

# Appendix 6 - Dock Area Secondary Plan

(Niagara-on-the-Lake Final Draft Official Plan - December 18, 2018)

## 1. Community Development Principles

The following principles express the more detailed aspirations for the future of the Dock Area Secondary Plan area. They should be considered in the review of all planning approvals, development applications, programming and capital projects.

- 1.1 Reinforce Distinct Character Areas by recognizing that the Dock Area is comprised of a complementary yet distinct set of character areas. These character areas include: established and evolving residential neighbourhoods, areas with marine commercial activity (including hotels and the Niagara-on-the-Lake Sailing Club), public open space and publicly accessible waterfront parks and trails, and private property along the water's edge. Defining these character areas and establishing policy directions with regard to the scale, size and form of public spaces, buildings, streetscapes and activities will help to sustain the distinct nature of these places while ensuring they are sensitive to neighbouring character areas.

### Guiding Principles

- (a) New uses, public spaces and buildings contribute to and respect the distinct sense of place, low-rise form, architectural character and human scale of the Dock Area.
  - (b) New development recognizes, responds to and complements the distinct character of the Dock Area neighbourhoods, marine commercial areas (sailing club including clubhouse, boat repair, and hotels including restaurants), and streetscapes.
  - (c) New development is sensitive to surrounding uses and provides appropriate transitions as necessary.
  - (d) The Dock Area should evolve as a series of inspiring, meaningful and memorable places.
- 1.2 Foster a vibrant public realm that over time includes increased public access to the water's edge, improved connections within the Dock Area and to the Town, creates increased amenities for local and Town residents, maintains the historic scale of the area, provides passive park space and transition between public and private areas and tells visitors that they are somewhere special.

### Guiding Principles

- (a) The Dock Area includes a logical network of high quality publicly accessible spaces, including a range of active and passive community gathering places appropriate in scale to their surroundings.
  - (b) The Dock Area is a welcoming and desirable place of beauty for residents, boaters and visitors alike, with some areas more oriented to residents and others to visitors.
  - (c) Public lands on the water, including the Town Dock and adjacent park, are enjoyed as places open to the public for waterfront recreation.

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- 1.3 Establish a Continuous, Publicly Accessible Path Along the Water's Edge for the central portion of the Dock Area through improvements to Nelson Park, the Town Dock and Town-owned land immediately adjacent to the Town Dock, through the acquisition of new public land, and through the redevelopment process, working with private landowners to secure public access to the water's edge on private properties.

### Guiding Principles

- (a) A cohesive, beautiful and connected set of public places and water's edge pathways provide public access to and enjoyment of the Dock Area waterfront.
  - (b) The Town Dock Area is a focal point for this publicly accessible waterfront system which over time extends to the east to embrace the Wharf, extend to the Pumphouse Gallery and to the west to include the Shoreline Park.
  - (c) The Town should seek to over time acquire or negotiate public access to additional land parcels at or near the waterfront that support the Vision for increased public open space along the water and a publicly accessible path along the water's edge.
- 1.4 Manage Movement in the Dock Area by providing safe and interesting avenues for pedestrians and cyclists to travel within and through the area, and minimizing vehicular infiltration into the area – removing dead-ends and actively managing bus traffic and visitor parking.

### Guiding Principles

- (a) The Dock Area prioritizes pedestrian movement with pathways and streets designed to encourage and enhance walking and cycling, and publicly accessible connections to the water's edge including opportunities for waterfront recreation.
  - (b) Vehicular access to and parking in the Dock Area minimizes infiltration of visitor traffic into the neighbourhood.
  - (c) The waterfront and Dock Area are connected from Fort to Fort, and to the rest of the Old Town through a defined network of managed pedestrian, bicycle and vehicular movement.
  - (d) Bus traffic serving the commercial needs in the Dock Area is directed to the designated Fort George drop off zones and served by an expanded shuttle bus service restricted to along Ricardo Street.
  - (e) The small town rural characteristics of Dock Area residential streets and lot pattern are maintained as integral to the distinct character, walkability, heritage and environmental health of the area.
- 1.5 Tell the Dock Area's many stories by introducing a heritage walk and interpretation, as well as conserving and reinvesting in special places of cultural and historic interest. In particular the Dock Area's marine commercial, fishery, shipping of tender fruits, passenger, recreational boating and military history are important legacies to be celebrated and expressed.

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## Guiding Principles

- (a) The rich layers of waterfront history and culture are expressed, celebrated and conserved in Dock Area public spaces, development patterns and built form.
- (b) All investment – both public and private – contributes to a net gain improvement in the conservation and restoration of natural systems and/or cultural and heritage assets.
- (c) The network of open spaces is utilized as a key means to express the Dock Area's cultural and historic landscapes.

## 2.0 General Policies

The following policies shall apply throughout the Dock Area.

- (a) The Dock Area, as outlined in black on Schedule B1: Secondary Plan Area, is defined as the area in the Old Town generally bounded between Byron Street to the south and the water's edge between King Street and Fort George to the north, but not including the St. Mark's Church property. Key place names and areas referenced throughout this Plan are also delineated on Schedule B1.
- (b) The Dock Area is composed of a series of Character Areas, as shown in Schedule B2: Character Area Districts. Each Character Area is subject to specific urban design policies as outlined in Section 3, Character Area Design Policies, to ensure future development is of an appropriate scale, intensity of use, and design quality, as well as maintains an appropriate relationship with surrounding buildings and streets.
- (c) New development in the Dock Area is subject to Provincial and Regional policies and review, including Floodplain policies.
- (d) The Town of Niagara-on-the-Lake shall ensure development and infrastructure investment in the Dock Area Secondary Plan area respects the type, scale and character identified in this Plan and contributes to the achievement of the Community Development Principles outlined in Section 1.
- (e) Prior to approval, all applications for development in the Dock Area shall be subject to Site Plan Control Approval and an urban design, heritage and architectural review process.
- (f) The Town shall seek opportunities to connect and strategically expand a public network of open spaces and access points to the water's edge in the Dock Area.
- (g) The Town Dock and adjacent town-owned land shall remain predominantly publicly accessible and available for the enjoyment of residents and visitors alike.
- (h) Schedule B3: Land Use Designations, shows land use designations for the Dock Area.
- (i) In addition to the Land Use Designations, a Shoreline Conservation Area overlay, as shown in Schedule B7: Natural Heritage System, applies to all affected properties in the Secondary Plan Area.
- (j) Sustainable building and site design, with a particular emphasis on energy efficiency, shall be encouraged in all new development in the Dock Area.
- (k) Development and redevelopment will be dependent on the servicing capacity available at the Niagara Region Waste Water Treatment Plant serving lands within the urban area of the Old Town including the Dock Area.

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## 3.0 Character Area Design Policies

Recognizing the distinct character of the many places within the Dock Area, the Dock Area Secondary Plan introduces seven Character Area Districts as shown in Schedule B2. The following sections of the Secondary Plan provides both general Dock Area-wide urban design policies and detailed urban design policies for each district, including appropriate setbacks, building volumes and architectural treatments.

### 3.1 General Urban Design Policies

Good urban design is fundamental to the creation of successful, enduring high value environments. The purpose of urban design is to combine built form elements in meaningful and logical ways to create enduring, attractive and memorable places that work on many levels. The following general urban design policies shall apply to all areas of the Dock Area Secondary Plan and will be utilized to structure, organize, articulate and evaluate elements of the built environment to promote a high quality, pedestrian friendly and attractive small-scale, traditional character.

#### 3.1.1 Building Orientation

- (a) Buildings shall be sited to address the public street frontage in order to clearly define the public realm, create a consistent presence on and definition of the public street and to create an attractive environment for pedestrians.
- (b) Phased development shall be organized to site buildings first to local street intersections and corner locations, second to occupy the primary street frontage, and third to occupy the side street frontage.
- (c) Buildings situated on corner lots are encouraged to exhibit a high level of architectural design on both street frontages to enhance visual interest and character.

#### 3.1.2 General Built Form and Massing

- (a) Buildings should have low profile roofs with distinctive features such as gables and dormers.
- (b) Buildings should have their primary entry facing the public street or public space.
- (c) Buildings should have windows fronting the public street or private street system.
- (d) Building façades where fronting a public street or open space should be designed to contribute to architectural interest and be pedestrian scaled.
- (e) The use of wood frame windows is encouraged. The use of mirrored or vibrantly coloured glass is prohibited.
- (f) The addition of front or side porches and wraparound porches on corner residential buildings is encouraged.
- (g) Buildings longer than 35m shall be massed to reflect a series of smaller linked pavilion type buildings defined by recessed building segments setback from the principal façade to break up the building mass. Generally, recessed segments should occur at 10m to 15m intervals.

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- (h) Building height should be compatible with the height of surrounding buildings, which in the Dock Area is typically lower than in other areas of the Town.

### 3.1.3 Commercial Frontage and Mixed Use Buildings

- (a) For commercial buildings, the street facing portion of the ground floor and that portion facing a publicly accessible private amenity area is referred herein after as commercial frontage.
- (b) The ground floor of commercial frontage should be reserved for street-related commercial and/or community uses, including stores, restaurants, business, cultural uses and personal services, and/or professional services. With the exception of an inn or hotel, a commercial unit, including restaurants, shall have a maximum floor area of 110 square metres.
- (c) Commercial frontage shall have well developed building façades with a minimum 60% of the ground floor façade occupied by windows and doors to provide ‘eyes on the street’, and to create an interesting pedestrian experience.
- (d) A high quality “store front” design is recommended for commercial frontage. Variability along the commercial frontage in terms of the composition of windows, and entryways is encouraged. The use of vinyl siding and stucco is not permitted.
- (e) The ground floor of commercial units shall be a minimum of 4.5m in height.
- (f) The height of window and door articulation on the commercial ground floor will respond to the greater ground floor to ceiling height and should be in proportion with the overall height and massing of the building.
- (g) The top of the commercial ground floor exterior façade should be demarcated by a cornice feature of approximately 0.5m in height.
- (h) Building entrances should be easily identifiable and appropriately signed. Wooden signage is encouraged and should be located in the cornice zone at the top of the commercial ground floor. Perpendicular signage may be hung in this zone, but should not exceed 0.7m high by 1.2m in width.
- (i) Retractable awnings or other weather protection elements are encouraged on commercial frontage.
- (j) Where a commercial building is situated on a corner lot, a corner entrance is encouraged.
- (k) A distinctive roof or building top cornice is encouraged at the top of the building. Roof cornice features will exhibit relief and project beyond the building wall.
- (l) Building façades shall exhibit a pattern of vertical relief along the street frontage occurring at 6.0m to 8.0m intervals to add visual interest.
- (m) The horizontal and vertical alignment of windows should generally be consistent although variation to create interest along the building façade will be permitted. Window styles may vary between building pavilions.

