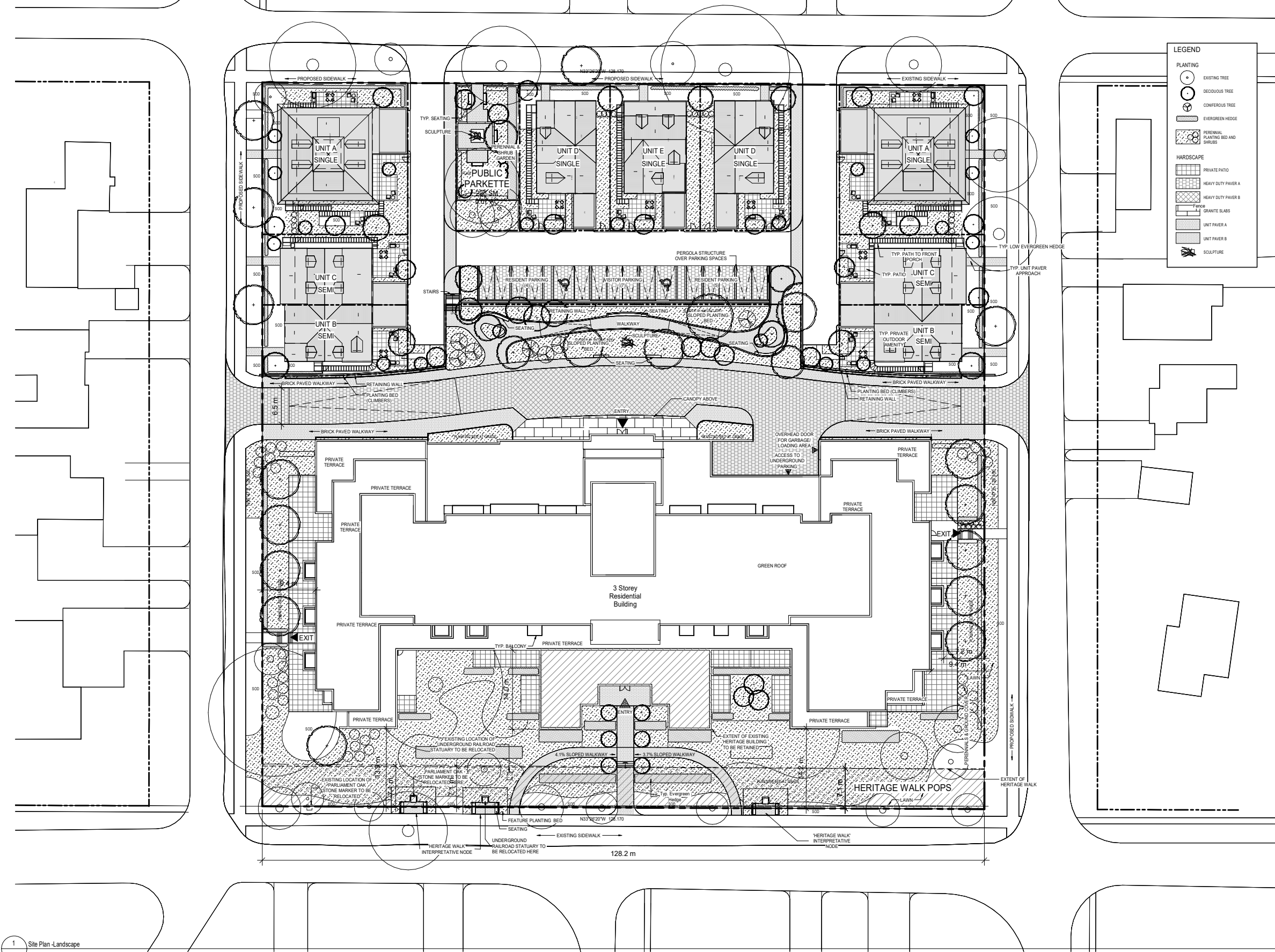
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CHECKED BY: Checker
PROJECT START DATE: 11/02/20
PROJECT NO.: 19180
SHEET NUMBER

A1.01

PLOT DATE: 2021-12-03 11:13:49 AM



1 Site Plan
A1.01 1:300



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SHEET TITLE

LANDSCAPE SITE PLAN

DRAWN BY: _____ Author
CHECKED BY: _____ Checker
PROJECT START DATE: 02/05/21
PROJECT NO.: 19180
SHEET NUMBER

A1.02

PLOT DATE: 2021-12-03 11:13:59 AM

1 Site Plan - Landscape
A1.02 1:300

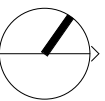
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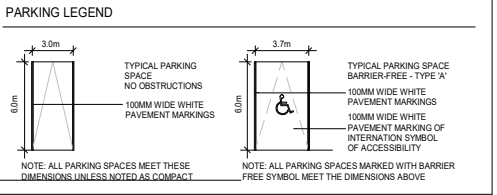
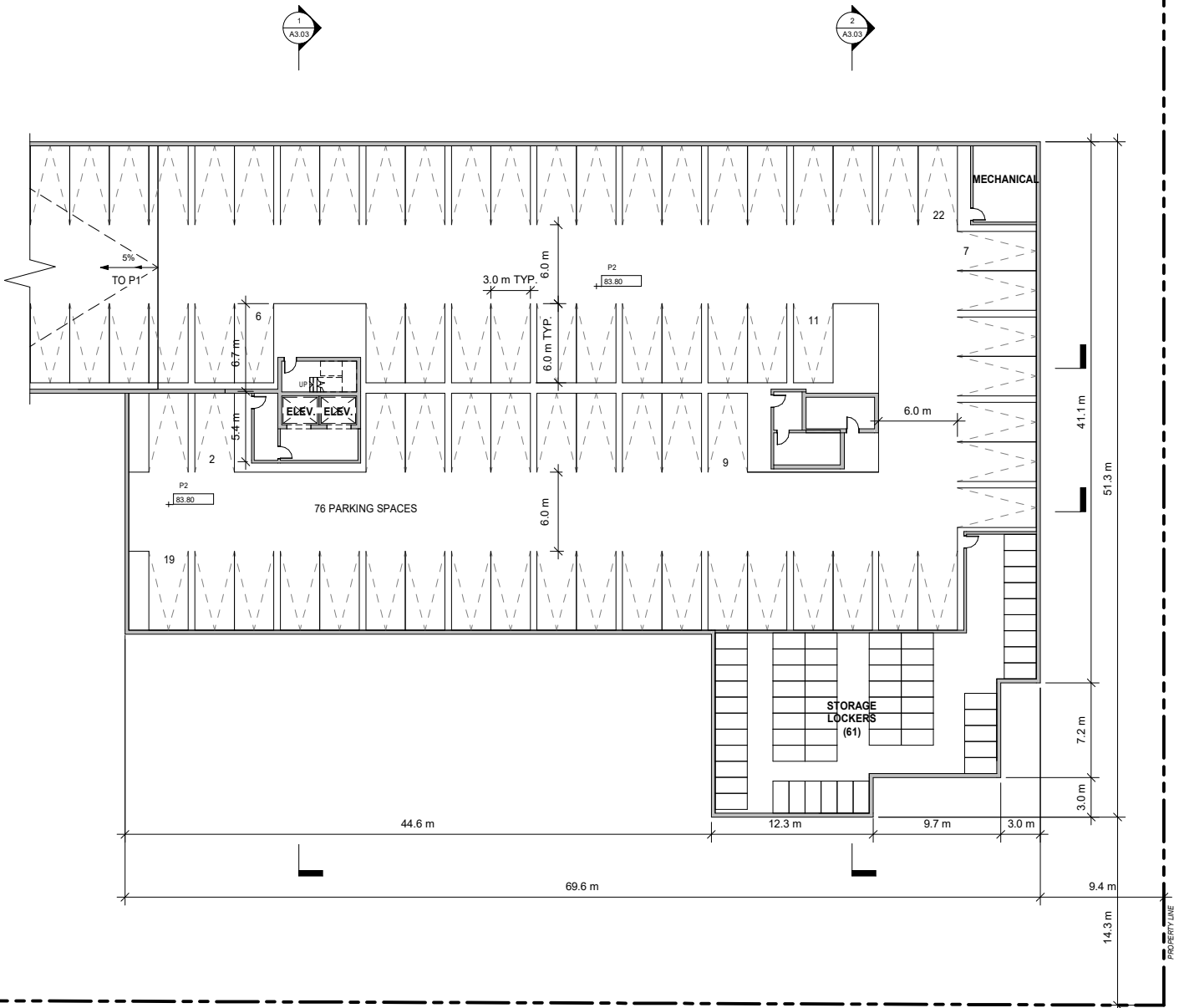
UNDERGROUND PARKING
PLAN - LEVEL P2

