

Planning Justification Report Addendum
Official Plan and Zoning By-law Amendment

222 Gate Street
Niagara-on-the-Lake, ON

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Introduction

This addendum to the Planning Justification Report is in response to Town staff comments received on the Official Plan and Zoning By-law Amendment applications for 222 Gate Street and to the Open Space (OS-88) Zone as they relate to the permission of wedding ceremony uses in the Open Space (OS-88) Zone and conformity with the Town Official Plan, and the urban design and streetscape analysis that was included within the Planning Justification Report.

Requested Wedding Ceremony Use Permission

Town staff provided comments on the Planning Justification report as it related to the proposed wedding ceremony use permission in the Open Space (OS-88) Zone as follows:

“As noted, the “Open Space – Exception Three (EX-OS-3)” designation only permits a limited number of uses. Within the Planning Justification Report (“PJR”), it does not appear that justification has been provided to demonstrate that the proposed “wedding ceremony” use conforms with the permitted uses within the site-specific designation. Please provide justification to demonstrate that the proposed wedding ceremony use is appropriate for the site-specific open space designation and is compatible with the residential dwellings abutting the subject lands. Town Staff are of the opinion that an Official Plan Amendment is required to permit this use since “wedding ceremonies” is not listed as a permitted use within the site-specific Official Plan designation.”

In addition to Town staff comments, a number of public comments were received regarding the wedding ceremony use in this location relating to concerns regarding potential noise impacts, serving of food and beverages, the commercialization of the open space use, and what is meant by ‘wedding ceremony’.

The request for the proposed wedding ceremony use is for the garden area lands that are currently zoned Open Space (OS-88) associated with the 124 on Queen Hotel and Spa that are to the rear of the existing hotel. The wedding ceremony use is ancillary to the permitted hotel use. This garden area backs onto residential properties on Johnston Street and Victoria Street. The garden area serves as a landscaped buffer between the hotel building and the adjacent residential uses. No physical change is proposed to the garden area to accommodate the wedding ceremony use, it will continue to act as a landscaped buffer. There will be no removal of trees or landscaped material or removal of the water features in this area.

The request is to permit the wedding ceremony use within the existing garden setting. The wedding ceremony use involves the exchange of marriage vows between two people and an officiant and may include the attendance of guests. It does not include the wedding reception where food and beverages are served, music or entertainment is offered or where the celebrations occur after the wedding ceremony. It is only that part of a wedding day when the exchange of vows occurs, generally a quiet and meaningful time that is relatively short in duration. It is not a highly commercialized activity. Therefore, it is recommended that the following definition be included in the proposed zoning by-law amendment to be clear on the meaning of a wedding ceremony:

“means the exchange of wedding vows between two people and an officiant that may be witnessed by guests in attendance. A wedding ceremony does not include the wedding reception where food, beverage, music and celebrations occur after the wedding ceremony.”

Further, in order to ensure that the wedding ceremony function does not intrude into the surrounding residential area and does not result in adverse impacts on the adjacent residential uses, it is recommended that clear and distinct limitations as follows be included in the zone requirements for the wedding ceremony use:

- Maximum number of wedding ceremonies per day be limited to 1
- Maximum number of wedding ceremonies per week be limited to 3
- The time of day that wedding ceremony may take place be limited to the daytime between 1pm - 5 pm
- Maximum duration for a wedding ceremony be 60 minutes
- Maximum number of guests be restricted to 75
- There be no amplification of sound
- No food or beverage service be offered during the wedding ceremony.

The wedding ceremony use is an ancillary function to the permitted hotel use in the QPC-50 Zone. The lands zoned Open Space (OS-88) are the landscaped garden area associated with the hotel and are owned and maintained by the hotel and part of the same property at the hotel. Many hotels offer their facilities for hosting wedding ceremonies as part of their business and are not site specifically zoned. The request to permit wedding ceremony use in the Open Space (OS-88) Zone was to provide clarity that only a wedding ceremony would occur in this space and not a wedding reception. Maintaining compatibility with the adjacent residential uses is important and the proposed limitations and restrictions being recommended to be included in the Zoning By-law Amendment on the number and size of events, time of day and length, prohibition of amplification of sound and no food or beverage service will ensure adjacent properties are not adversely impacted.