### 3.1.4 Site Landscaping

- (a) General site landscaping, including street tree planting along the street frontage, and rear and side yard landscaping is encouraged on each lot.

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- (b) Parking lots shall not be visible from the public or private street system and will be screened from view by a minimum 1.0m high coniferous landscape hedge.

### 3.1.5 Movement and Parking Access

- (a) The design and configuration of private lanes or roads shall include a minimum 6.0m asphalt surface and will be completed to the satisfaction of the municipality.
- (b) Rear lane garages shall be set back 0.5m from the rear lane.
- (c) Front car garages in residential areas shall be set back 1.0m from the building face.
- (d) On street parking shall be permitted throughout the Dock Area.
- (e) Lay-by parking of a 2.5m maximum depth should be permitted to occur within the public right-of-way in commercial use areas fronting a public street.
- (f) Parking in commercial areas shall not be permitted between the edge of the public right-of-way and the building face along public streets.
- (g) Surface parking lots shall be located to the rear and/or internal to the block and screened from view from the public right-of-way.
- (h) Parking in commercial use areas shall include the planting of street trees and other landscaped areas to visually break up and green surface parking areas.
- (i) Parking facilities for bicycles should be provided in commercial use areas.

### 3.1.6 Loading and Storage

- (a) Loading, storage, and other service areas shall not be visible from any public street. Visual screening in the form of fencing or landscaping shall be provided around servicing and loading areas in order to reduce their visual impact, to the satisfaction of the Town through Site Plan Control Approval.
- (b) Garbage receptacles/storage shall not be located along the building front. Where located along a public street, these areas shall be visually screened by fencing or landscaping.
- (c) Air conditioning units shall not be visible from neighbouring properties or the public street.

## 3.2 Town Dock and Wharf District

The Town Dock and Wharf District is composed of several Town-owned properties and the Wharf, which is owned by the Niagara-on-the-Lake Sailing Club. Lands within the Town Dock and Wharf District represent important opportunities to enhance the public's access to the water's edge and to create a cohesive waterfront area through redevelopment and investment over the short, medium and long terms. The intent of this Secondary Plan is to ensure that public assets are predominantly publicly accessible, and that if and when the Wharf comes forward for commercial redevelopment, new buildings are designed to an appropriate scale and character, and new public access to the water's edge can be secured and improved to increase public recreational enjoyment.

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- (a) As publicly owned lands represent the most important and immediate opportunities for the public to engage the water and are the focal points of the Dock Area, structures or activities located on them should reflect the highest design standards.
- (b) The Town should ensure there are opportunities for public docking facilities in the District, including through floating docks and/or expanded dock areas facilities on public or publicly accessible lands.
- (c) The existing commercial boat operation is encouraged to operate in a manner that is consistent with the policies of this Plan, including but not limited to: ensuring the entrance to the Town Dock celebrates the terminus of Melville Street, allowing for views to the water, investigating opportunities to divert bus drop-off to the Fort George bus parking lot or other alternative locations, and ensuring that the operations are generally visually pleasing and clean.
- (d) Buildings on the Wharf and Town Dock Lands shall be set back from the water's edge to provide for a continuous publicly accessible amenity space. This amenity space shall be a minimum of 5m wide. Public access on private lands, including the Niagara-on-the-Lake Sailing Club shall only be achieved at the prerogative of the landowner and/or through a redevelopment process initiated by the owner.
- (e) As Lake Ontario is a Type 1 Fish Habitat, setbacks from the water's edge are also subject to the policies of the Ministry of Natural Resources and Forestry, Niagara Peninsula Conservation Authority and Niagara Region.
- (f) The gross floor area of any single commercial building on lands designated Town Dock Area (on Schedule B3: Land Use Designations) shall not exceed 900 square metres.
- (g) The building footprint of any single commercial building on lands designated Town Dock Area (on Schedule B3: Land Use Designations) shall not exceed 450 square metres.
- (h) New buildings on lands designated Established Residential shall reflect and complement existing adjacent development in terms of scale, height, building location, building footprint and architectural character.
- (i) The residential built form of the Fog Signal Station shall be retained as part of any future reuse of the property. The Fog Signal Station property shall remain an important transition to neighbourhood and park uses to its west.
- (j) Buildings shall be clad in high-quality materials consistent with materials predominantly used on the Wharf, including wood and clapboard. Vinyl and stucco siding shall be prohibited.
- (k) Reduced parking requirements may be considered for commercial uses where a public good such as public access to the waterfront is provided.
- (l) Any new commercial boating operation shall be required to produce a traffic and parking assessment to determine the operation's impact on the Dock Area and Old Town. In addition, an agreement on necessary improvements to the Dock Area's mobility and parking network should be required as part of any Site Plan Control approval.
- (m) Notwithstanding the policies of this Section, properties located within the Dock Area Water's Edge Public Walk shall have regard for policies outlined in Section 5: Fostering a Vibrant Public Realm.

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### 3.3 Turntable District

The Turntable District is centred on the historic rail turntable and engine house, with some lands set against the water's edge. Historically containing homes for fishing families and a railway right of way, the District has evolved with a mix of residential housing types at various scales. The majority of buildings in this District do not front, but back onto both the waterfront and current open spaces. Moving forward, the intent of this Secondary Plan is to provide guidance on rationalizing the District's road and park system, increasing the amount of parkland, and directing new development to better front onto and address open spaces. The Plan also seeks to maintain a mix of housing types in a character area set against the water and centred on important cultural heritage features and public spaces.

- (a) New buildings shall be sited such that their principal entrances face public streets and public parks.
- (b) Landscaping in the form of low shrub plantings or hedging of no more than 1.0m may be utilized to delineate public and private lands.
- (c) Privacy fencing abutting public parkland shall not exceed 1.0m in height and should contribute in a positive manner toward the enhancement of the public realm. Wrought iron and painted wood picket fencing is permitted to delineate private and public areas. Unpainted pressure treated lumber shall not be permitted.
- (d) A front yard garage shall be permitted for single detached units abutting the water's edge provided that the front car garage is setback 1.5m behind the principal building, does not exceed 50% of the width of the principal building, and the garage is a maximum of 6.0m in width.
- (e) Multiple residential development on properties designated Medium Density Living Area:
  - (i) Shall face Turntable Park and exhibit well-articulated building façades that complement the adjacent open space setting. Pedestrian access to any private property fronting the park shall occur via a sidewalk situated within the public realm.
  - (ii) Should be massed to reflect a series of linked pavilion type buildings defined by recessed building segments setback from the principal façade to break up the building mass. Long, blank façades should be avoided.
  - (iii) Shall locate parking areas interior to the block, accessed via a 6.0m private lane, developed without curbs or sidewalks and appropriately landscaped to the satisfaction of the municipality.
- (f) As Lake Ontario is a Type 1 Fish Habitat, setbacks from the water's edge are also subject to the policies of the Ministry of Natural Resources and Forestry, Niagara Peninsula Conservation Authority and Niagara Region.

### 3.4 Basin District

The Basin District is the heart of the Dock Area's marine commercial area, home to several hotels and the Niagara-on-the-Lake Sailing Club. While the Harbour House hotel property is unlikely to experience significant change over the long term, the remainder of the Basin District, including the King George III Inn property and the Sailing Club property could experience significant investment over the short to medium term. The Town Zoning By-



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law currently allows for a range of commercial uses in the Basin District, including a hotel and restaurant. It is the intent of this Secondary Plan to ensure that new development in the District is of a scale and character that respects the traditional modest scale of the Dock Area, permits a greater mix of uses compatible with a marine-commercial area, contributes over time to the development and enhancement of a continuous publicly accessible path along the water's edge, supports the evolution of Melville Street and Ricardo Street (east of Melville Street) as attractive pedestrian oriented mixed-use streets, and where possible, provides new public gathering places that act as the Dock Area's lobby to the Town Dock and Wharf District.

- (a) New commercial and mixed use development on the Harbour shall be setback 2.0m from the street.
- (b) New commercial and mixed use development on the Harbour shall be setback from the water's edge, of which a portion of this setback will be to provide for a continuous publicly accessible water's edge pathway. This amenity space shall be a minimum of 5m wide. Public access on private lands, including the Sailing Club shall only be achieved at the prerogative of the landowner and/or through a redevelopment process initiated by the owner.
- (c) As Lake Ontario is a Type 1 Fish Habitat, setbacks from the water's edge are also subject to the policies of the Ministry of Natural Resources and Forestry, Niagara Peninsula Conservation Authority and Niagara Region.
- (d) The gross floor area of a single hotel or commercial building shall not exceed 2,000 square metres unless accompanied by a detailed site and area analysis demonstrating that there will be minimal impact on surrounding neighbourhoods and development and which will be subject to a public review process.
- (e) The building footprint of any commercial building shall not exceed 700 square metres.
- (f) The north-east corner of Melville Street and Ricardo Street should be occupied by either a publicly accessible open space or building with special architectural detail and foci.
- (g) Publicly accessible private amenity areas, including outdoor dining areas and landscaped courtyards are permitted where facing the water's edge.
- (h) Multiple private driveways to a single site off of Ricardo Street and Melville Street shall not be permitted. Private access to buildings shall occur on side streets, and a single consolidated driveway access from Melville and Ricardo Streets shall provide access to the Sailing Club properties linked to a public or private lane system. The Niagara-on-the-Lake Sailing Club is encouraged to, over time, relocate its primary entrance to Ricardo Street.