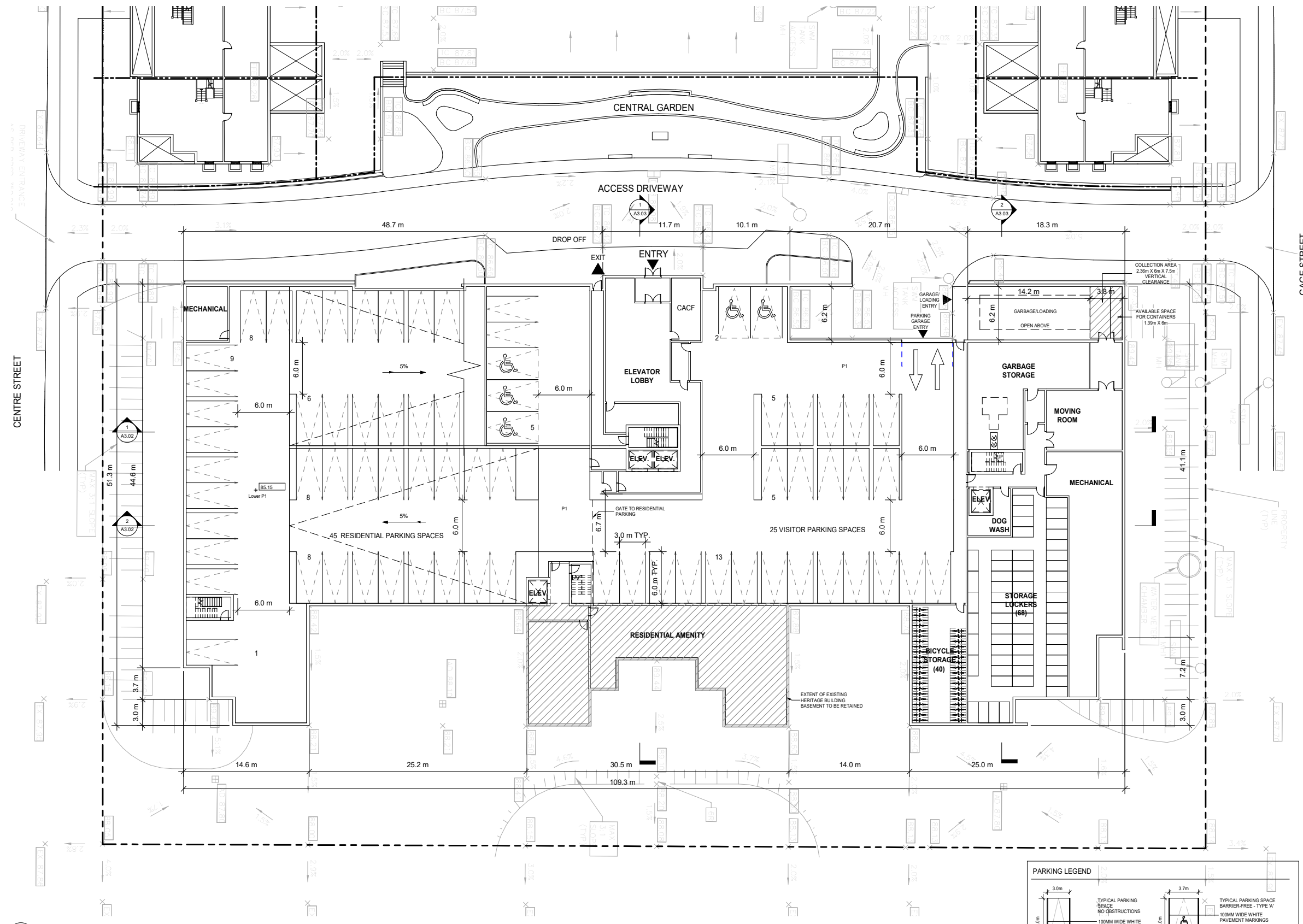
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CHECKED BY:	Checker
PROJECT START DATE:	11/05/20
PROJECT NO.:	19180
SHEET NUMBER	

A1.04

PLOT DATE: 2021-12-03 11:14:18 AM

1 P2
A1.04 1:200





1 P1
A1.05 1:200

PARKING LEGEND

TYPICAL PARKING SPACE
NO OBSTRUCTIONS
100MM WIDE WHITE PAVEMENT MARKINGS

TYPICAL PARKING SPACE
BARRIER-FREE - TYPE A
100MM WIDE WHITE PAVEMENT MARKINGS
100MM WIDE WHITE PAVEMENT MARKING OF INTERNATIONAL SYMBOL OF ACCESSIBILITY

NOTE: ALL PARKING SPACES MEET THESE DIMENSIONS UNLESS NOTED AS COMPACT

NOTE: ALL PARKING SPACES MARKED WITH BARRIER FREE SYMBOL MEET THE DIMENSIONS ABOVE

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NOTES

REFER TO GROUND FLOOR SWEEP PATH ANALYSIS (AUTOTURN) FOR WASTE COLLECTION VEHICLE MANEUVERING PROVIDED BY TRAFFIC CONSULTANT