With regards to the Official Plan designation on the subject lands it is noted that the area zoned Open Space (OS-88) also has a site specific Open Space designation as EX-OS-3 which identifies the only permitted uses as landscaped open space (including accessory structures of a landscaped open space nature, excluding partially or fully enclosed structures), an underground parking garage secondary to a hotel on the same lot, and 1 duplex or semi-detached dwelling containing 2 dwelling units. As indicated, there is no physical change to the landscaped open space resulting from the permission of having wedding ceremonies in this space. Rather, the landscaped open space will continue to exist as it currently does, however the space will be used as a locale for a wedding ceremony a maximum of 3 times a week and a maximum of 1 a day and up to 60 minutes in duration and only in the afternoon. This insures the landscaped open space continues to function as the primary use and the occasional use for a wedding ceremony is clearly a temporary function or occurrence and not a main use, therefore an Official Plan amendment is not required to site specific EX-OS-3 designation to allow wedding ceremonies, the landscape open use is not changing and will continue to exist. It is noted that wedding ceremonies occur on other lands designated Open Space in the Town and are not specifically cited as a permitted use in the Open Space designation.

Urban Design & Streetscape Analysis Addendum

Town staff provided comments on the Planning Justification Report that included an urban design and streetscape analysis as it related to the proposed Official Plan and Zoning By-law Amendment

applications for 222 Gate Street and the proposed 2 storey, 18 room hotel building. Specifically, the Town staff comments were

“In reviewing the Streetscape Analysis, it appears that all the residential dwellings on Gate Street, between Queen Street and Johnson Street, have lot coverages ranging from 16.7% to 23.2%, with the lot coverage of the proposed hotel being approximately 64% and occupies a large proportion of the frontage. Section 6A of the Town OP, Policy 4.4 d) under Urban Design sets out that bulk, mass and scale of new development shall fit the context within which it is located. Please identify whether there are any anticipated impacts to the streetscape or the residential character resulting from the massing of the proposed hotel building, in addition to providing further justification to demonstrate that the massing, bulk and scale of the proposed hotel is appropriate in the context of the surrounding residential neighborhood.”

Section 6A, Policy 4.4 d) states that “***Bulk, mass and scale of new development shall fit the context within which it is located.***”

With respect to the context within which 222 Gate Street is located, it is within the Queen-Picton Heritage District Conservation Plan area. The property abuts commercial uses to the north and east and residential uses to the south and west. Immediately to the north are two large commercial buildings located at 142 Queen Street and 130 Queen Street being the Gate House and Hendriks Your Independent Grocer grocery store. To the east is the current 124 on Queen Hotel and Spa commercial development with the two storey Smithy building being located 8.75m from the rear property line. Immediately to the south of 222 Gate Street is an existing residential property at 240 Gate Street that contains an existing 2-storey residential dwelling and to the west opposite the lands and across the road is a residential property at 233 Gate Street which contains a 1½ storey dwelling.

222 Gate Street is impacted by both existing commercial and residential uses that are immediately adjacent to it. The design of, and building placement of the proposed building at 222 Gate Street is such that it provides a transition between the existing commercial and residential uses by being domestic in scale, mass and design and filling a gap within the existing streetscape.



Architectural Rendering 222 Gate Street without Building Additions/Alterations at 240 Gate Street

The proposed hotel building is similar in scale to that of the adjacent Gate House (142 Queen Street) to the north as both are 2-storeys in height with the Gate House being larger in bulk and mass. The Gate House is a commercial building with on-site parking located along the exterior side and rear yards. Rear access to 130 Queen Street which is also similar in bulk and mass is also obtained via a driveway in the rear of 142 Queen Street that is alongside the northern boundary of 222 Gate Street. The driveway entrance and rear parking area provide physical separation from the side of the proposed building at 222 Gate Street. The Gate House building occupies approximately 59% of the frontage on Gate Street.



