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Appendix A: Site Plan

Appendix B: Architectural Package

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Land Acknowledgement

The lands addressed as 222 Gate Street are located on the traditional lands of the Anishinaabe and Haudenosaunee. The lands form part of the Niagara Purchase (Treaty 381) of 1781, when the Mississaugas sold a strip of land along the Niagara River to the Crown.

1.0 Introduction

1.1 Report Overview

MHBC Planning Ltd (MHBC) has been retained by Upper Canada Consultants to complete a heritage impact assessment (HIA) for the proposed development of 222 Gate Street in Niagara-on-the-Lake (the subject property). The owner of the subject property is proposing to develop a two storey hotel with underground parking. This new development will form part of the existing hotel to the north, at 142 Queen Street.

The subject property is located within the Queen-Picton Heritage Conservation District. The Town has identified through pre-consultation that a heritage impact assessment (HIA) is required to review the proposed development in the context of the HCD and determine the potential for impacts on the heritage value of the HCD and surrounding heritage resources.

1.2 Context

The subject property is located at 222 Gate Street. The property is currently vacant, measuring 795m² in area with 24 metres of frontage. The property is on the east side of Gate Street, south of Queen Street, north of Johnson Street and west of Victoria Street. The subject property forms part of a larger landholding associated with the Hotel 124 on Queen.

The surrounding area has a variety of land uses. To the north along Queen Street is low density commercial uses, comprising hotels, restaurants and retail. Queen Street comprises the historic downtown corridor of Niagara-on-the-Lake. On the periphery of Queen Street is mostly low density residential uses with some institutional and hotel uses. Much of the residential development dates from the 19th and early 20th century, with some contemporary development. This portion of Gate Street is predominantly low density residential, except for an abutting hotel at the corner of Gate Street and Queen Street.

Gate Street is comprised of detached residential buildings, with the exception of 142 Queen Street which is a hotel building. Buildings range from 1 to 2 storeys in a range of styles, including Georgian, Victorian Revival and contemporary.







South of the subject property is Johnson Street, which is detached residential. It has similar characteristics to Gate Street including 1 and 2 storey buildings, with variable architectural styles.







North of the subject property is Queen Street which comprises the commercial area of the Queen-Picton HCD. Queen Street. Queen Street, between Gate Street and Victoria Street is comprised of 1 and 2 storey commercial buildings. There is a range of old and contemporary buildings. A large portion of this block is occupied by the Hotel, however, the original buildings façades have been maintained.





1.3 Heritage Status

In order to confirm the presence of identified cultural heritage resources, several databases were consulted such as: the Town's Register of Cultural Heritage Resources, the Town Official Plan, the Ontario Heritage Act Register (Ontario Heritage Trust), and the Canadian Register of Historic Places, as well as other relevant Town studies and reports.

The subject property is not listed or designated on the Town's heritage register. However, the property is located within the Queen-Picton Heritage Conservation District and is adjacent to three designated heritage properties:

- 142 Queen Street
- 240 Gate Street
- 129 Johnson Street

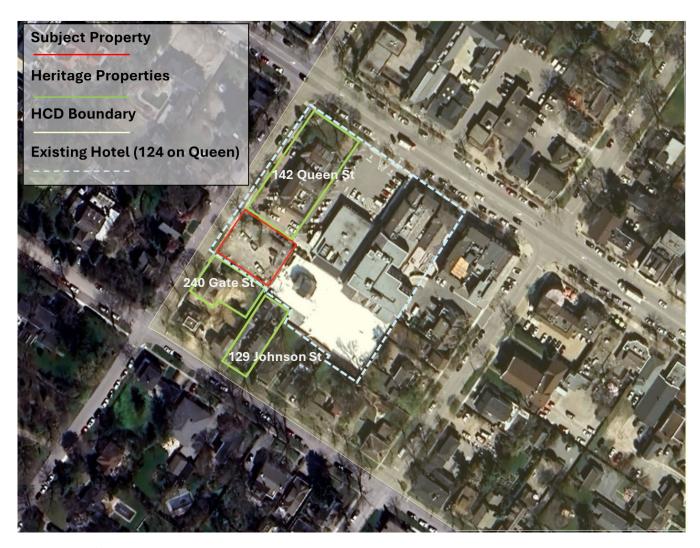


Figure 1 - Context Map

Queen-Picton Heritage Conservation District

In 1986 The Town passed By-law No. 4362-10 which designates the Queen-Picton Heritage Conservation District. The HCD Plan is a comprehensive document that sets out policies for conserving the HCD. Both the By-law and the Plan were created in 1986 and are therefore not reflective of current practices/requirements such as a statement of significance or list of attributes. The HCD Plan does not identify characteristics or attributes of the HCD that collectively contribute to the heritage significance, it considers the individual properties and their components. The Plan notes that the HCD is of significant architectural and historical value, with a historic building stock. The Plan categorizes properties as 'A', 'B' and 'C' properties, with 'A' properties defining the HCD, 'B' properties contributing to the HCD, and 'C' properties of little environmental value.

142 Queen Street

The Plan notes that 142 Queen Street is a an imposing turn of the century residence on a large corner property. The building is two-storeys with central chimney and a hipped roof with two pedimented dormers and an overhang. The main feature is the verandah with roof supported by groups of round posts. The Gate Street facade has similar but smaller verandah towards the rear with an awning leading from the street to a side entrance. The Plan categorizes the property as a 'B' property.