### 3.5 Hospitality District

The Hospitality District contains both the Queen's Landing Hotel and Anchorage Motel Bar and Grill sites which extend from Ricardo Street to Bryon Street. The large scale hospitality operations that occupy these sites or are planned to occupy these sites, exhibit a limited relationship to the street edge and contain large surface parking lots which minimize the pedestrian character of the area. Generally, additions to these properties should result in

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improvement of these conditions, including a more active building presence along the street frontage on Melville, Ricardo and Byron Streets.

- (a) New buildings and building additions shall be sited to address the street frontage.
- (b) Surface parking lots shall be located to the rear or internal to the block and/or screened from public view.
- (c) Small surface parking lots accommodating no more than 10 to 16 vehicles and passenger pick up and drop off areas may be permitted subject to municipal review during the Site Plan Control Approval process. These areas shall be well landscaped to create an attractive arrival experience.
- (d) Structured parking decks are permitted, and where visible from a public street, these shall appear as well designed buildings.
- (e) Commercial frontage facing Ricardo Street and Melville Street shall have well developed building façades.
- (f) As part of a key connection to Fort George, site frontage along Byron Street shall be generously treated with landscaping and/or buildings addressing the street to create an attractive and safe pedestrian environment.
- (g) Views down Melville Street to the water should be preserved.

### 3.6 Delater Neighbourhood District

The Delater Neighbourhood District is a stable residential neighbourhood that contains a unique collection of small worker-cottages dating to the settlement of the Dock Area. As has been the case over the past ten years, the District is expected to experience on-going modest infill development and renovations to existing properties over the long term. It is the intention of this Plan to ensure new infill development and building additions respect the heritage-scale, character and sense of place of the neighbourhood as a place of small houses with low roof lines on small lots. Figures 1 and 2 illustrate the following guidelines.

- (a) New buildings shall reflect and complement existing adjacent development in terms of scale, height, building location and architectural character.
- (b) Maximum lot frontage shall generally not exceed 18.0m.
- (c) Structures shall have a maximum front yard setback of 2.0m and minimum side yard setbacks of 1.5m.
- (d) Buildings shall be clad in materials consistent with the historic materials used in the Delater Neighbourhood, including wood clapboard and brick. The use of wood windows is encouraged.
- (e) Front yard garages shall not be permitted for any units fronting a public street. Houses shall be developed with a 3.0m side drive access to a detached rear garage, or rear laneway detached garage access. Side drive access may be shared across the adjacent property allocating 1.5m access drive respectively.
- (f) Garage access for corner lots should be from the side or flanking street.

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**Figure 1: Built form guidelines for single-detached residential units**



**Figure 2: Built form guidelines for semi-detached residential units**



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### 3.7 Wellington District

As a result of topography and landscaping, the Wellington District has developed its own character within the Dock Area. The District includes both single-detached housing units and a mid-rise seniors housing facility. Moving forward, the Chateau Gardens property has great potential to be redeveloped in the short to medium term, and the single-detached housing unit properties, most of which are large lots, will be under pressure to be severed over the long term. It is the intent of this Secondary Plan to provide specific guidance for the Chateau Gardens site, which when redeveloped is encouraged to have a more active relationship with Melville Street as well as provide appropriate measures to minimize impacts on the residential properties that surround it. Further, the intent of this Secondary Plan is to ensure infill development within the residential area reflects the traditional modest-scale of the character area.

- (a) New commercial or residential buildings fronting Melville Street shall be setback 2.0m from the street.
- (b) New buildings shall have main pedestrian entrances on Wellington Street and Melville Street and shall address both streets architecturally. Parking shall be provided either internally to the lot and/or through structured and underground parking facilities. Surface parking will be visually buffered from the public street and should not abut a residential property.
- (c) A combination of residential and institutional uses may be considered without an amendment to this plan.
- (d) The gross floor area of any single residential building on the Chateau Gardens site shall not exceed 2,000 square metres. Institutional buildings may have floor areas in excess of 2000 square metres, provided the increase in floor area can be justified based on provincial standards for institutional floor area minimums.
- (e) The building footprint of any single residential building on the Chateau Gardens site shall not exceed 700 square metres. Institutional buildings may have footprints in excess of 700 square metres, provided the increase in size can be justified based on provincial standards for institutional floor area minimums.
- (f) The Chateau Gardens site should provide pedestrian connectivity across the site from Melville Street to Wellington Street.
- (g) The Chateau Gardens site shall take all feasible measures to mitigate noise, privacy, and visual impacts on adjacent residential uses. An appropriate transition in the form of stepping down in height to residential housing along Wellington Street and abutting the site to the south shall be considered by any developer of the site. Notwithstanding any other part of this plan, increases in height beyond what is permitted in the Zoning By-Law may be considered by the Town to accommodate both institutional floor area requirements and appropriate built form transitions.
- (h) Any new development on the Chateau Gardens site should conserve the stand of mature trees along both Ricardo Street and Wellington Street.
- (i) Single detached and semi-detached residential units shall have a minimum side yard setback of 1.5m. Front yard setbacks should be similar to adjacent neighbouring residential buildings along Wellington Street.

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- (j) Front yard garages shall not be permitted for any single-detached, semi-detached or duplex units fronting a public street. These units shall be developed with a 3.0m side drive access to a detached rear garage, or rear laneway detached garage access. Side drive access may be shared across the adjacent property allocating 1.5m access drive respectively.
- (k) Garage access for corner lots should be from the side or flanking street or lane

### 3.8 Ricardo East District

The Ricardo East District includes a mixture of housing types set among several major cultural heritage destinations. Although one can expect that the area will not experience significant change over the next five years, it is the intent of this Secondary Plan is to ensure that if and when change occurs, it supports public investment to improve Ricardo Street east of Melville Street as a cultural heritage promenade, linking the Niagara Parkway, Navy Hall and Fort George to the rest of the Dock Area. Further, it is the intent of this Secondary Plan to provide clear guidance on how public investment can improve Fort George's and Navy Hall's sense of connection to the rest of the Dock Area as well as contribute to strengthening Ricardo Street as a cultural heritage corridor.

- (a) Ricardo Street should be designed as a key pedestrian, bicycle and vehicular connection and gateway to the Dock Area. Landscaping on private lands on Ricardo Street and within the public right-of-way should contribute to a parkway-like connection.
- (b) New buildings and building additions shall address and have main entrances on Ricardo Street or Byron Street.
- (c) Parking for multi-unit residential or commercial uses should be provided internally to the lot and/or as underground or structured parking.
- (d) The gross floor area of a small scale retail or restaurant use secondary to a gallery shall not exceed 100 square metres.
- (e) New buildings shall generally reflect and complement existing adjacent development in terms of scale, height, building location and architectural character.
- (f) Structures shall have a minimum 1.5m side yard setback.

## 4.0 Land Use and Site Development

The Dock Area contains four land use designations: Established Residential, Medium-Density Living Area, Dock Area Marine Commercial, and Town Dock Area, as shown in Schedule B3: Land Use Designations. The following policies provide guidance on appropriate land use and scale of site development.

### 4.1 Established Residential

The Established Residential designation corresponds to the historic Delater Neighbourhood and the eastern end of Ricardo Street, including the Niagara Pumphouse Visual Arts Centre. These neighbourhoods consist of a range of housing styles, many of which date back to the early history of the Dock Area as a centre of fishing, rail and water

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transportation and boat building. Newer forms of residential lots along Ricardo, east of Nelson Street, are the exception. The intent of this Secondary Plan is to ensure the historic scale, lot size and architectural styles in areas designated Established Residential are respected.

- (a) Permitted Main Uses: residential uses including single detached, semi-detached and duplex dwellings, public open space; and cultural institutions such as an art gallery and art school.
- (b) Secondary Uses: uses permitted with a main use include roomers and boarders, bed and breakfasts, accessory apartments, granny flats, home occupations, accessory buildings or structures, and, in conjunction with an art gallery, a small retail or restaurant use.
- (c) Further to policy 5.0(d) of the Secondary Plan, at such time as lands north of River Beach Drive and east of and including the Fog Signal Station property come into public ownership, these lands should be dedicated to recreational, cultural, marine commercial and parkland use and provide predominantly public access to the waterfront.
- (d) New buildings and lots shall generally reflect and complement existing adjacent development in terms of small scale, height, building location and architectural character. In particular, renovation of existing and new housing in the Delater Neighbourhood should reflect the traditional character of small houses on small lots.
- (e) Lots west of Melville Street containing a single-detached housing unit shall be a minimum of 10.0m in width, and should be similar in overall size, width and depth to adjacent and neighbouring residential lots. Structures shall have front, side and rear yard setbacks that are generally consistent with the character of the neighbouring properties, ensuring permeability of views between houses towards the water and having regard to the impact of shadows on neighbouring buildings and lots. Specific setback dimensions are outlined in Section 3, Character Area Design Policies.
- (f) Lots east of Melville Street containing a single-detached housing unit shall be a minimum of 15.0m in width, and should be similar in overall size, width and depth to adjacent and neighbouring residential lots. Structures shall have front, side and rear yard setbacks that are generally consistent with the character of the neighbouring properties, ensuring permeability of views between houses towards the water and having regard to the impact of shadows on neighbouring buildings and lots. Specific setback dimensions are outlined in Section 3, Character Area Design Policies.
- (g) Lots containing a semi-detached housing unit shall be a minimum of 7.5m in width, and should be similar in overall size, width and depth to adjacent and neighbouring residential lots. Structures shall have front, side and rear yard setbacks that are generally consistent with the character of the neighbouring properties, ensuring permeability of views between houses towards the water and having regard to the impact of shadows on neighbouring buildings and lots. Specific setback dimensions are outlined in Section 3, Character Area Design Policies.