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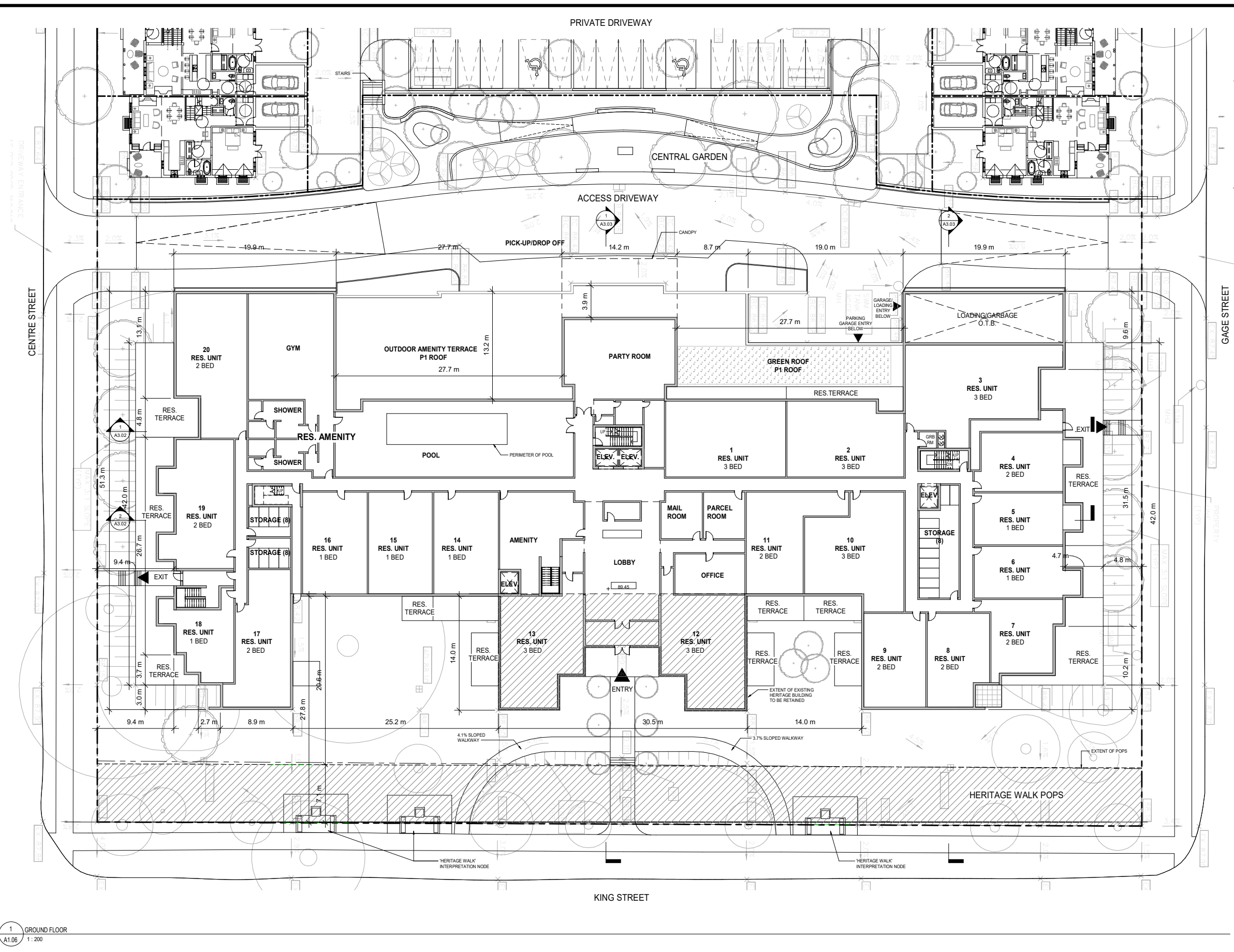
SHEET TITLE

UNDERGROUND PARKING PLAN - LEVEL P1

DRAWN BY:	Author
CHECKED BY:	Checker
PROJECT START DATE:	11/02/20
PROJECT NO.:	19180
SHEET NUMBER	

A1.05

PLOT DATE: 2021-12-03 11:14:18 AM



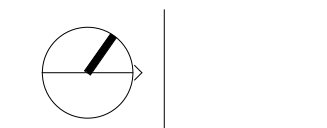
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- UNIT MIX**
- 1 BED - 6
 - 2 BED - 8
 - 3 BED - 6