Gate Street façade of Gate House – 142 Queen Street Source: Google Streetview

The other buildings located on the east side of Gate Street, south of the proposed hotel are 2-storeys in height; however, are smaller in bulk and mass and used for residential purposes. The buildings opposite the proposed hotel on the west side of Gate Street are smaller in scale being 1 ½ storeys, and smaller in bulk and mass, and also used for residential purposes while the residential building located at 154 Queen Street is similar in height, but smaller in bulk and mass. The proposed bulk, scale and mass of the proposed hotel building is not out of character with the area and does fit with the context within which it is located having similar building scale in terms of heights to the buildings immediately adjacent to it, and provides for a transition in bulk and mass from the larger buildings on Queen Street to the residential buildings on Gate Street. It is noted that the larger bulk and mass of the Gate House does not adversely impact on the smaller bulk, mass and scale of the residential buildings on the west side of Gate Street. Similarly, it is not anticipated that the bulk and mass of the proposed building at 222 Gate Street which will be smaller in bulk and mass and similar in scale to Gate House will also not impact on the residential properties on Gate Street.

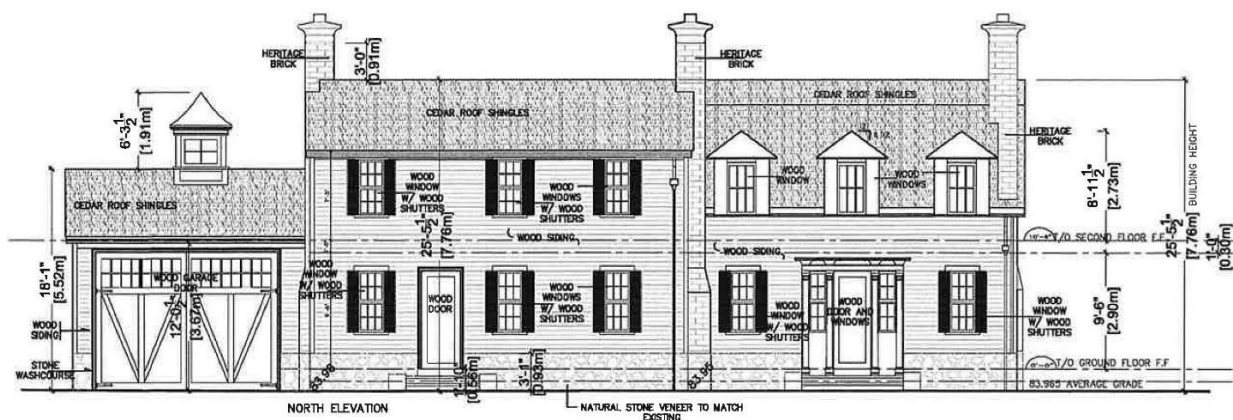
In addition, the mature street trees along Gate Street help to mitigate the impacts of the bulk, mass and scale as the street trees are taller than the proposed building and provide for screening and provide for higher elements along the streetscape that draw one's eye away from the building. Further, the impact of the proposed building at 222 Gate Street will be softened by front yard landscaping and the raised front terrace which will also mitigate bulk and mass impacts on the streetscape.

While the lot coverage varies between properties and the proposed hotel building will have the highest percentage of lot coverage on the block, the increase in lot coverage will largely not be discernable from a streetscape or urban design perspective as the increase in lot coverage is a result of the building extending to the rear of the property and side views of the building extending to the rear are limited. It

is noted that the proposed building consists of two components, i.e. front and rear components being divided in the centre by a dark panel that breaks up the side mass of the exterior of the building; this visually mitigates the impact of the increase in lot coverage. It is also noted that the property will merge with 124 on Queen Hotel and Spa property which will ultimately result in an overall lot coverage of 40.1% which is appropriate relative to the block and still provides for suitable separation and space between buildings and a general feeling of openness within the block. The increase in lot coverage does not adversely impact on the lot coverage of the block and is appropriate for the context within which the proposed building is located.

The building face occupies approximately 81% of the frontage on Gate Street, however, this is mitigated by design interventions such as the articulation in the setback of the building front face which provides a varied setback that minimizes the impact of the bulk and mass of the building and contributing to visual interest, and the raised terrace in front of the proposed building also mitigates the impact of the building face on the streetscape and providing for suitable separation between the public and private realm. Further, the side yard setback of 1.2m and 3.06m provide for appropriate separation and distance of the proposed building from adjacent properties with the larger 3.06m setback being adjacent to the residential property at 240 Gate Street. The appropriate building setbacks from the property lines, combined with the variation in the building front yard setback and the raised terrace mitigate the impact of the building bulk and mass, and contribute to a suitable and appropriate building placement on 222 Gate Street.