Figure 2 – Image of the front façade of the building at 142 Queen Street

240 Gate Street

The Plan identifies that 240 Gate Street was built in 1818 with a second storey addition in 1850. According to the HCD Plan, the subject property is a category 'A' property. The heritage property contains a Georgian style cottage with asymmetrical 3-bay front façade. It is known as both the Curtis-Drope Cottage and formerly the MacMonigle House.



Figure 3 – Image of the front façade of the building at 240 Gate Street

129 Johnson Street

The Plan notes that 129 Johnson Street has a dwelling constructed in the Gothic Revival architectural style constructed in the late 19th century. It is a 1 ½ storey building with a high pitched gable at the front façade, a small verandah and a dormer. The side façade has a linear form with two gables along the façade as well as two dormers. The plan categorizes the property as an 'A' property.



Figure 4 – Image of the property at 129 Johnson Street

222 Gate Street

The Plan does not contain information on 222 Gate Street. At the time of the HCD Plan (1986), 222 Gate Street contained a contemporary dwelling. As discussed in section 2.6 of this Report, the property is classified as "C" property in the HCD Plan, meaning it was/is of little environmental value to the district. The dwelling has since been removed.

2.0 .Policy Overview

2.1 The Planning Act and Provincial Planning **Statement**

The Planning Act is provincial legislation that guides land use planning in Ontario. It makes a number of provisions respecting cultural heritage. In Section 2, The Act outlines 18 spheres of provincial interest that must be considered by appropriate authorities in the planning process. One of the intentions of the Planning Act is to "encourage the co-operation and co-ordination among the various interests". Regarding cultural heritage, Subsection 2(d) of the Act provides that:

"The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as, ..."

(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

The Planning Act therefore provides for the overall broad consideration of cultural heritage resources through the land use planning process.

The Provincial Planning Statement (PPS) was issued under Section 3 of the Planning Act and came into effect October 20, 2024. The PPS provides policy direction on matters of land use planning in Ontario, and sets the policy foundation for regulating the development and use of land. The PPS encourages a coordinated and integrated approach to planning matters across levels of government, agencies and boards.

The PPS establishes policies for cultural heritage under policy 4.6, providing that:

- 4.6.1 Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved
- 4.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.
- 4.6.4 Planning authorities are encouraged to develop and implement proactive strategies for conserving significant built heritage resources and cultural heritage landscapes

The PPS also includes key terminology when interpreting the cultural heritage policies:

Built heritage resource: means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community.

- 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 should be included in these plans and assessments.
- Heritage attributes: means, as defined under the Ontario Heritage Act, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest.
- Protected heritage property: means property designated under Part IV or VI of the Ontario Heritage Act; property included in an area designated as a heritage conservation district under Part V of the Ontario Heritage Act; property subject to a heritage conservation easement or covenant under Part II or IV of the Ontario Heritage Act; property identified by a provincial ministry or a prescribed public body as a property having cultural heritage value or interest under the Standards and Guidelines for the Conservation of Provincial Heritage Properties; property protected under federal heritage legislation; and UNESCO World Heritage Sites.
- 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.

2.2 Ontario Heritage Act

The Ontario Heritage Act, R.S.O, 1990, c.0.18 remains the guiding legislation for the conservation of significant cultural heritage resources in Ontario. The Ontario Heritage Act provides under section Part IV that Municipalities are to maintain public registers of listed or designated properties. Under Part V municipalities can designate entire areas as Heritage Conservation Districts, thereby designating properties within the boundaries of the district. Municipalities are also able to define specific areas referred to as Cultural Heritage Landscapes. Also issued under the Ontario Heritage Act are regulations to be used when assessing for cultural heritage value or interest including regulation 10/06 and 9/06.

2.3 Niagara Region Official Plan

The Niagara Region Official Plan (NROP) is a long-range, community planning document used to guide the physical, economic and social development of Niagara. Generally, it contains objectives, policies and mapping that implement the Region's approach to managing growth, growing the economy, protecting the natural environment, resources and agricultural land, and providing infrastructure. The Regional Official Plan must also implement provincial policies and plans.

Chapter 10 of the NROP provides policy direction pertaining to Built Heritage Resources, Cultural Heritage Landscapes and Archaeological Resources within the Niagara Region. Specifically, Section 10.C Creative Places, provides that:

10.C.2.1.1 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.

10.C.2.1.5 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.

Section 10.D.3 Community Identities, provides that:

10.D.3.2 The Region will encourage and support efforts to highlight vibrant, unique geographic and cultural communities of Regional significance throughout Niagara. These efforts may include plaques and other permanent commemorations to physically manifest the stories and historical landscapes of Niagara.

2.4 Town of Niagara on the Lake Official Plan

The Niagara on the Lake Official Plan, 2017 is the in effect Official Plan for the Town. The Official Plan identifies the subject property as follows:

- Located within 'Niagara/Old Town'
- Designated 'Established Residential' and 'Conservation'

Heritage Conservation Policies for the Official Plan are outlined in Section 18. Goals and Objectives have been established to guide heritage planning in the Town. These objectives 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;
- 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; and
- 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.

The Official Plan also outlines General Heritage Conservation Policies. These policies are reflective of the goals and objectives and provide policies for Council. These policies state that Council shall preserve buildings that have historical values; identify and maintain a list of possible heritage properties, which will be the basis for preservation, restoration and utilization of heritage resources; designate and regulate heritage resources under the appropriate provincial legislation; ensure that designated buildings are not demolished or altered until a permit has been issued; undertake heritage plans and programs, and consult with the Municipal Heritage Committee for all development within heritage districts or where development may impact a heritage resource. Furthermore, the Official Plan directs that a Heritage Impact Assessment will be required when development or alteration is proposed to a heritage resource or adjacent to a heritage resource.