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SHEET TITLE

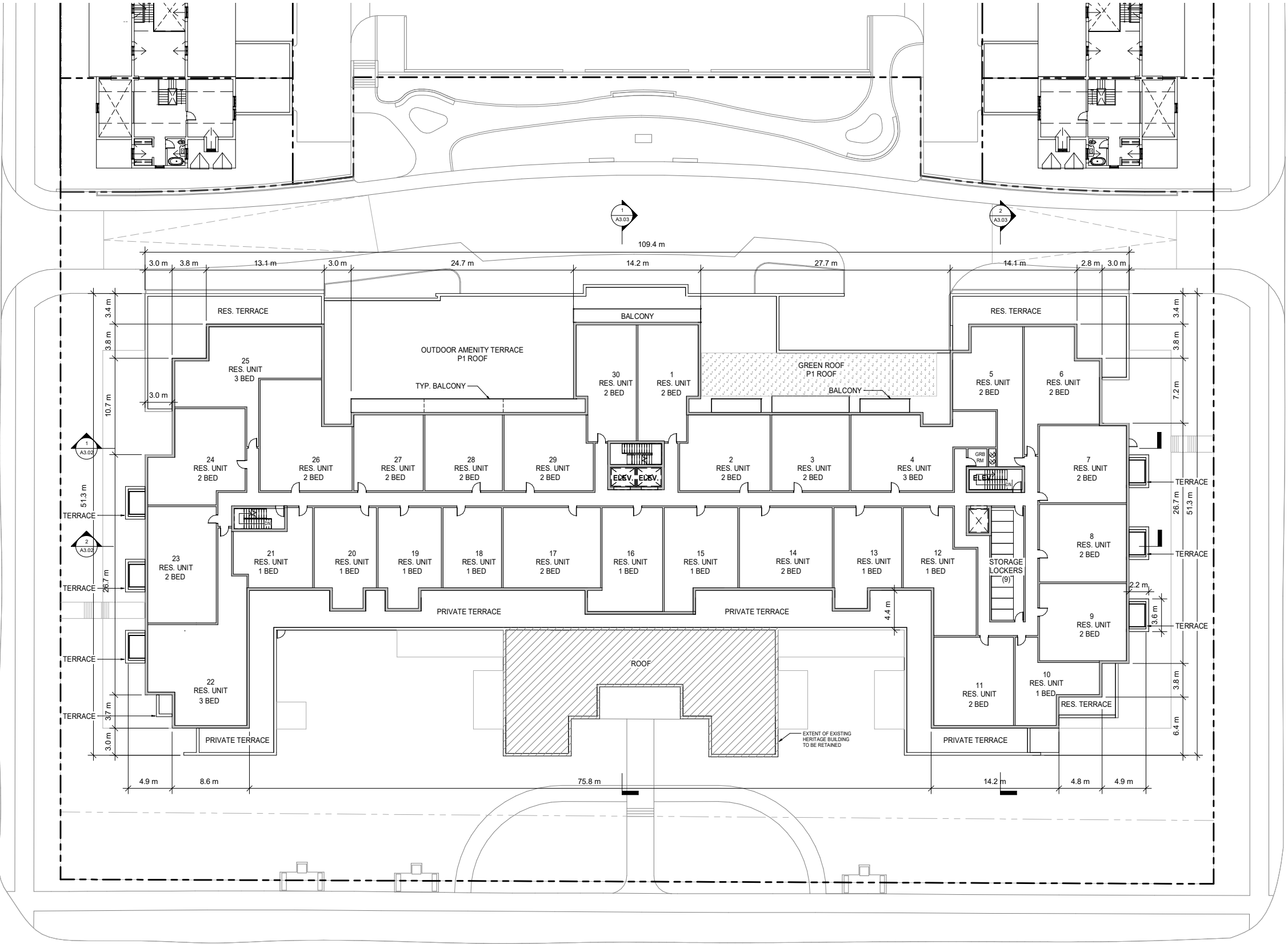
GROUND FLOOR PLAN

DRAWN BY:	Author
CHECKED BY:	Checker
PROJECT START DATE:	11/02/20
PROJECT NO.:	19180
SHEET NUMBER	

A1.06

PLOT DATE: 2021-12-03 11:14:20 AM

1 GROUND FLOOR
A1.06 1:200



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UNIT MIX

1 BED - 9

2 BED - 18

3 BED - 3

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SHEET TITLE

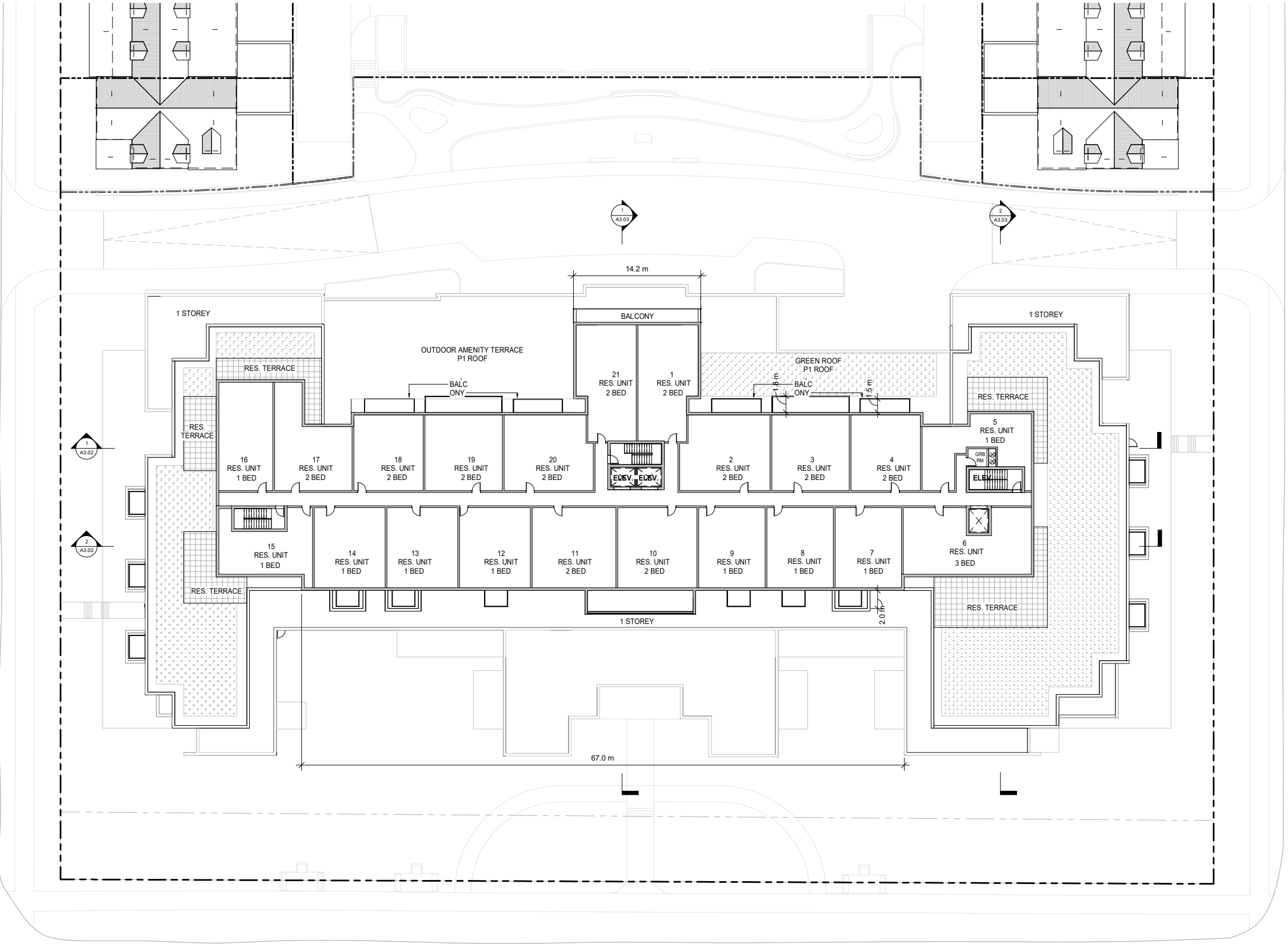
SECOND FLOOR PLAN

DRAWN BY: Author
CHECKED BY: Checker
PROJECT START DATE: 11/02/20
PROJECT NO.: 19180
SHEET NUMBER

A1.07

PLOT DATE: 2021-12-03 11:14:26 AM

1 2ND FLOOR
A1.07 1:200



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UNIT MIX

1 BED - 9

2 BED - 11

3 BED - 1

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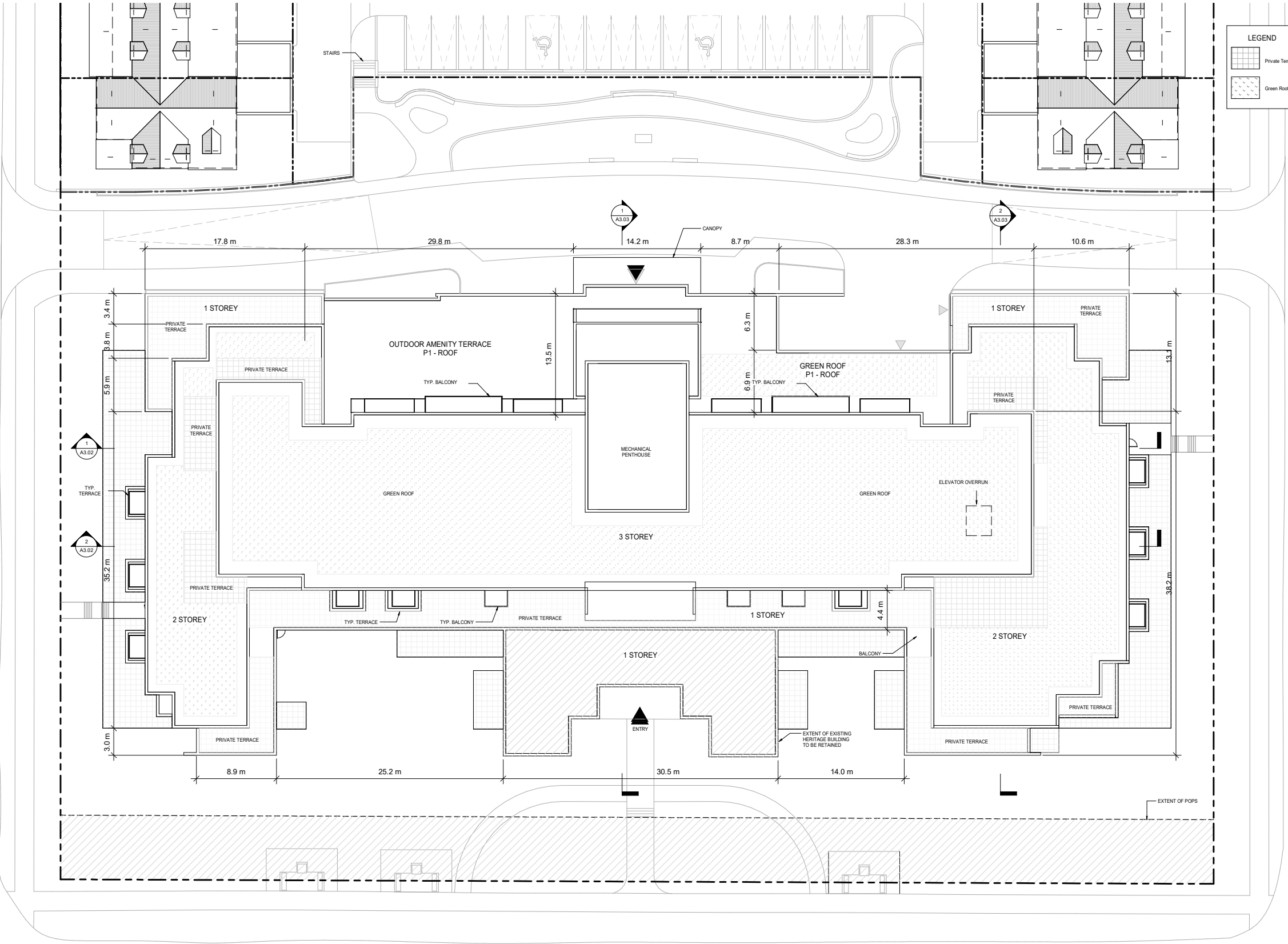
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THIRD FLOOR PLAN