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- (h) Building footprints of the combined principal and secondary structures shall be no greater than 60% of the lot area.
- (i) The predominance of 1-2 story buildings is key to conserving the historic character and scale in these neighbourhoods. All new development shall be subject to a maximum height of 2 storeys or 8.5m as measured from grade to the peak of the roof line.

### 4.2 Medium-Density Living Area

The Medium-Density Living Area designation is intended to permit a greater range of housing types in areas that are appropriate for higher density development, including live/work units along Melville Street. Nonetheless, higher density uses such as townhouses, apartments and nursing homes must be sensitive to surrounding lower density uses, respecting the character of surrounding areas by providing appropriate transitions.

- (a) Permitted Main Uses: low density residential uses such as single detached, semi-detached and duplex dwellings; multi-unit residential uses including townhouses, apartments, seniors housing, and nursing homes; live/work units along Melville Street; and public open space.
- (b) Secondary Uses: uses permitted with a main use include roomers and boarders, bed and breakfasts, accessory apartments, granny flats, home occupations, accessory buildings and structures.
- (c) The residential density of development shall not exceed 25 units per acre (62 units per hectare) residential net density unless accompanied by a detailed site and area analysis demonstrating that there will be minimal impact on surrounding neighbourhoods and development and which will be subject to a public review process. Council shall establish in an implementing zoning by-law the maximum number of units to be permitted on any property subject to the relevant policies of this Plan and applicable Regional and Provincial Policy.
- (d) Live/work units with commercial uses on the ground floor shall be permitted along Melville Street. Commercial frontage should address Melville Street and developments are subject to the Commercial Frontage and Mixed Use Buildings General Urban Design Policies delineated in Section 3.1.3.
- (e) Sensitive transitions shall be required where medium density development is proposed abutting established residential designations. Setbacks and/or landscaping can be used as a transition between medium density uses and lower density uses.
- (f) Building footprints of the combined principal and secondary structures shall be no greater than 40% of the lot area.
- (g) All new development shall be subject to a maximum height of 3 storeys or 10.5m as measured from grade to the peak of the roof line.
- (h) Parking shall be provided in structured, under structure or underground facilities.

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### 4.3 Dock Area Marine Commercial

The Dock Area Marine Commercial designation centres on the portions of Melville Street and Ricardo Street that encircle the Harbour. The designation permits a mix of marine-commercial uses intended to ensure the Dock Area's marine commercial character continues to evolve, grow and prosper. It is the intent of this Plan to ensure new development in areas designated Dock Area Marine Commercial positively contribute to the public realm and are of a scale and character congruent with the Dock Area's marine heritage character. As such, the Dock Area Marine Commercial designation is intended to support the area around the Harbour to evolve as a mixed-use commercial district with uses that are appropriate in scale and intensity for the Dock Area, that respects an appropriate transition to adjacent established residential neighbourhoods, is pedestrian oriented, and is visually appealing to residents and visitors.

- (a) Main Uses: marina uses including sailing club, boat building and storage establishment, marine or boat livery, and related ancillary uses to a yacht club or marina; commercial uses including hotels, restaurants, retail stores, and uses related to the provision of goods and services for passive waterfront recreation activities; and public open space. A marine passenger service terminal is permitted along the Wharf through a zoning by-law amendment subject to transportation infrastructure improvements that manage circulation of additional vehicular traffic without compromising the pedestrian focus of the Dock Area and contributions to preserving and improving public access to the water's edge.
- (b) Secondary Uses: in conjunction with a primary commercial use, multi-unit residential uses including apartments and live/work residential units above main floor; accessory buildings or structures, and home occupations.
- (c) Residential development as a component of a mixed-use building shall not exceed 12 units per acre (30 units per hectare) residential net density unless accompanied by a detailed site and area analysis demonstrating that there will be minimal impact on surrounding neighbourhoods and development and which will be subject to a public review process. Council shall establish in an implementing zoning by-law the maximum number of units to be permitted on any property subject to the relevant policies of this Plan and applicable Regional and Provincial Policy.
- (d) New buildings shall reflect and complement the heritage character of the Dock Area in terms of scale, height, building location and architectural character and are subject to Section 3, Character Area Design Policies.
- (e) Building footprints of the combined principal and secondary structures shall be no greater than 60% of the lot area.
- (f) All new development shall be subject to a maximum height of 3 storeys or 10.5m as measured from grade to the peak of the roof line.
- (g) Vehicular parking should be provided in structured, under structure and/or underground facilities accessed at the rear of buildings. Parking areas generally shall be well buffered and generally not visible from streets, parks or other publicly accessible open spaces. In particular, landscape treatments shall be provided to obscure views to parking from public streets, including Ricardo Street and Melville



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Street. Surface parking lots shall generally be small and contain no more than 10 to 16 parking spaces.

- (h) Vehicular drop off and access along Ricardo Street east of Melville Street, and along Melville Street should be orderly and not interfere with pedestrian, bicycle or other vehicular movement. In cases where significant vehicular traffic related to the Harbour or commercial boating activities is foreseen, drop-off facilities shall not be accommodated in the public right-of-way.

### 4.4 Town Dock Area

The Town Dock Area designation includes lands as outlined in Schedule B1: Secondary Plan Area. Located at the base of Melville Street, the Town Dock Area is the focal point for the Dock Area as a whole - the central meeting place of the Water's Edge Public Walk. These lands represent the premiere opportunity for the public to engage the water and to improve the Town's connection to the waterfront. Any structure or activity in the Town Dock Area should reflect the area's role and be of the highest design standards. The intent of the designation is to permit a range of publicly accessible uses that provide opportunities to enjoy the waterfront and passive or low intensity waterfront recreation. Further, the intent of this Plan is to provide clear guidance to ensure any commercial activities contribute to, complement and fit in with the Dock Area.

- (a) Main Uses: parks and open space, publicly accessible dock, a marine passenger service terminal (including facilities for a cross-river ferry), heritage and cultural uses, and recreational and commercial uses that complement with other policies of this Plan, are in keeping with the small scale of the Dock Area and that allow for permanent public access to Town-owned land, including the Town Dock.
- (b) Commercial boating operations proposed for the Town Dock Area shall demonstrate that their scale and nature of operation are an appropriate fit through Site Plan Control Approval and design review process.
- (c) Lands designated Town Dock Area shall remain predominantly publicly accessible. Fencing or barricades that visually or physically restrict access within the Town Dock area are prohibited. An exception may be permitted, subject to design review, where fencing is necessary to ensure public safety and/or security and does not reduce the public accessibility of the Town Dock Area land area by more than 20%.
- (d) Any buildings or structure on lands designated Town Dock Area shall be subject to Site Plan Control Approval and design review.
- (e) Reduced parking requirements may be considered for recreational or commercial uses.

### 5.0 Fostering a Vibrant Public Realm

The following policies are intended to assist the Town to prioritize and align investment in the public realm with public goals for the Dock Area and Old Town waterfront. The goal of the following policies are to strengthen the Dock Area's public realm network as a cohesive public amenity that

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provides increased access to the water's edge as well as a safe environment for pedestrians and cyclists.

### Dock Area Water's Edge Public Walk

It is the opportunities to engage with the water's edge that make a waterfront a special place in which to live and visit. However, public access to the water's edge in the Dock Area is limited. Areas in which the public can readily access the water's edge today include Town-owned lands adjacent to the Town Dock, the Shoreline Park where the public has access to a beach, Nelson Park, and the rear of the Pump house. It is the intent of this Secondary Plan to increase public access to the water's edge over the long term through the acquisition of new public land and through the development process in negotiation with private land owners, and that over time, these places will evolve to form the Dock Area Water's Edge Public Walk - a continuous publicly accessible pathway at or near the water's edge. Nonetheless, it should be noted that the Secondary Plan recognizes that private land owners, including the Niagara-on-the-Lake Sailing Club, will continue current activities and uses. If and when a landowner chooses to redevelop their property the policies and design direction of this Plan will be key considerations in reviewing development applications. Until that time, land owners will be encouraged to work with the Town toward the long term objectives of this Plan but will not be compelled to conform with the policies of this Plan.

The Dock Area Water's Edge Public Walk is shown on Schedule B4: Public Realm Framework.

- (a) The Dock Area public realm is comprised of parks and open spaces, the Town Dock Area, and streets and trails, as shown in Schedule B4: Public Realm Framework
- (b) The Town shall prioritize investment in the public realm to improve the collective experience of the Dock Area for both residents and visitors. Priority will be given to improving public access to the water's edge - in particular in areas shown as Priority Publicly Accessible Waterfront Enhancement Zones on Schedule B4: Public Realm Framework, improving the visual beauty of the area, maintaining views to the water and Fort Niagara, and reinforcing the heritage character of the area.
- (c) The Town Dock Area should be the focal point and opportunity for the public to engage the water's edge and enjoy recreational boating and waterfront transit in keeping with the small scale of the Dock Area.
- (d) The Town is encouraged to develop a long term strategy to acquire property along the water's edge.
- (e) Publicly owned lands north of River Beach Drive and east of the Fog Signal Station (including the Fog Signal Station property) should be dedicated to recreational, cultural, marine commercial and parkland uses. Public lands north of River Beach Drive and west of the Fog Signal Station should be dedicated to parkland and cultural uses. Public lands east of King's Point should be dedicated to passive recreational and cultural uses, and in conjunction with an art gallery, small-scale commercial uses may also be considered. All new public owned land shall extend public access to and along the water's edge and shoreline. Before Council considers any land use amendments to achieve this vision, a Master Plan shall be prepared detailing the character and scale of buildings, landscapes and public access to the water's edge.