2.5 Town of Niagara on the Lake Official Plan 2019

The Town Official Plan was approved in 2019 however remains under appeal and is not in effect. The subject property has the following designations:

- o Located within 'Old Town', 'Queen-Picton Heritage Conservation District', 'Downtown Character Area'
- Designated 'Established Residential'

Cultural Heritage policies are provided in Section 7 of the Official Plan. Relevant policies that relate to the protection of heritage resources are set out in sub-section 7.1.3 and include:

- Protect and conserve cultural heritage resources in accordance with existing policies and guidelines;
- Listing and/or designating real property under Part IV (Section 27 and/or 29) of the Ontario Heritage Act; designating a heritage conservation district under Part V of the Ontario Heritage Act, and/or encouraging the Province to designate real property under Part IV and/or VI of the Ontario Heritage Act;
- Use municipal controls to ensure development on or adjacent to cultural heritage resources is designed and mitigates impacts or potential impacts on heritage attributes, including:
 - o impacts such as scale, massing, height, building orientation, materials and location relative to the cultural heritage resource;
 - o destruction of any part of any significant heritage attribute or features;
 - o alteration that is not sympathetic or is incompatible with the historic fabric and appearance;
 - o shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or planting, such as a garden;
 - o isolation of a heritage attribute from its surrounding environment, context, or a significant relationship;

- direct or indirect obstruction of significant views or vistas within or from 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 opens spaces; and
- land disturbances such as a change in grade that alters soils, drainage patterns that adversely affect an archaeological resource
- Impose conditions of approval where cultural heritage resources are to be affected to ensure the continued protection of the resource;
- 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.
- 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.

Policies relating to Heritage Conservation Districts and Character Areas are provided in sub-section 7.2. The Town has identified four character areas. The subject property is located within the Downtown Character Area. Should any site alteration, development, or demolition be proposed within any of the character areas, a Heritage Impact Assessment will be required. The Heritage Impact Assessment must consider the potential impact to the overall area as well as to individual properties. Within the Downtown Heritage Character Area, new development that is mid-block must not be taller than surrounding structures.

Section 7.2.3.6 provides an overview of the Downtown Heritage Character Area including the statement of significance as well as heritage attributes:

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 Town of Niagara-on-the-Lake Official Plan 119 August 15, 2019 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

- 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 vard setbacks
- Many examples of infill buildings that harmonize with the early buildings in terms of materials and massing
- o Associations with significant events (Loyalist settlement, military survey, War of 1812, burning and rebuilding of Newark, designation of heritage conservation districts)
- 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 7.2.5 speaks to the Queen-Picton Heritage Conservation District. Relevant policies include:

- Ensure that new development, including new infill development and redevelopment, will conserve the District's heritage values and heritage attributes.
- Prohibit commercial uses within the residential area of the Queen-Picton Heritage Conservation District.
- All new development and redevelopment, including parks and open spaces in the Queen-Picton Heritage Conservation District will conform to the Queen-Picton Heritage Conservation District Plan policies which will take precedence over any other policies of this Plan.
- When considering an application for development approval in the Queen-Picton Heritage Conservation District, the Town will ensure development adheres to the following criteria in addition to any development criteria in the Heritage Conservation District Plan:

- a) The protection and conservation of any cultural heritage resources existing on and adjacent to, the site.
- b) The impact of development on the identified heritage values and heritage attributes of the District will be minimized to address: the compatibility of the proposed use; the capacity of the site for additional uses, parking and supporting infrastructure; location of parking areas, loading and access; and tree preservation and opportunities for landscaping and screening.
- c) Designs that are compatible in mass, scale, height, fenestration and materials.
- New building heights must respect surrounding existing building heights and be neither higher nor lower
- Mid-block infill or development shall not be permitted unless it can be demonstrated to the satisfaction of the Town that the heritage value and heritage attributes of the District shall be conserved. Proposed mid-block development must be sympathetic and secondary to existing cultural heritage resources.

2.6 Queen Picton Heritage Conservation District Plan

The Queen and Picton Streets: A Heritage Conservation District Plan was prepared in in 1986 and applies to both the residential and business areas of the HCD. The subject lands fall within the residential area of the HCD. The Plan describes the residential area as a loose visual composition of detached residences set amongst gardens and trees. The residential building stock is identified as varied in age, style and condition and represents a cross section of residential architecture. This mixture is noted as comprising historic houses and contemporary homes. Policies for the residential areas are two-fold: to conserve, maintain and enhance the historic building stock; and to guide the design of new buildings to complement the HCD. The goal is to achieve an "attractive, coherent, historic streetscape that reads as a whole rather than a disparate and conflicting set of parts." The focus for the purposes of this report will be on the residential area policies of the Plan as well as the policies on re-development.

The Plan reviews the buildings which compose the residential area and categorizes properties into three categories/designations. These categories are:

- 'A' buildings are of major importance to the HCD with architectural and historical value, contributing to the visual integrity of the streetscape and support/define the character of the district.
- 'B' buildings are primarily of contextual value to the district. They may not outstanding architectural or historical value, they contribute to the streetscape and support the character of the district.
- 'C' buildings are of both old and new construction and contribute to the historic character of the street in varying ways. 'C' buildings are of little environmental value to the district.

The subject property is identified as a 'C' category. Policies for 'C' properties encourage compatible design of changes and new buildings within the district in accordance with the below criteria.