DRAWN BY:	Author
CHECKED BY:	Checker
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PROJECT NO.:	19180
SHEET NUMBER	

A1.08

PLOT DATE: 2021-12-03 11:14:28 AM



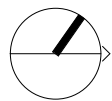
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SHEET TITLE

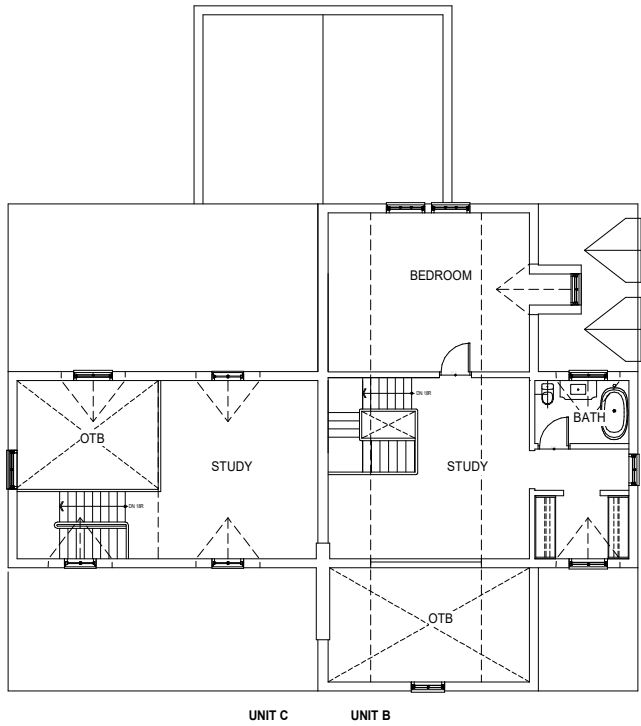
ROOF PLAN

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PROJECT START DATE:	02/05/21
PROJECT NO.:	19180
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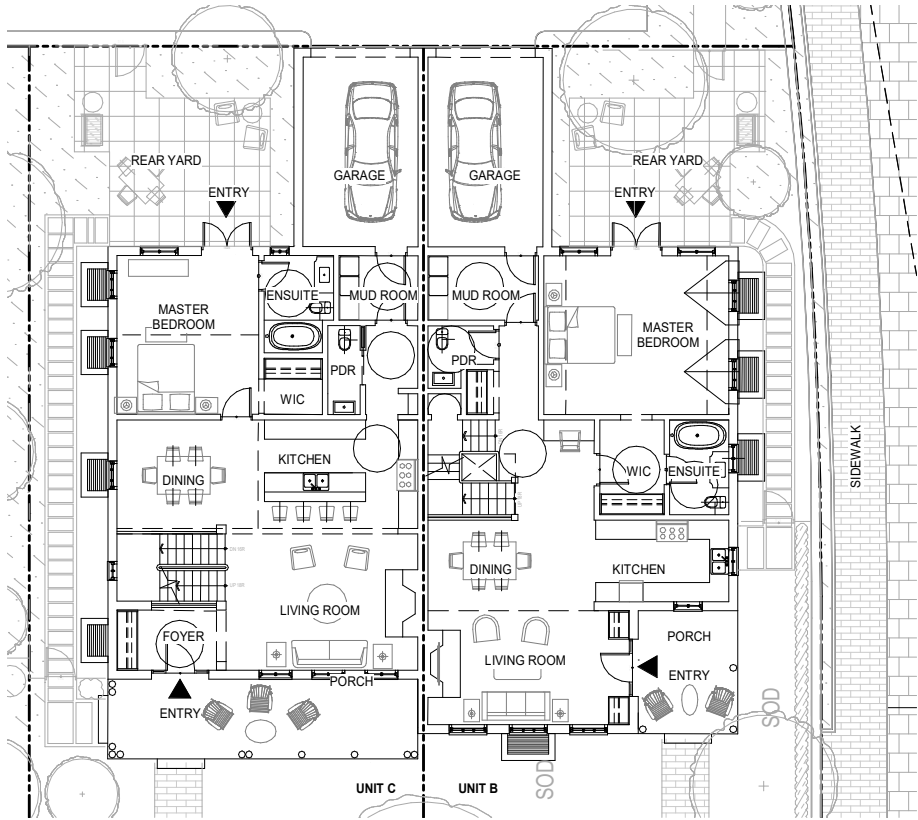
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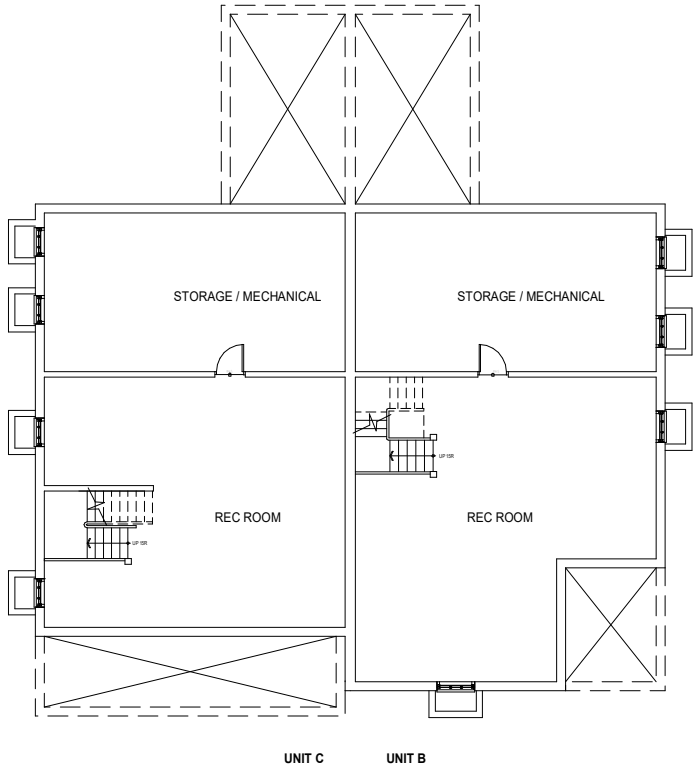
1 Roof Plan
A1.09 1:200