It is also important to note that the designated Part IV property to the south at 240 Gate Street received Heritage Permit approval for alterations to the existing dwelling including the demolition of a portion of the building, and building additions to the rear and on either side of the dwelling that extend into the rear yard. The new front face of the dwelling will occupy 88.5% of the lot frontage and the original dwelling will also be raised approximately 0.76m to accommodate a new foundation and basement. These building alterations and additions also need to be taken into consideration when evaluating the impact on the Gate Street streetscape as these approved alterations and additions form part of the existing streetscape along Gate Street.



240 Gate Street Streetscape with Building Alterations and Additions

The building additions on either side of the original dwelling at 240 Gate Street will be setback from the front face of the dwelling providing for articulation and variation in the front yard setback distinguishing the original building from the additions. With the building additions, 240 Gate Street will have interior side yard setbacks of 1.2m on both sides and the lot coverage will increase to 35.2%. Overall, the bulk, scale and mass of the dwelling at 240 Gate Street will increase. The proposed building at 222 Gate Street is compatible in terms of bulk, scale and massing with the approved building additions at 240 Gate Street and provides for a complimentary design and integration into the Gate Street streetscape. The proposed new building at 222 Gate Street will maintain a generous setback of 3.06m from the property line adjacent to 240 Gate Street providing for adequate separation and buffering. Within this setback landscaping can also be provided which can also function as a buffer between the two properties. 222 Gate Street is 2 storeys in height and there is no issue with overlook. It is noted that the proposed building addition at 240 Gate Street along the mutual property line with 222 Gate extends into the rear yard well past the original dwelling creating a courtyard effect in the rear yard of 240 Gate Street.



Architectural Rendering of 222 Gate Street with Approved Building Additions/Alterations at 240 Gate Street

Further, it is noted that the design of the proposed building at 222 Gate Street is domestic in scale and appears as a residential building, reflective of a manor house. The proposed building materials and colours are traditional and together with the design, the building provides for a complementary integration and fit with the adjacent residential uses and suitable transition between the Queen Street commercial buildings and the residential uses to the south. There is also appropriate separation

between the proposed building and adjacent buildings that combined with the design of the building, mean that the increase in lot coverage does not adversely impact on the streetscape of Gate Street or on adjacent properties.

Overall, the bulk, mass and scale of the proposed development fits, integrates well, and contributes positively to the Gate Street streetscape and the context within which the lot is located; the proposed building will fill a gap that currently exists in the streetscape. Further, the proposed lot coverage on 222 Gate Street will have minimal impact on the streetscape. The proposed building provides for a suitable transition between the bulk, mass and scale of the commercial buildings on Queen Street to the bulk, mass and scale of the adjacent residential buildings. The introduction of the proposed 222 Gate Street building will not adversely impact the Gate Street streetscape, is complementary and is residential in appearance.

Conclusions

This addendum to the Planning Justification Report was prepared to address 2 specific issues, firstly the permission for the proposed wedding ceremony use in the lands that are designated as EX-OS-3 and zoned Open Space (OS-88) and secondly to provide additional clarity and rationale with regards to the increase in lot coverage and the impact on the bulk, scale and mass of the proposed 2-storey building at 222 Gate Street and the impact on the streetscape and on the block.

The proposed definition of, and restrictions and limitations being recommended for the wedding ceremony use in the proposed Zoning By-law Amendment will ensure that the landscaped open space use of the hotel garden area continues as the main use and the function of this area as a landscaped buffer between the hotel building and the adjacent residential properties also continues. The proposed restrictions on the wedding ceremony use as outlined in this addendum will also ensure that the wedding ceremony use will not result in adverse impacts on the adjacent residential uses.

The proposed 2-storey building at 222 Gate Street, while commercial in use, has been designed to be appear as a residential manor house on the streetscape that is complimentary with the adjacent commercial and residential buildings, integrates well with the existing Gate Street streetscape and contributes positively by filling a gap the currently exists in the streetscape. The proposed lot coverage has little impact on the streetscape given the design of the building and the bulk, mass and scale of the proposed building fits the context within which it is located. The proposed building materials and colour are also appropriate and are representative of traditional materials and colours found in the Heritage Conservation District. The proposed building at 222 Gate Street will not adversely impact the Gate Street streetscape and is complimentary.

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