Height: The height of new buildings at the street face shall be sympathetic to the surrounding historic building stock.

- Proportions: Proportions of new buildings shall complement the proportions of the surrounding historic buildings.
- Roof: The roof pattern shall complement the roof patterns of the historic building stock
- Windows: the replacement and proportion of height to width of windows shall complement those of surrounding historic buildings
- Colours: colours used through paint and materials shall be historically sympathetic colours being of quiet, subtle natural shades
- Materials: materials appropriate and typical of the heritage district shall be used with an emphasis on natural fabric such as brick, stone and wood as opposed to metals and plastics
- Setback: set back of new buildings shall be complementary to that of the existing historic building stock so as to maintain an integrity of building form

The Plan notes that new buildings are encouraged on vacant sites or where buildings have been demolished. The intent for infill within the HCD is not to reproduce past building styles but of to be of contemporary design and complimentary to the height, proportion, scale and character of the district. New development should adhere to the below criteria:

- Height: The height of new buildings at the street face shall be sympathetic to the surrounding historic building stock.
- Proportions: Proportions of new buildings shall complement the proportions of the surrounding historic buildings.
- Roof: The roof pattern shall complement the roof patterns of the historic building stock.
- Windows: the placement and proportion of height to width of windows shall complement those of surrounding historic buildings.
- Colours: colours used through paint and materials shall be historically sympathetic colours being of quiet, subtle natural shades
- Materials: materials appropriate and typical of the heritage district shall be used with an emphasis on natural fabric such as brick, stone and wood as opposed to metals and plastics
- Setback: set back of new buildings shall be complementary to that of the existing historic building stock so as to maintain an integrity of building form

Section 4.0 of this HIA will assess the proposed development's conformity with the HCD policies noted above and overall compatibility with the HCD.

Queen-Picton Heritage Conservation District Study

The Town is currently completing an update to the Queen Picton HCD, considering an expansion of the HCD as well as updating the HCD Plan. The review will be completed in phases with the initial phase consisting of the "study phase". So far within the study phase, background research has been completed, and a study area has been proposed for the potential expansion of the HCD (figure below). The study area includes the existing HCD boundary and additional area, for which further study will be given to expand the HCD boundary. The proposed study area is not the revised Queen-Picton HCD, but rather, represents an area with properties that may be included in the final HCD Plan.

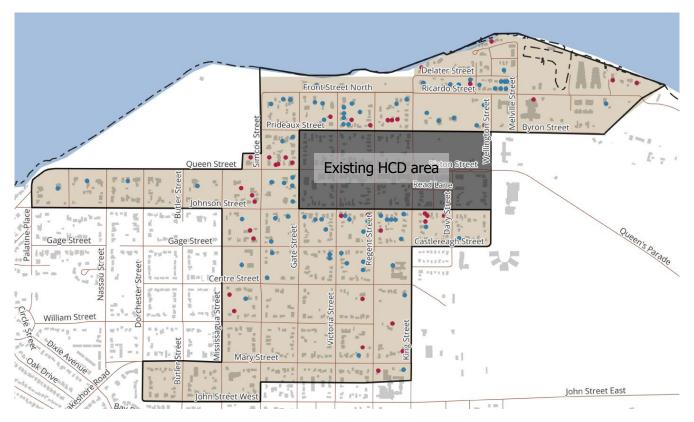


Figure 5 - proposed Queen-Picton HCD study area

Section 40.1(1) of the Ontario Heritage Act allows for Municipalities to pass temporary by-laws that restrict alterations to properties within a proposed HCD study area for a period of one year:

"If the council of a municipality undertakes a study under section 40, the council may by by-law designate the area specified in the by-law as a heritage conservation study area for a period of up to one year.

- (2) A by-law made under subsection (1) may prohibit or set limitations with respect to,
 - (a) the alteration of property situated in the heritage conservation study area; and
 - (b) the erection, demolition or removal of buildings or structures, or classes of buildings or structures, in the heritage conservation study area."

In accordance with section 40.(1) above, the Town is proposing to enact a by-law to restrict alterations of a property within the study area, specifically:

"During the period of one year from the date of enactment of this by-law, no person shall:

a. Alter any property within the Old Town Niagara Heritage Conservation District Study Area, including, without limiting the generality of the foregoing, the subdivision of land through consent pursuant to Section 53 of the Planning Act and part lot control pursuant to Section 50 of the Planning Act

b. Erect, demolish or remove any building or structure within the Old Town Niagara Heritage Conservation District Study Area."

The by-law would effectively restrict building and development within the study area for one year, applicable to lot creation, new building development or building alteration, removal or demolition of buildings or structures (building permits) or site plan approval. Properties designated under Part IV are exempt from the by-law as well as minor alterations to Part V designated properties. The by-law would not impact the proposed Official Plan or Zoning By-law amendments proposed for the subject lands. However, it will restrict the ability to develop the lands within the one year period. The municipality may also opt to extend the temporary by-law to continue the temporary by-law for a further period of time.

3.0 Proposed Development

3.1 Concept Plan

A two storey building is proposed on the subject lands at 222 Gate Street. The building will provide 18 rooms and will form part of an existing hotel complex, being 124 on Queen Hotel and Spa. The existing hotel is located along Queen Street and includes the buildings at 124 Queen Street, 126 Queen Street and 142 Queen Street (The Gate House). Access to the existing hotel is provided via a driveway from Victoria Street and parking is provided underground. The new building will form part of the hotel, however, it will be a separate building. Access to the new building will be maintained from Victoria Street and parking will be provided in the existing underground parking garage. This garage will be extended under the proposed building and will provide 18 parking spaces. No surface parking will be provided on site.