2 Bay and Gable - Second Floor Plan
A1.10 1:100



1 Bay and Gable - Ground Floor Plan
A1.10 1:100



3 Bay and Gable - Basement Floor Plan
A1.10 1:100

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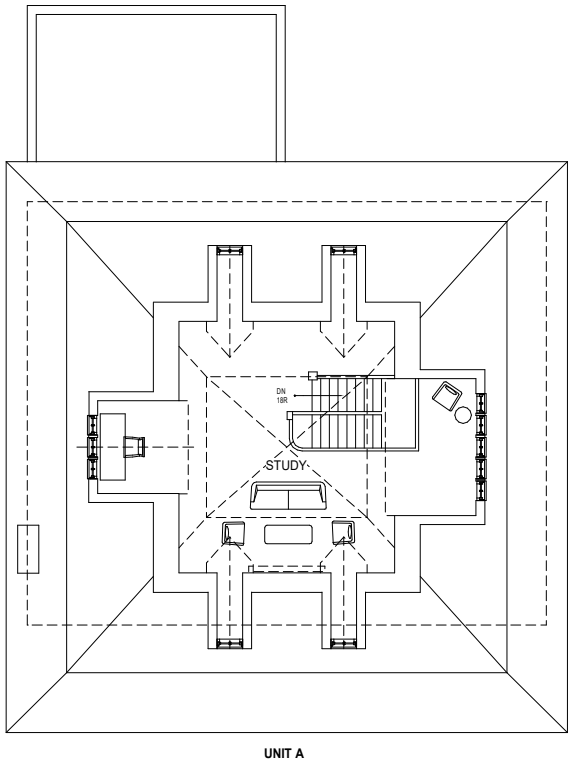
PRIVATE SEMI DETACHED
RESIDENCE - BAY AND GABLE
PLANS

DRAWN BY:	Author
CHECKED BY:	Checker
PROJECT START DATE:	01/18/21
PROJECT NO.:	19180
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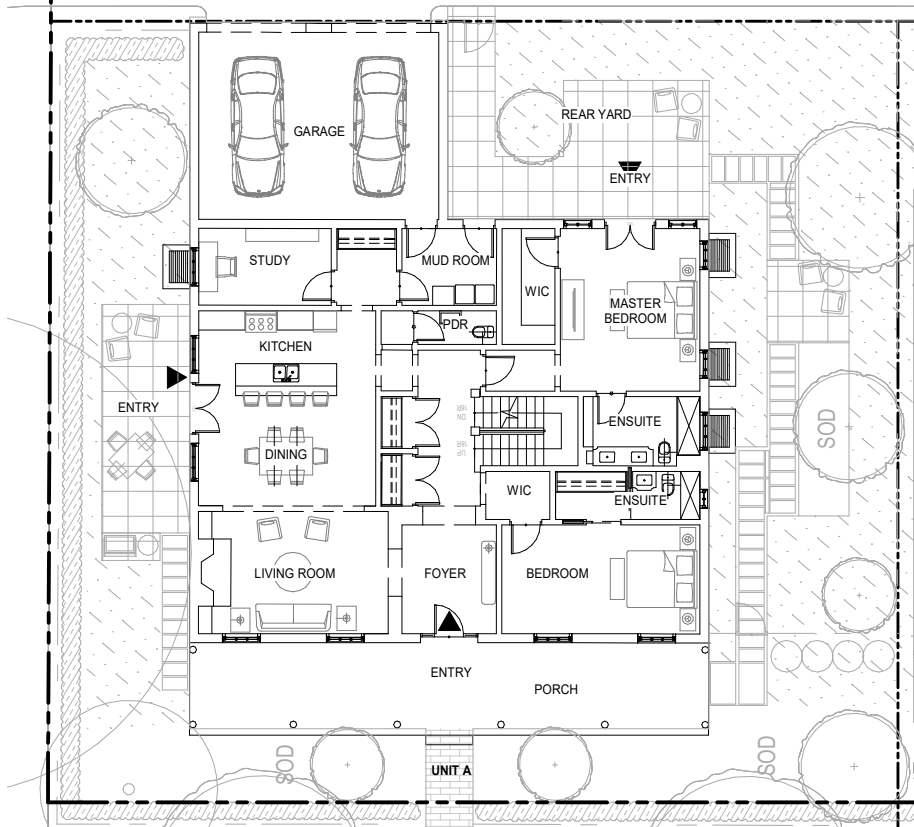
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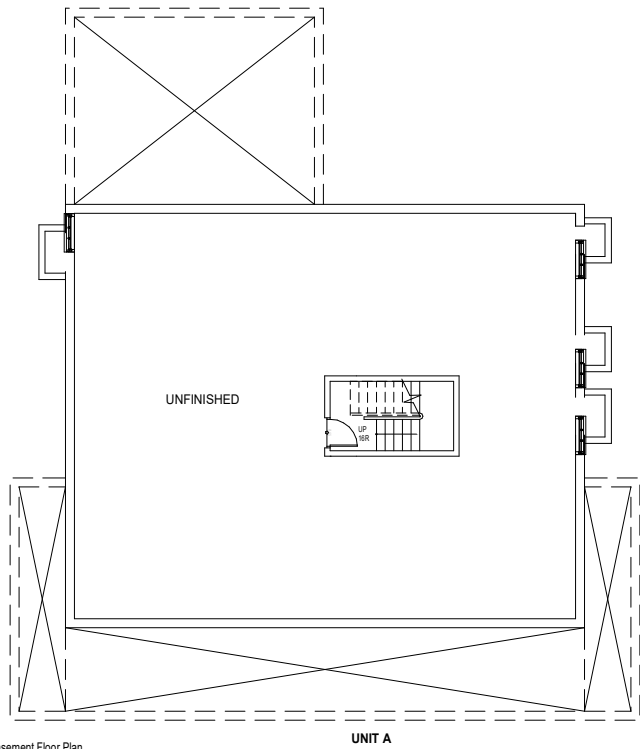
2
A1.11
Regency - Second Floor Plan
1:100



1
A1.11
Regency - Ground Floor Plan
1:100



3
A1.11
Regency - Basement Floor Plan
1:100



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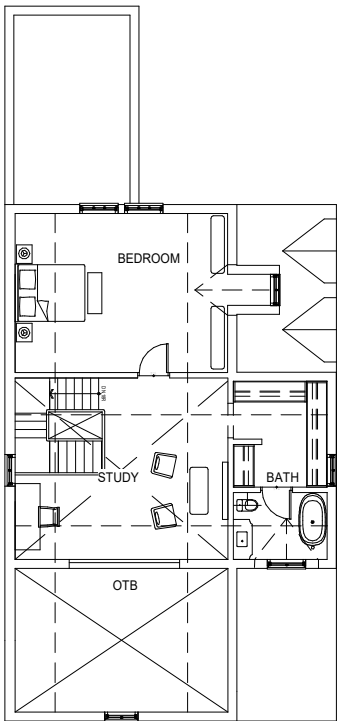
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**PRIVATE SINGLE RESIDENCE
- REGENCY PLANS**

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PROJECT NO.:	19180
SHEET NUMBER	