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- (f) The Dock Area Water's Edge Public Walk shall evolve over the long term to be a continuous, publicly accessible 5.0m wide walking path, and be designed with landscape and pathway materials and pedestrian amenities that celebrate the magnificence and cultural heritage significance of the Dock Area waterfront. The Town shall prepare a Master Plan to guide this significant new publicly accessible open space.
- (g) The Town encourages the Niagara-on-the-Lake Sailing Club to increase public access to the water's edge on its site. However public access to the Sailing Club property shall only be granted at the prerogative of the Club and/or negotiated through a redevelopment process initiated by the Club.
- (h) Nelson Park should be enhanced as a key waterfront linkage for pedestrians and cyclists. Investment should prioritize the realignment of the sidewalk along the Harbour edge, shifting inland (and if possible reducing) the existing vehicular parking lot. Any redesign of Nelson Park should reasonably maintain the Niagara-on-the-Lake Sailing Club's ability to lift out its slips as well as should minimize intrusion on residents in the King's Point development.
- (i) The Shoreline Park should be maintained as a publicly accessible neighbourhood park for enjoying the shoreline and launching one to two person paddle watercraft.
- (j) In the near-term, at the top of the Harbour quays along Ricardo Street and Melville Street, and Nelson Park, the Town will seek opportunities to improve views through to the water, and when possible, access to the water.
- (k) The Town shall encourage the Niagara-on-the-Lake Sailing Club to, over time, improve the physical and visual appearance along the perimeter of the Harbour in a manner that contributes to Melville Street and Ricardo Street as key pedestrian and visual corridors in the waterfront.
- (l) Melville Street north of Ricardo Street will be treated as a primarily pedestrian street serving as the main north-south spine of the Dock Area. North of Lockhart Street, Melville Street should be designed to allow for event closure as a pedestrian promenade.
- (m) The Town should seek to expand Turntable Park in conjunction with the effort to rationalize the Dock Area road network. The expanded park should be the focus for heritage interpretation in the Dock Area and be limited to passive park uses that respect the adjacent residential neighbourhood.
- (n) The railway right-of-way should be maintained as a passive open space. Investment in the open space should be limited to low-scale heritage interpretation such as demarking the culvert and rail tracks. Any improvements to the open space should employ subtle landscaping to buffer neighbouring houses from intrusion. A pathway, located approximately on the historic railway alignment in the railway right-of-way shall be made universally accessible, and be constructed with materials and a pattern that celebrates the rail track pattern. Any lighting in the railway right-of-way shall be limited to low-level pedestrian lighting.
- (o) Melville Street and Ricardo Street will be enhanced with new heritage themed pedestrian scale lighting and native trees to complement existing landscaping and reinforce these important civic streets. The planting of street trees will be encouraged within the public right of way.
- (p) Signage in the public realm should be simple.

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### 6.0 Movement

The following policies are intended to assist the Town to prioritize improvements to the Dock Area's mobility network to achieve goals of improving the environment for pedestrians and cyclists, and rationalizing vehicular traffic in the area. This Secondary Plan employs multiple strategies to improve the movement network, including integrating cycling and vehicular movement along a shared right-of-way.

- (a) The Dock Area's movement network serving pedestrians, cyclists and vehicles is composed of connecting streets, neighbourhood streets, a Share-all trail, the Melville promenade, a passive trail system, informal pedestrian linkages, a shuttle bus circulation route, marina slips, and a community open space network as shown in Schedule B5: Movement and Transportation Network.
- (b) The Dock Area streets, trails, public spaces and buildings should be designed to acknowledge and support the pedestrian focus of this area.
- (c) The Town shall prioritize investment in the Trail illustrated in Schedule B5: Movement and Transportation Network as an important pedestrian and cycling connector linking the Dock Area across itself, to Parks Canada lands, to the Niagara Parkway, and to the rest of the Old Town. Over time, through the acquisition of land (as detailed in policy 5.0(d) of this Secondary Plan, and/or through the redevelopment process as private landowners choose to redevelop their property, the Town shall seek to expand the Trail to include Future Trail Connections (as illustrated on Schedule B5: Movement and Transportation Network), completing the Dock Area Water's Edge Public Walk which is envisioned to extend from Shoreline Park to the Pumphouse Gallery.
- (d) Ricardo Street should be recognized as the primary pedestrian/bicycle/vehicular east-west street crossing the Dock Area, connecting it to Queen's Royal Park and the Niagara Parkway. The Town should seek to redesign Ricardo Street as an integrated multi-use street that provides a safer and more comfortable environment for pedestrian and cycling movement, including providing bicycle shared-lane markings along Ricardo Street from Navy Hall to Simcoe Street. See Section A-A' and Section B-B' Ricardo Street.
- (e) Melville Street north of Ricardo Street should be regarded as the entrance to the Dock Area, announced by the introduction of special paving and landscaping. Over time, the Town should explore closing Melville Street north of Lockhart Street to vehicular traffic. The Town should also explore opportunities to slow vehicular traffic entering Melville Street, including narrowing the intersection at Ricardo Street. The Town should work with the Sailing Club to over time relocate its main entrance to off Ricardo Street. See Section C-C' and Section D-D' Melville Street.
- (f) Ball Street, including any extension or opening of the right of way, should maintain its existing scale and character as a narrow lane. See Section E-E' Ball Street.
- (g) Buses serving commercial uses shall be prohibited from dropping-off visitors directly in the Dock Area. The Town shall explore opportunities to introduce shuttle service to/from the Fort George bus parking lot to select locations in the Dock Area, such as along Ricardo Street. An example of a shuttle bus route and drop-off locations is illustrated in Schedule B5: Movement and Transportation Network.
- (h) As part of the municipal investment strategy to enhance Turntable Park, the Town should rationalize the road network through the Dock Area, improving the circulation of vehicles

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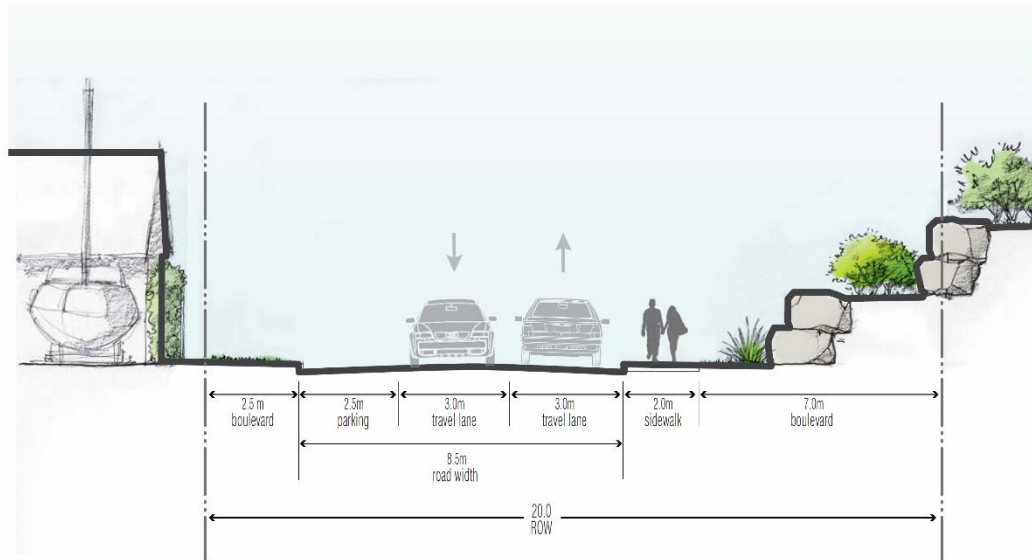
to ease their ability to efficiently exit the area. Specifically, as shown in Schedule B5: Movement and Transportation Network, the Town should study the potential of opening the Ball Street right-of-way, extending Lockhart Street to Ball Street, and closing Turntable Way. It is also this Plan's recommendation that if logical, Turntable Way between Lockhart Street and Delater Street should be converted into a landscaped pedestrian walkway, as shown in Schedule B4: Public Realm Framework.

- (i) The Town should seek to slow traffic, and where possible reduce traffic, on Delater Street. This Plan recommends that the Town study:
  - (i) The feasibility of employing traffic calming strategies on Delater Street.
  - (ii) Opportunities to reduce or control vehicular traffic entering Delater Street from King Street, including restricting vehicles from entering Delater Street from King Street with facilities at the base of King Street to assist vehicles heading north to turn-around and return towards Queen/Picton Street. These functional concepts are shown in Schedule B5: Movement and Transportation Network.
- (j) Sidewalks shall be constructed to municipal design guideline standards to facilitate pedestrian use.
- (k) Dock Area streets, with the exception of Melville Street and Ricardo Street east of Melville Street, shall be maintained without curbs.
- (l) Required parking for any new development should be addressed either on-site or off-site in a managed parking facility such as the Fort George parking lot. Stand-alone parking decks and open parking lots are not in keeping with the vision of this Plan. Where possible, the Town should seek opportunities for publicly accessible parking facilities integrated within on-site private facilities on the Chateau Gardens and Sailing Club properties if and when they come forward for redevelopment.