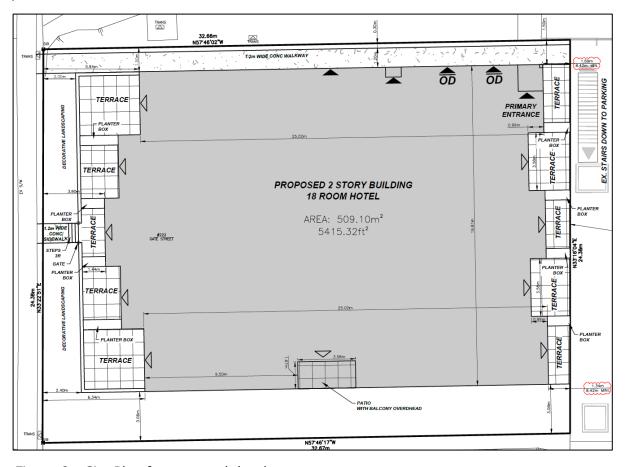


Figure 6 - Site Plan for proposed development

3.2 Building Design

The design of the building will be contemporary, drawing on elements of surrounding development in the HCD. The building will have mansard roof with dormer windows. The front façade along Gate Street will have gabled frontispiece, round headed windows with dripmold and keystones along the first floor. The front will also include a generous patio. All windows will include double paired shutters. The corner of the front façade will be accented by quoins. The rear of the building will be similar to the front, with the exception of the patio. The full elevation package is included as Appendix B.



Figure 7 – Rendering of proposed building on the subject property

4.0 Heritage Impact Assessment

4.1 Ontario Heritage Toolkit

The impacts of a proposed development or change to a cultural heritage resource may be direct or indirect. They may occur over a short term or long-term duration, and may occur during a preconstruction phase, construction phase or post-construction phase. Impacts to a cultural heritage resource may also be site specific or widespread, and may have low, moderate or high levels of physical impact. The Ontario Heritage Toolkit Infosheet #5 outlines criteria for assessing impacts on heritage attributes:

- **Destruction or alteration:** of any, or part of any *significant heritage attributes* or features that is not sympathetic, or is incompatible, with the historic fabric and appearance;
- **Shadows:** created 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 soils, and drainage patterns that adversely affect a cultural heritage resource.

This report utilizes guides published by the *International Council on Monuments and Site (ICOMOS)*, Council of UNESCO, from the World Heritage Convention of January of 2011. The grading of impact is based on "Guide to Assessing Magnitude of Impact" as a framework for this report. The level of impact is classified as one of the following:

- Potential/negligeable: slight changes to historic building elements or setting that hardly affect it.
- None: no change
- Minor: change to key historic elements such that the asset is slightly different
- Moderate: Change to many key historic building elements, such that the resource is significantly modified.

Major: Change to key historic building elements that contribute to the cultural heritage value or interest (CHVI) such that the resource is totally altered. Comprehensive changes to the setting.

4.1.1 Impact Assessment

Destruction or alteration

The proposed development is limited to the property at 222 Gate Street and does not involve any of the adjacent heritage properties. Therefore there is no destruction or alteration to those abutting heritage properties.

Shadows

The Town only requires a shadow study when development proposed exceeds the regulated height requirements. The maximum permitted height requirement is 10 metres. The proposed development will be 9 metres tall, which is below the 10 metre requirement. The abutting heritage buildings have heights of 2 storeys. The proposed building will be 2 ½ storeys which is consistent with the existing height of surrounding buildings. A 9 metre tall building will not generate significant shadows on any adjacent heritage properties or heritage attributes.

Isolation

The property is vacant of any buildings or structures and is not associated with any of the adjacent heritage resources. The new building will be designed as a residential building and will be integrated into the residential setting. Development of the vacant lot with a compatible building will enhance the streetscape and will not isolate the adjacent heritage properties.

Obstruction of views

The primary views of the adjacent heritage buildings is of the front facades along Queen Street, Gate Street and Johnson Street, respectively. The siting of the new building with a height of 9 metres and a front yard setback of 3.8 metres, is such that it will not impede on the ability to view the front facades of the adjacent heritage resources. The new building will not obstruct significant views of the adjacent heritage properties.

Change in land use

There is no change in land use to the heritage properties as the development is limited to the subject property. The adjacent heritage resources include two residential buildings and a hotel. The proposed development will be designed with the appearance of a dwelling, however, will be a hotel use. This is consistent with the land uses of the heritage resources. The proposed land use will not have an impact on the heritage properties.

Land disturbance

The proposed development includes underground parking. The excavation for the underground parking may generate vibrations that cause land disturbances which cause impacts on abutting heritage buildings. This is a potential impact and can be mitigated against. Refer to mitigation measures in section 5.0.

The below chart is a summary of the heritage impact assessment in accordance with the Ontario Heritage Toolkit criteria. The assessment of the scores are provided below.