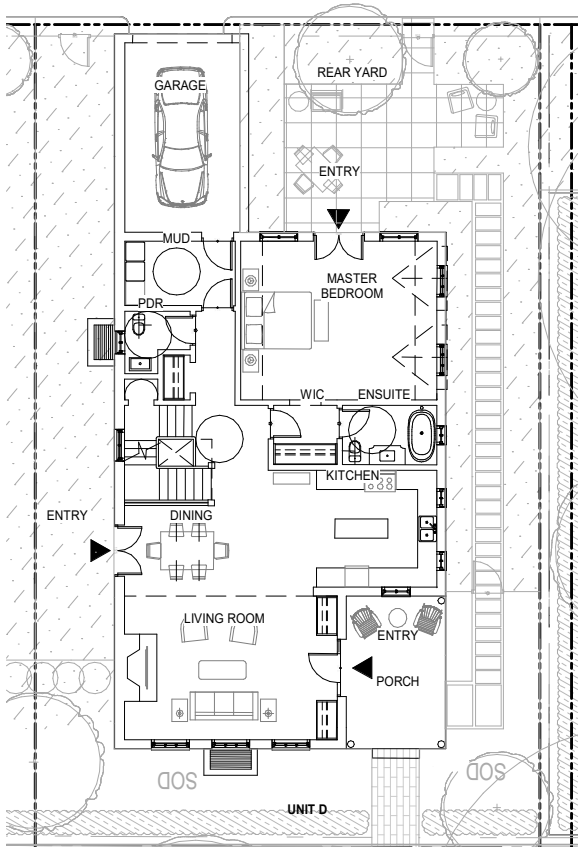
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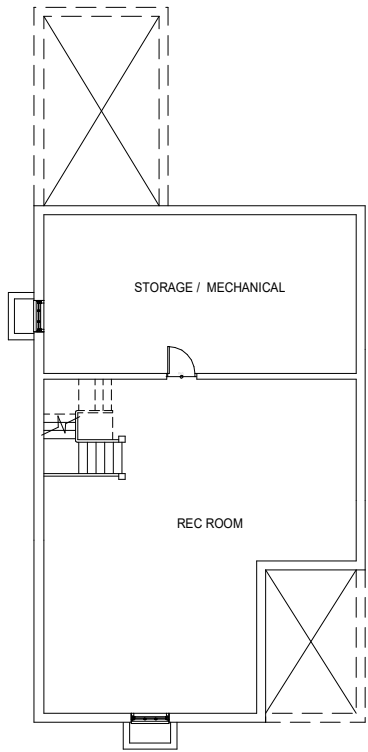
UNIT D

2 Front Gable - Second Floor Plan
A1.12 1:100



UNIT D

1 Front Gable - Ground Floor Plan
A1.12 1:100



UNIT D

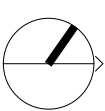
3 Front Gable - Basement Floor Plan
A1.12 1:100

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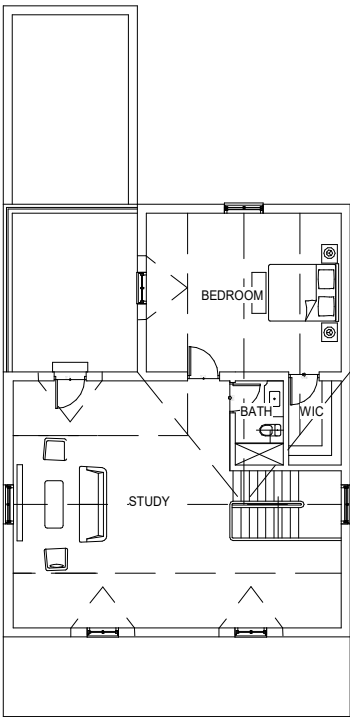
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**PRIVATE SINGLE RESIDENCE
- FRONT GABLE PLANS**

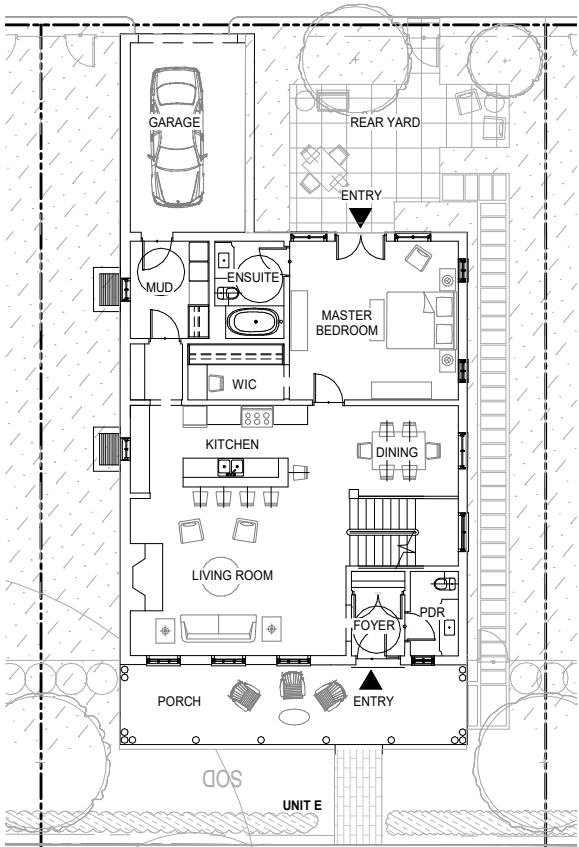
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PROJECT NO.:	19180
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A1.12



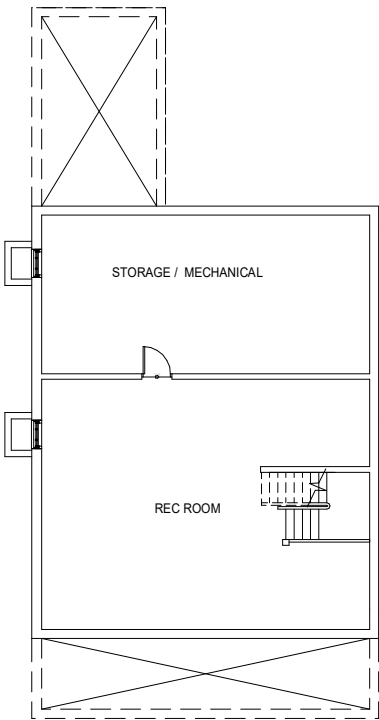
UNIT E

2 Side Gable - Second Floor Plan
A1.13 1:100



UNIT E

1 Side Gable - Ground Floor Plan
A1.13 1:100



UNIT E

3 Side Gable - Basement Floor Plan
A1.13 1:100

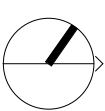
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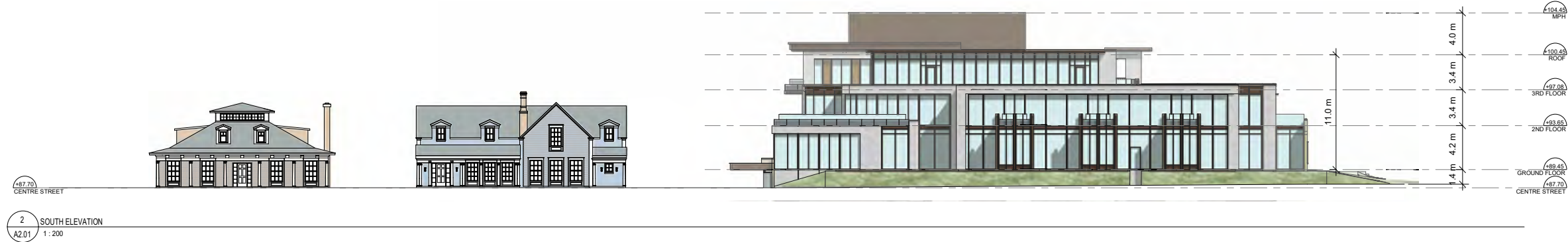
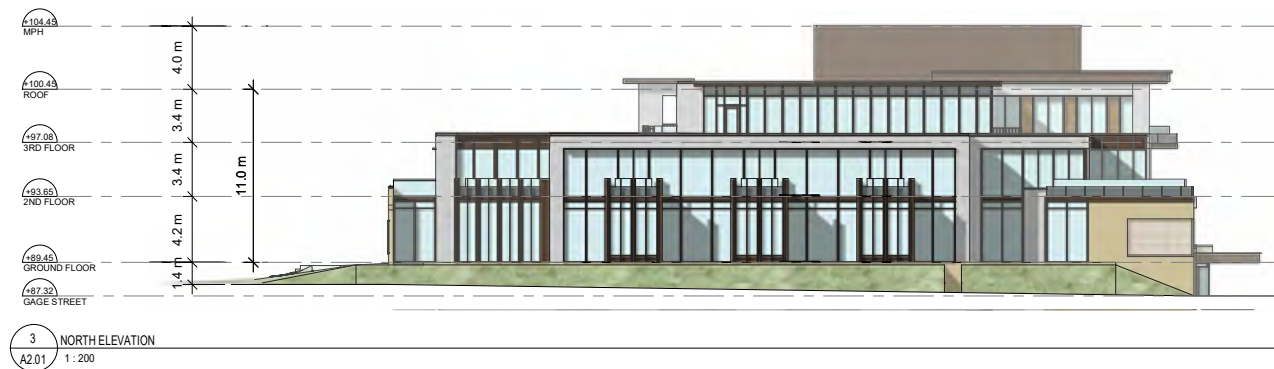
SHEET TITLE