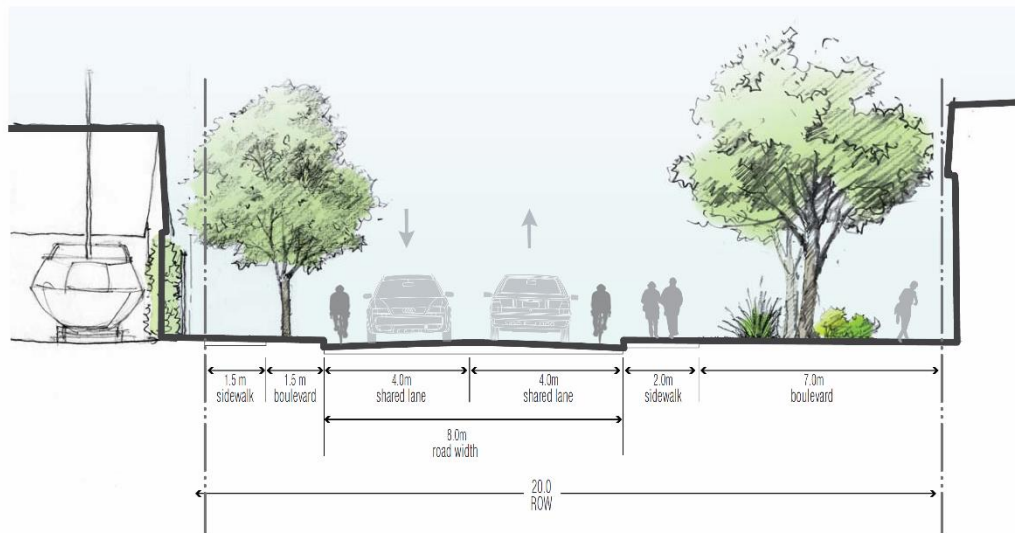
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### Street Sections

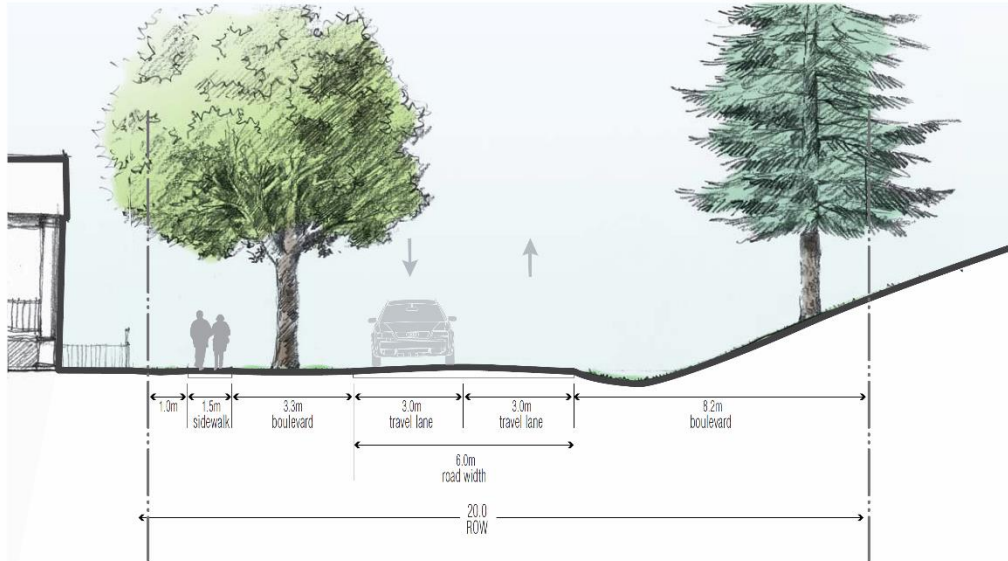


Section A-A' Ricardo Street (existing)



Section A-A' Ricardo Street (proposed)

## Street Sections

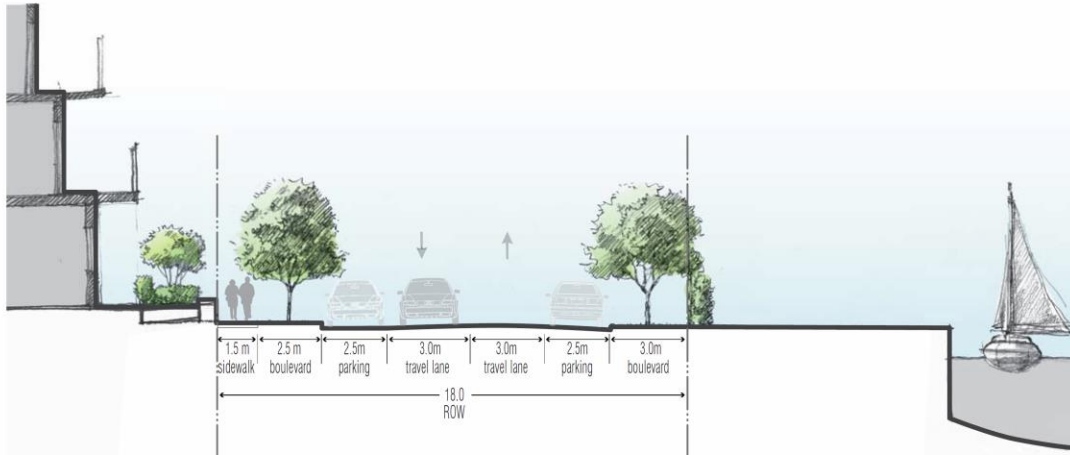


Section B-B' Ricardo Street (existing)

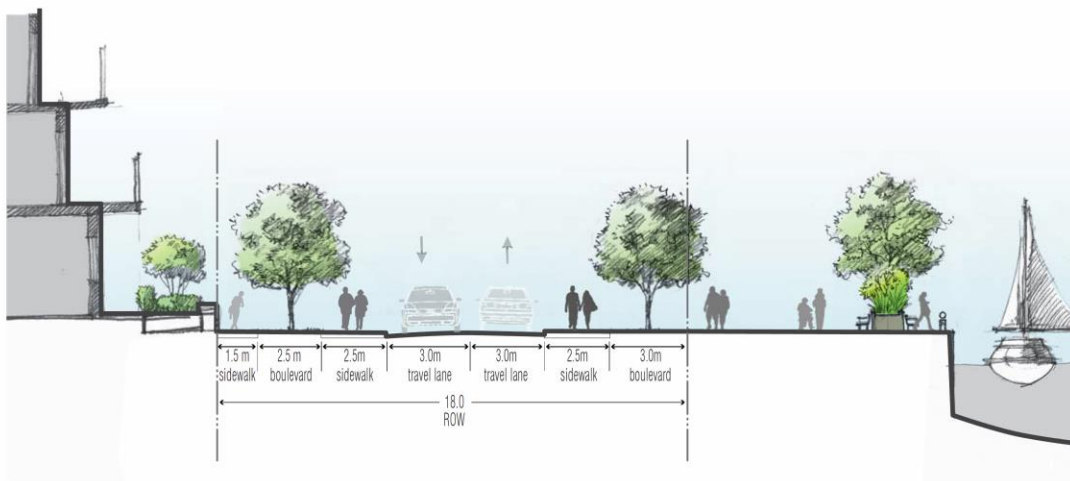
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Section C-C' Melville Street (existing)



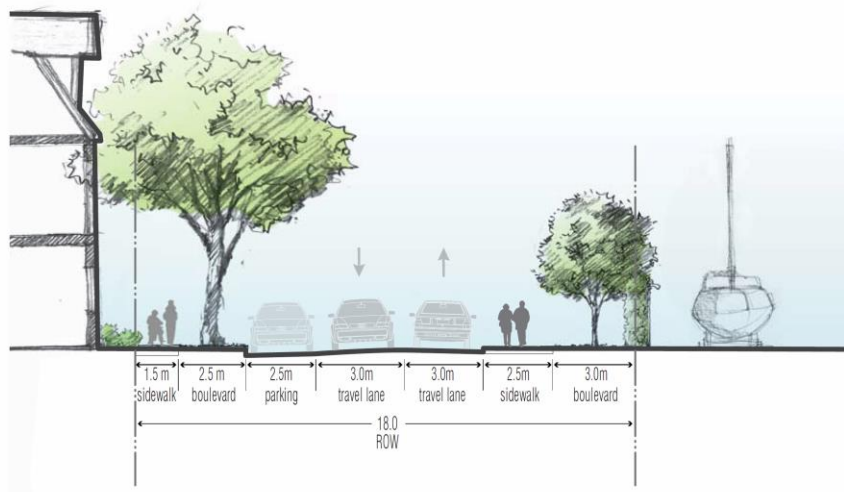
Section C-C' Melville Street North of Lockhart St. (proposed)



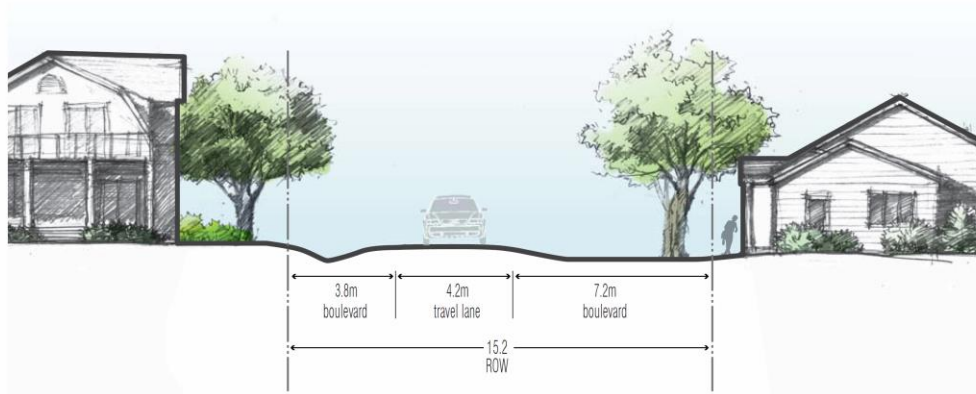
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### Street Sections



Section D-D' Melville Street North of Ricardo St. (proposed)



Section E-E' Ball Street (existing) and extension

(dimensions are for reference only)

### 7.0 Cultural Heritage

The following policies are intended to provide the framework for better communicating and conserving the Dock Area's cultural heritage. The Dock Area's cultural heritage assets are important guides for understanding and respecting the area's history, character, scale, and sense of place. The intent of this plan is for residents of all ages, visitors and those interested in investing

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in the Dock Area to be able to appreciate what makes the Dock Area unique and what needs to be conserved over the long term.