Criterion	142 Queen St	240 Gate St	129 Johnson St
Destruction or alteration	None	None	None
Shadows	None	None	None
Isolation	None	None	None
Obstruction of views	None	None	None
Change in land use	None	None	None
Land disturbance	Potential	Potential	Potential

4.2 Streetscape Analysis

The Town has requested that a streetscape analysis be completed for the area along Gate Street, from Johnson Street to Prideaux Street. The streetscape analysis is included in the Urban Design Brief, prepared by Upper Canada Consultants. The intent of the analysis is to evaluate the proposed developments potential impact on the streetscape, considering elements such as lot frontage, lot area, setbacks, building form and size, as well as building style. The analysis concludes that the development is consistent with the streetscape for the following reasons:

- a) There is variability in terms of front yard setbacks. The average setback in the area is 2.72m, meaning that some properties have greater setbacks while others have smaller setbacks. The proposed setback for the new building is 3.8m. This is a slight increase to the average of 2.7m, however, is consistent given the range in the area. Additionally, the proposed development will include a front terrace which will encroach into the front yard, thereby creating the appearance of a smaller setback, consistent with the smaller front yard setbacks of the residential properties along Gate Street.
- b) Parking will be accommodated underground and no surface parking will be provided. This will avoid vehicular crowding in the area.
- c) Pedestrian pathways will be provided to the public sidewalk as well as throughout the development, connecting to the existing hotel.
- d) Buildings in the area have heights that range from 1 storey to 2 ½ storeys. The proposed building will have a height of 2 ½ storeys which is consistent to existing heights in the area. The mass of the proposed hotel building is not out of character and does fit with the context.
- e) The proposal does not include a garage and therefore garage requirements are not applicable.
- f) The hotel use is compatible with the area.

The height, setback, massing and overall design of the building is consistent with existing built forms. The proposal will not result in crowding on the street and will include walkways to encourage pedestrian movement throughout the site instead of vehicular. The proposed setback and massing of the building are also within the ranges found in the area. The development is therefore compatible with the surrounding streetscape.

4.3 Compatibility with HCD

The development site is located within the Queen-Picton Heritage Conservation District. The HCD Plan rates 222 Gate Street as a 'C' property, meaning that buildings can be altered without the same level of consideration as the 'A' and 'B' property buildings. However, the Plan states that "they are still within a historic district and continuing responsibility will prevail with the property owners to ensure a compatibility with the district when changes or additions are undertaken". A set of policies/criteria are prescribed for new development on 'C' properties within the HCD. Criteria is also provided for when redevelopment is proposed in the HCD. This criteria has been assessed against the proposed development.

HCD Plan Criteria	Analysis of Proposed Development
Height: The height of new buildings at the street face shall be sympathetic to the surrounding historic building stock.	The surrounding area, as determined through the streetscape analysis confirms that existing buildings are 1 to 2 ½ storeys in height. The proposed building will have a height of 2 ½ storeys, which is consistent with historic building stock.
Proportions: Proportions of new buildings shall complement the proportions of the surrounding historic buildings.	The building size and style of the surrounding area is varied, including 1 and 2 ½ storey dwellings in a range of architectural styles, some of which are larger than others. The new building will not be any larger than existing development and will be designed in a residential form to ensure consistency along the street.
Roof: The roof pattern shall complement the roof patterns of the historic building stock	There are a range of architectural styles found within the area, including gable, hip, and mansard roof styles. The proposed development includes a mansard roof as well as a front gable. This type of roof is representative of the historic second empire style. This building type does exist within the HCD and the proposed development is drawing on this historic roof pattern.



6 Picton Street (Mansard)



115 Prideaux Street (Mansard)



129 Johnson Street (Gable)

Windows: the replacement and proportion of height to width of windows shall complement those of surrounding historic buildings

There are varied window styles within the area, however, generally windows are sash and double hung. The proposed development is consistent with these window types. The proposed development includes twin sash windows on both the first and second floors. Typical of the area is to have twin windows on the main floor and single sash windows on the upper floors. While not exact to surrounding window patterns, the new development is generally similar.

Colours: colours used through paint and materials shall be historically sympathetic colours being of quiet, subtle natural shades The front façade of the building is proposed to be white, accented with black shutters. The rear of the building will be black in colour. The proposed colours are neutral and will not stand out or detract from the area.

Materials: materials appropriate and typical of the heritage district shall be used with an emphasis on natural fabric such as brick, stone and wood as opposed to metals and plastics

The front façade of the building will be of a stucco exterior with ornamental detailing including quoins, voussoirs and keystones. Stucco is a neutral cladding which blends well with historic building types. No metals or plastics are proposed for cladding. There are existing historic buildings in the area with stucco cladding. Additionally, the HCD Plan emphasizes that new development is not to emulate historic buildings, but rather be contemporary in design while being sympathetic to existing development. The development is therefore utilizing a neutral exterior that is consistent with existing building stock in the area and will not detract from the existing historical homes.



129 Johnson Street



105 Johnson Street



89 Johnson Street



155 Gate Street

Setback: set back of new buildings shall be complementary to that of the existing historic building stock so as to maintain an integrity of building form

As identified in the streetscape analysis, the surrounding area has an average setback of 2.7m, representing a variation of existing development. The new building will have a front yard setback of 3.8m as well as a front terrace that will encroach into the front yard, reducing the appearance of the setback and achieving a consistent setback with surrounding dwellings.

The proposed development is consistent with the HCD policies for new development. The development will be compatible with and blend into the HCD.

4.4 Standards and Guidelines for the **Conservation of Historic Properties in Canada**

The Standards and Guidelines is a guideline for conserving historic places in Canada, originally published in 2003. The Township requested in the pre-consultation summary that the HIA consider guidelines number 11 and 12, which are applicable to rehabilitation of historic places. While the proposed development is not a rehabilitation of a historic place, these guidelines have nonetheless been considered.

11. Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place;

The subject property is not a heritage resource and does not contain character defining elements that are proposed to be altered or rehabilitated. The proposal is to develop the vacant property with a new contemporary building. The new building will be distinguishable from the broader heritage area and adjacent heritage properties. The new building will be contemporary in design, however, it will utilize similar materials, colours, and elements found throughout the area. The development is not imitating or replicating existing heritage dwellings, rather it is complimenting the existing character through a contemporary design that is relatable to surrounding development.

12. Create any new additions or related new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future.

The new development will respect the integrity of the area and will blend into the heritage context. The building has been designed with like materials, colours and elements to ensure it does not detract from the character or surrounding heritage properties. The proposal is not emulating historic built forms, rather it is a contemporary design that draws on similar elements to surrounding development, including the white exterior with black shutters, stucco cladding, window sizes and proportions, roof style as well as includes some ornamental detailing consistent with historic dwellings. Overall, it will be of a similar scale and height to the residential area, designed in a residential form to blend into the area. The buildings form, massing and style will not impair or otherwise alter the character of the area.

5.0 Recommendations & Conclusion

The proposed development at 222 Gate Street is has been assessed for potential impacts on the adjacent heritage properties at 142 Queen Street, 240 Gate Street and 129 Johnson Street. The impact assessment concludes that no major impacts are expected on the adjacent heritage properties. There are potential impacts associated with the excavation for parking. The activities related to excavation may result in vibration and soil movements which could cause impact to abutting heritage properties. This is a potential impact that can be mitigated/avoided through proper monitoring.

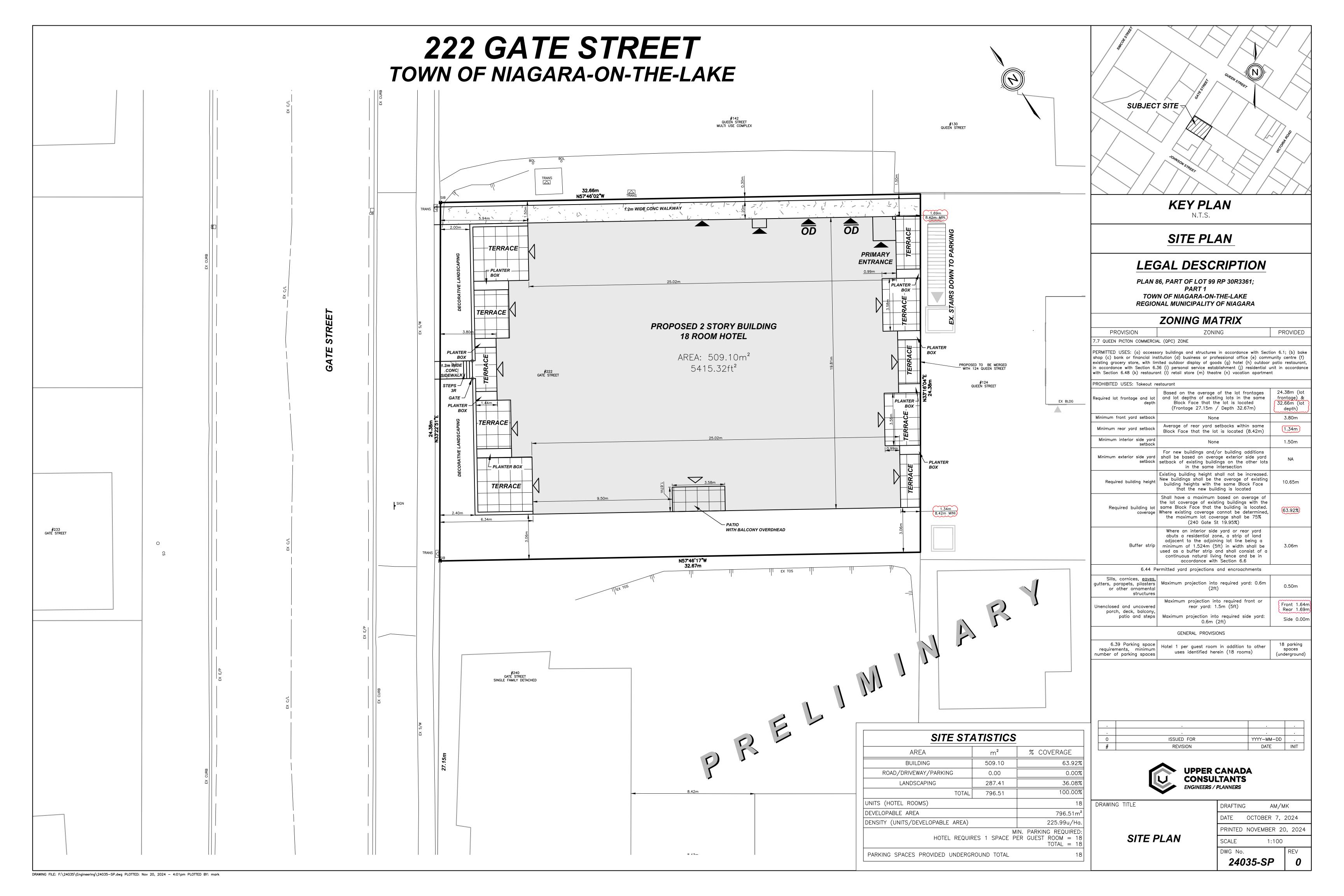
The proposal has also been evaluated for compatibility with the Queen-Picton Heritage Conservation District and compliance with the HCD Plan criteria for redevelopment. The new building will be compatible with the HCD and with surrounding historic development within the area. The proposal will result in the redevelopment of a vacant parcel with a new contemporary building. The new building will be distinguishable from historic building stock (i.e. will not be an emulation of historic buildings), while drawing on similar elements of the area, including materials, colours, and massing. It is concluded that the proposed development is compatible with the HCD and conforms to the HCD redevelopment criteria.