PRIVATE SINGLE RESIDENCE
- SIDE GABLE PLANS

DRAWN BY:	Author
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PROJECT START DATE:	11/30/21
PROJECT NO.:	19180
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A1.13

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ELEVATIONS

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PROJECT START DATE:	11/06/20
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PARLIAMENT OAK
RESIDENCES

325 KING STREET, NIAGARA ON-THE-LAKE,
ONTARIO, L0S 1J0

SHEET TITLE

ELEVATIONS

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PROJECT START DATE:	01/06/21
PROJECT NO.:	19180
SHEET NUMBER	

A2.02

PLOT DATE: 2021-12-03 11:14:44 AM





1 BAY GABLE FRONT ELEVATION
A2.03 1:100



2 BAY GABLE BACK ELEVATION
A2.03 1:100



3 BAY GABLE LEFT ELEVATION
A2.03 1:100



4 BAY GABLE RIGHT ELEVATION
A2.03 1:100



5 REGENCY FRONT ELEVATION
A2.03 1:100



6 REGENCY BACK ELEVATION
A2.03 1:100



7 REGNECY LEFT ELEVATION
A2.03 1:100



8 REGNECY RIGHT ELEVATION
A2.03 1:100

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Revision Date

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NOTES

FINAL MATERIAL SELECTIONS WILL BE DEVELOPED DURING THE SPA PROCESS

3	RE-ISSUE FOR OPA/ZBA	2021-12-03
2	ISSUED FOR OPA/ZBA	2021-03-18
1	ISSUED FOR COORDINATION	2021-02-18

Revision Date

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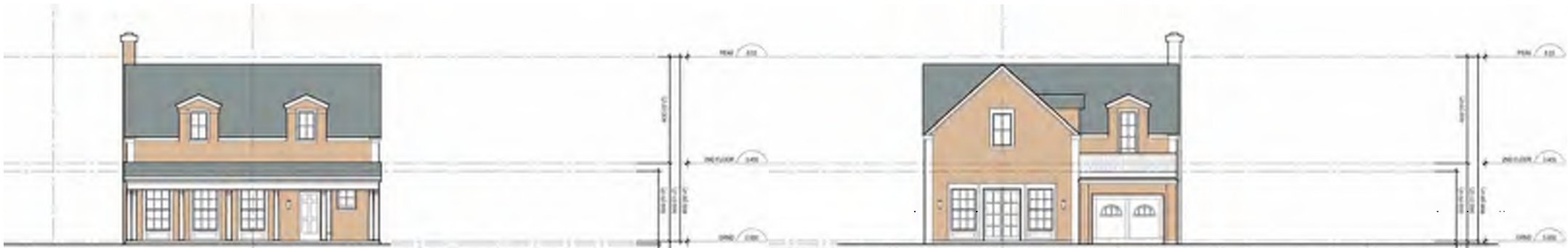
SHEET TITLE

PRIVATE SEMI DETACHED
RESIDENCE - BAY & GABLE,
AND PRIVATE SINGLE -
REGENCY ELEVATIONS

DRAWN BY:	Author
CHECKED BY:	Checker
PROJECT START DATE:	01/19/21
PROJECT NO.:	19180
SHEET NUMBER	

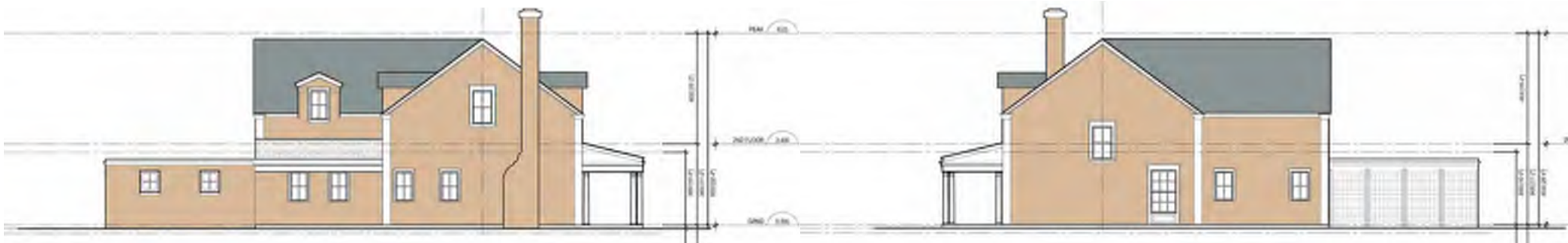
A2.03

PLOT DATE: 2021-12-03 11:14:49 AM



1 SIDE GABLE FRONT ELEVATION
A2.04 1:100

2 SIDE GABLE BACK ELEVATION
A2.04 1:100



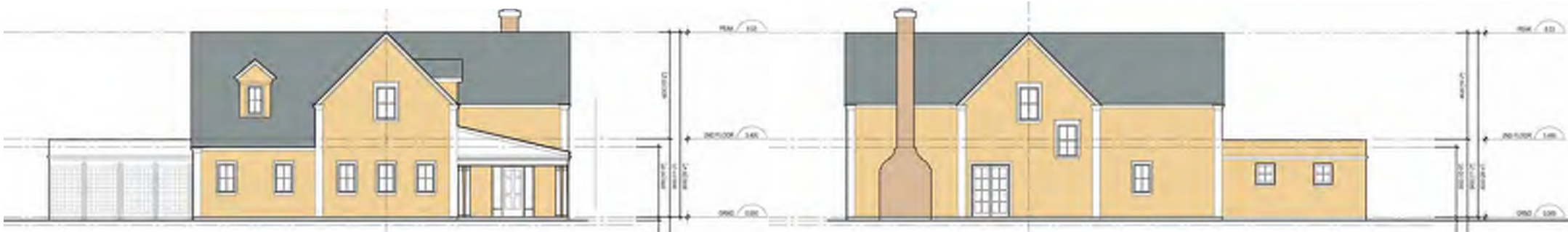
3 SIDE GABLE LEFT ELEVATION
A2.04 1:100

4 SIDE GABLE RIGHT ELEVATION
A2.04 1:100



5 FRONT GABLE FRONT ELEVATION
A2.04 1:100

6 FRONT GABLE BACK ELEVATION
A2.04 1:100



7 FRONT GABLE LEFT ELEVATION
A2.04 1:100

8 FRONT GABLE RIGHT ELEVATION
A2.04 1:100

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SHEET TITLE

PRIVATE SINGLE RESIDENCE
- SIDE GABLE AND FRONT
GABLE ELEVATIONS

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A2.04

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Revision	Date
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Revision	Date
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SHEET TITLE

BUILDING SECTIONS

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A3.03

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