- (a) The Dock Area has a rich collection of heritage landscapes as shown in Schedule B6: Cultural Heritage Landscapes. These heritage landscapes should be conserved, respected and celebrated as key legacies of the Dock Area.
- (b) The Town should invest in efforts to better tell the many stories of the Dock Area through heritage interpretation. Nodes of heritage interpretation should be tied together through a curated heritage walk traversing the Dock Area. An example of a heritage walk route and places of interest are shown in Schedule B6: Cultural Heritage Landscapes.
- (c) The Town should focus its investment in heritage interpretation to maximize impact and effectiveness. Examples of key foci for heritage interpretation, as shown on Schedule B6: Cultural Heritage Landscapes, include the railway cultural-heritage landscape, the Wharf, and Delater and Ricardo Streets. In particular, the Town should explore opportunities to highlight the connections between Fort George, Fort Mississagua and Fort Niagara through programming and plaques.
- (d) The Town should explore opportunities to celebrate the railway route from King Street to the Wharf as an important cultural-heritage spine of the Dock Area, including demarcating the former railway tracks, providing educational signage explaining the history of the rail line, and better highlighting the remains of the turntable park, engine house and rail culvert.
- (e) The Town should recognize that the Dock Area has historically been a place supporting commercial fishing and for public small-scale waterfront recreation, including as a place to spend time along the shoreline, swim, sail and launch small human-powered boats. The Town should continue to support these activities as central to the cultural heritage of the Dock Area. The Town should also explore opportunities to celebrate its fishing history through displays and signage, including hosting a display of the Teenie 'H'
- (f) The dense collection of heritage houses along Delater Street and Ricardo Street between Melville Street and King Street is an important heritage asset. Infill development should contribute to reinforcing the neighbourhood's heritage character as a whole, including its small-scale, relationship to streets, and character of residential houses.
- (g) The Town should protect through height, side yard setbacks and appropriate landscaping requirements Significant Views central to the cultural heritage of the Dock Area (as illustrated on Schedule B6: Cultural Heritage Landscapes). Specifically, the Town should protect public views down Melville Street to the water, important and historic views between Fort George and Fort Niagara, and public and private views from the bluffs on Ricardo Street and Byron Street to the water. In this regard, heights of new developments will be subject to a detailed view analysis demonstrating that the view of Fort Niagara will not be disrupted. Existing buildings and their replacements at the same height are not affected by this policy.
- (h) The Town should recognize St. Mark's Church as a valuable heritage asset that should be celebrated and included in initiatives celebrating the history of the Dock Area.
- (i) In the preparation of any Master Plan for Queen's Royal Park, the Town should consider how this key public space supports and connects with the Dock Area, including contributing to the public goal for the waterfront and cultural heritage conservation.

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- (j) The Pumphouse building and property shall be preserved and used for a range of cultural, arts and related uses.
- (k) Where the original use of a heritage building is no longer feasible, the adaptive reuse of existing structures and landscapes of cultural heritage value should be permitted and encouraged to support their long term viability in as far as the proposed use does not compromise the historic integrity the site.

### 8.0 Natural Heritage

The Dock Area has a significant natural heritage system along its shoreline that is protected by the policies of this Plan, the Town's Official Plan, Niagara Region and Niagara Peninsula Conservation Authority, as well as Provincial regulations. The following section delineates the Shoreline Conservation Area in the Dock Area and outlines the policies to conserve the ecological health of the shoreline edge.

- (a) The following conservation policies apply to the lands designated as Shoreline Conservation Area as shown in Schedule B7: Natural Heritage System.
- (b) The Shoreline Conservation Area provides a set of overlay policies that shall be read and applied in conjunction with the land use designation to determine appropriate land use, built form and infrastructure located within the Area.
- (c) Permitted Main Uses: fisheries management, wildlife management, waterfowl protection, floodplains, environmental protection, publicly accessible trails, public parks and private open spaces.
- (d) Secondary Uses permitted with a Main Use: accessory buildings or structures subject to the approval of the authority having jurisdiction
- (e) Secondary Uses permitted independent of a Main Use: shoreline protection, yard space for any use permitted per the governing land use designation, accessory buildings or structures not used for human habitation permitted in the governing land use designation subject to the approval of the authority having jurisdiction.
- (f) The provision of protection works or the dumping of material along the Lake Ontario and Niagara River shorelines is prohibited without the prior written authorization of the Town and the Niagara Peninsula Conservation Authority. Notwithstanding the provisions of this policy Shoreline Protection Works would require a permit from the Niagara Peninsula Conservation Authority.
- (g) No buildings or structures, or addition thereto nor the placement or removal of fill material, shall be permitted within or adjacent to the Niagara River, Lake Ontario or any inland watercourse, and its associated valley system, without the prior written authorization of the Conservation Authority or the Ministry of Natural Resources and Forestry.
- (h) No buildings or structures or additions to such buildings or structures nor the placement or removal of fill material shall be permitted in any flood line as established by the Niagara Peninsula Conservation Authority without written approval from the Conservation Authority.
- (i) No buildings or structures or additions to such buildings or structures nor the placement or removal of fill material shall be permitted within the 100 year erosion limit of Lake Ontario without the written approval of the Niagara Peninsula Conservation Authority.

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- (j) Existing uses shall be recognized despite the hazardous characteristics of the land. Expansions of such uses will, however, be discouraged unless they are in conformity with the following:
  - (i) Reconstruction and/or minor additions to existing buildings or structures, pump houses, storage sheds and inground swimming pools that are approved by the Niagara Peninsula Conservation Authority, in accordance with the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations;
  - (ii) Additions or extensions, including new structures that are not likely to incur significant flood damage or will not result in impediments to flow or floodwater storage, and that are approved by the Niagara Peninsula Conservation Authority in accordance with the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation.
- (k) No plans to divert, channelize or in any way alter an inland natural watercourse shall proceed without the prior written authorization of the Niagara Peninsula Conservation Authority and the Ministry of Natural Resources and Forestry.
- (l) Any application for the redesignation of Shoreline Conservation Area lands will be carefully reviewed and shall not adversely impact the natural environment. Council shall, in conjunction with appropriate public agencies including the Conservation Authority, the Ministry of Natural Resources and Forestry and the Region, require a proponent to submit a study prepared by a qualified environmental specialist. Such a study shall contain:
  - (i) A description of the natural environment and existing physical characteristics including a statement of environmental quality.
  - (ii) A description of the proposed development and the potential effect on the natural environment.
  - (iii) A description of the costs and benefits in economic, social, and environmental terms of any engineering works and/or resource management practices needed to mitigate the potential effects.
  - (iv) An evaluation of alternatives including other locations to the proposal.
- (m) There is no public obligation, however, either to change the designation of, or to purchase any area within the Conservation designation, particularly if the environmental hazard would be difficult or costly to overcome.
- (n) Conservation lands may not necessarily be considered acceptable as part of a parkland dedication under the Planning Act.
- (o) In interpreting the boundary of any conservation designation where lands abut the Lake Ontario or the Niagara River the boundary of the conservation designation shall be the top of the bank adjacent to the Lake or River. Notwithstanding the above, the Niagara Peninsula Conservation Authority regulates all land within 15.0m from the top of bank. The Town where deemed necessary may also request within the buffer area a maintenance area (generally 8 metres (26.2 feet) wide).
- (p) Within the Shoreline Conservation Area, as shown on Schedule B7, Natural Heritage System, any use permitted shall be subject to the approval of the Conservation Authority and will only be permitted if the erosion hazard has been adequately overcome by protective measures approved by the Ministry of Natural Resources and Forestry or to the satisfaction of the Niagara Peninsula Conservation Authority which may require shoreline protection works to be installed prior to development taking place.

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- (q) When there is an application under the Planning Act on or adjacent to lands designated as an Environmental Conservation Area, the Regional Policy Plan may require that an Environmental Impact Study and or Tree Savings Plan be completed.

### 9.0 Implementation

- (a) The Town shall amend the land use and built form provisions of its Zoning By-law to bring them into conformity with this Secondary Plan, and all future zoning amendments for lands in the Dock Area shall conform to this Plan.
- (b) Acquisition of Land for Public Use.  
The Town shall prepare a strategy to acquire lands identified in this Plan when they become available.
- (c) Transportation.  
The Town shall undertake a detailed transportation assessment analyzing the merits of alterations to roadway patterns as well as other recommendations identified in this Plan. Priority shall be given to improving the environment for pedestrians and cyclists, parking management strategies, and rationalizing the flow of vehicular traffic in the Dock Area.
- (d) Parking Management.  
The Town shall explore parking management strategies tailored to needs of the Dock Area that includes encouraging additional public parking included within parking structures of new major development, as well as reduced parking requirements when and where it is considered a public good.
- (e) Implementing the long term Vision and policies of this Plan will require collaborative partnerships between stakeholders and the Town through municipally-led initiatives. In particular:
  - (i) The Town shall work with and encourage the Niagara-on-the-Lake Sailing Club to, over time, improve public access to the waterfront and enhance the landscape edge treatment of the Harbour site while preserving the function of the Sailing Club facility. The Secondary Plan recognizes that the Niagara-on-the-Lake Sailing Club intends for the foreseeable future to continue current activities and uses. Until such time that it chooses to redevelop its property the Club is only encouraged and not compelled to comply with the policies of this Plan. In particular, opening public access to the Sailing Club property, no matter how limited, shall only be achieved at the prerogative of the Club and/or through a redevelopment process initiated by the Club.
  - (ii) The Town shall work with and encourage the Jet Boat operator and any future commercial boating operations to implement improvements to the Town Dock Area that enhance public views, amenity, visual appearance and accessibility to the water's edge.
  - (iii) The Town should prepare a Master Plan for key public realm components of the Dock Area to guide future improvements and investment on existing and future Town owned lands including the Town Dock Area, Turntable Park, Shoreline Park, and the Dock Area Waters Edge Walk.
- (f) Redevelop is defined to mean a change in the built form or use of a site that triggers a municipal development application (Site Plan, Rezoning, Official Plan Amendment,