It is recommended that:

- A Vibration Monitoring Plan be completed to ensure that excavation activities do not impact the adjacent heritage properties at 142 Queen Street, 240 Gate Street, or 129 Johnson Street. The implementation of the plan would be during construction. The vibration monitoring plan would be completed by an engineer to determine the zone of influence for construction, and they would be responsible for implementation of the vibration monitoring via installation of monitors.
- A temporary construction fence be installed around the periphery of the development site; and
- Material storage and parking of construction equipment is prohibited on lands directly adjacent to the subject property, including the heritage properties.

Appendix A:

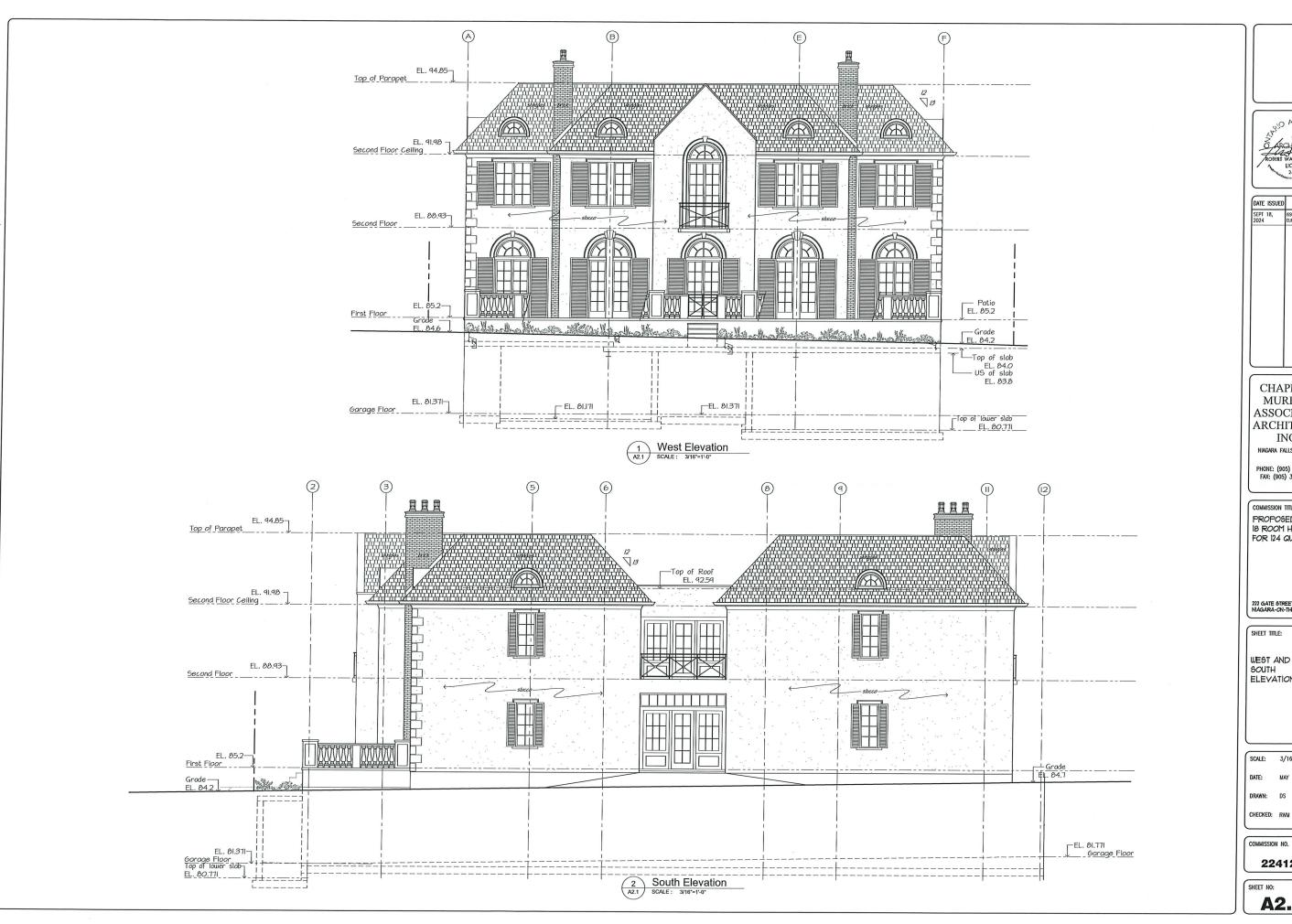
Site Plan



Appendix B:

Architectural Package







SEPT 18, SSUED FOR 2024 CLEM'S APPROVI
l l

CHAPMAN MURRAY ASSOCIATES ARCHITECTS INC. NIAGARA FALLS, ONTARIO

PHONE: (905) 354-1674 FAX: (905) 354-2940

COMMISSION TITLE: PROPOSED 18 ROOM HOTEL FOR 124 QUEEN

222 GATE STREET, NIAGARA-ON-THE-LAKE, ON

SHEET TITLE:

WEST AND SOUTH ELEVATIONS

SCALE: 3/16"=1'-0" DATE: MAY 1, 2024

CHECKED: RWM

224125

A2.1