## Appendix 6 - Dock Area Secondary Plan

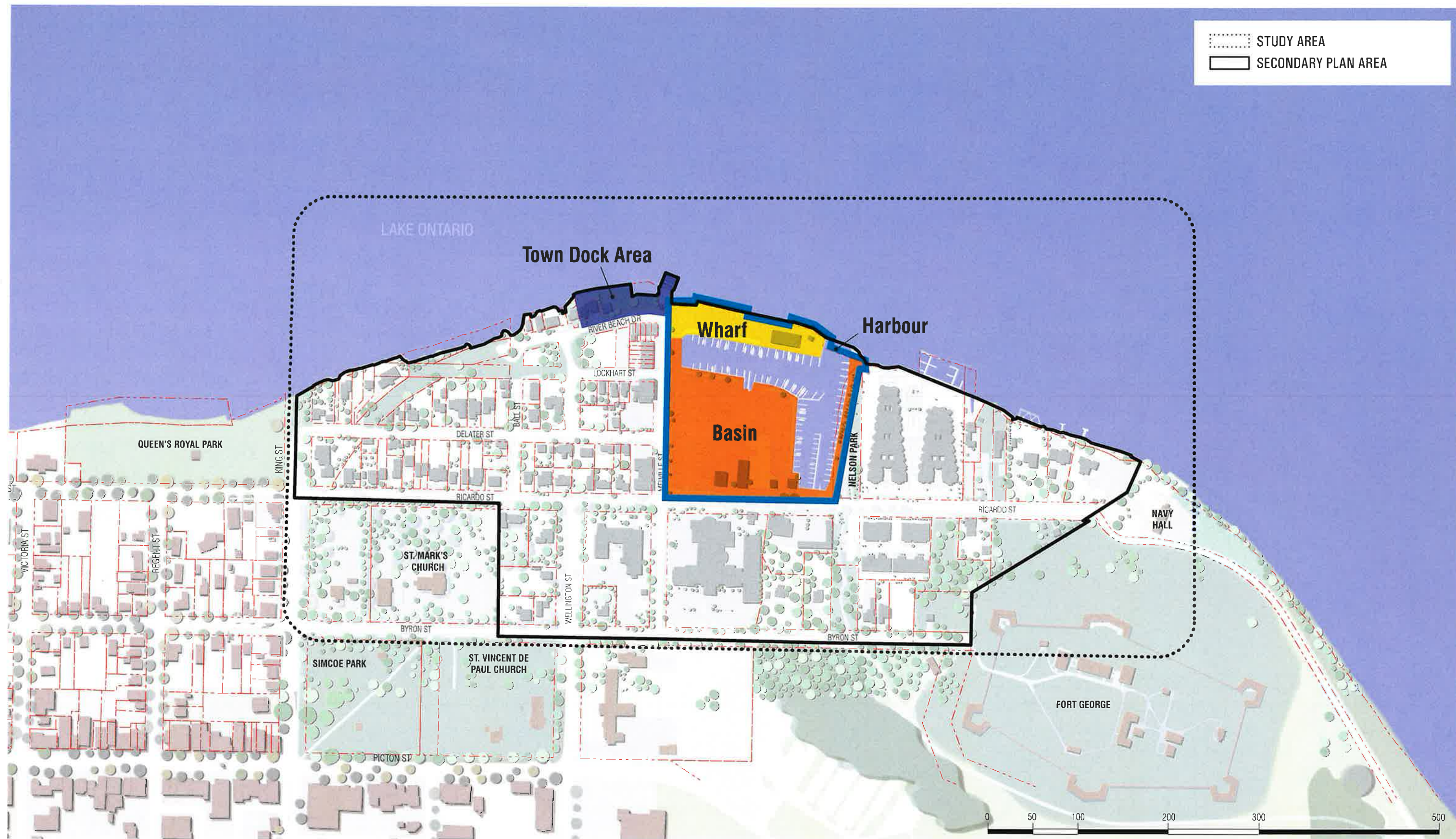
(Niagara-on-the-Lake Final Draft Official Plan - December 18, 2018)

- Severance) and that proposes an increase of more than 50 percent of the existing Gross Floor Area on the site or effects more than 50 percent of the site area.
- (g) Site Plan Control Approval. All proposed development in the Dock Area, including single-detached dwellings, shall be subject to Site Plan Control Approval.
  - (h) Urban Design Review. All Site Plan Applications for lands in the Dock Area shall be subject to the urban design review process.
  - (i) Community Improvement. The Dock Area is to be identified as a Community Improvement Area under Section 28 of the Planning Act. Further, the Town may designate Turntable Park, areas around the Marina, the Town Dock and neighbouring Town-owned lands, Nelson Street Park, Melville Street north of Ricardo Street, and Ricardo Street east of Melville Street as the Community Improvement Project Area, for which a Community Improvement Plan will be prepared.
  - (j) Demolition Control. This Plan neither anticipates nor intends that a significant amount of demolition of existing structures will occur, in particular in stable residential neighbourhoods. All demolition applications should be reviewed by the Town to ensure that the resulting development is desirable and in keeping with the appropriate Character Area as delineated in this Plan.

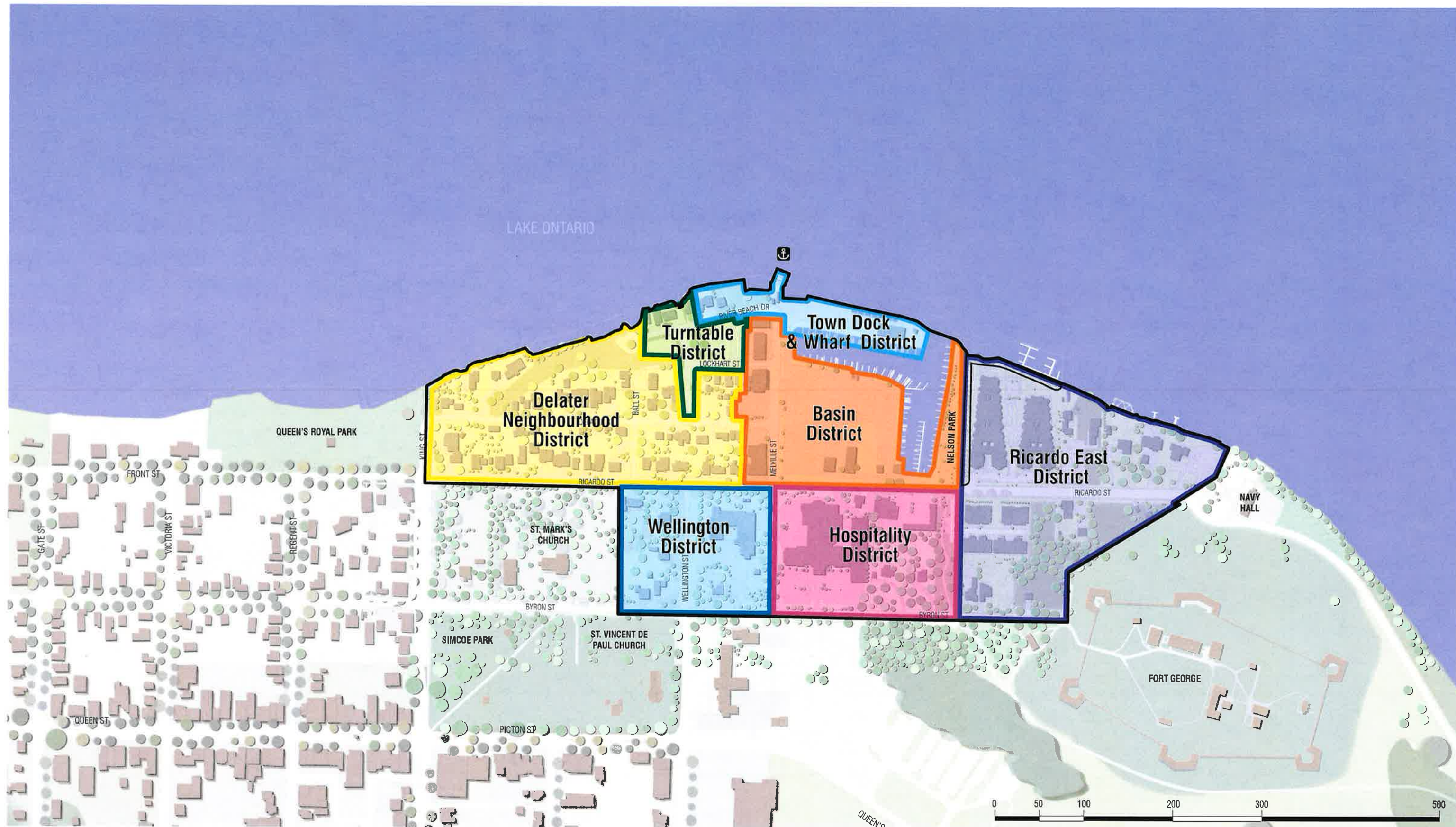
Properties and structures designated under the Ontario Heritage Act and listed on the register of non-designated properties shall continue to be subject to demolition control measures. For properties and structures not subject to the Ontario Heritage Act, a Demolition Control By-Law shall be enacted pursuant to the Planning Act to protect residential properties and to maintain the character of stable residential areas. Demolition permits should be issued only after the conditions of site plan approval have been met.
  - (k) Monitoring and Evaluation
    - (i) The Dock Area Secondary Plan must continue to respond to the area's changing social, economic and development pressures. Changes to the Plan may be required over time. Monitoring the changing social, economic, fiscal and environmental conditions will be important in determining whether the Plan's goals, objectives, priorities and implementation mechanisms remain appropriate.
    - (ii) As required by the Planning Act, every five years Council will determine whether there is a need to review the Secondary Plan.
  - (l) Parks Canada and Niagara Parks Commission Lands

The Town will consult with Parks Canada and the Niagara Parks Commission regarding the use of their lands. The use of these lands should be consistent with the provisions contained in the Provincial Policy Statement and other Provincial Plans. Also these lands should have regard for the Town's Vision for the Waterfront as well as the policies of this Secondary Plan.









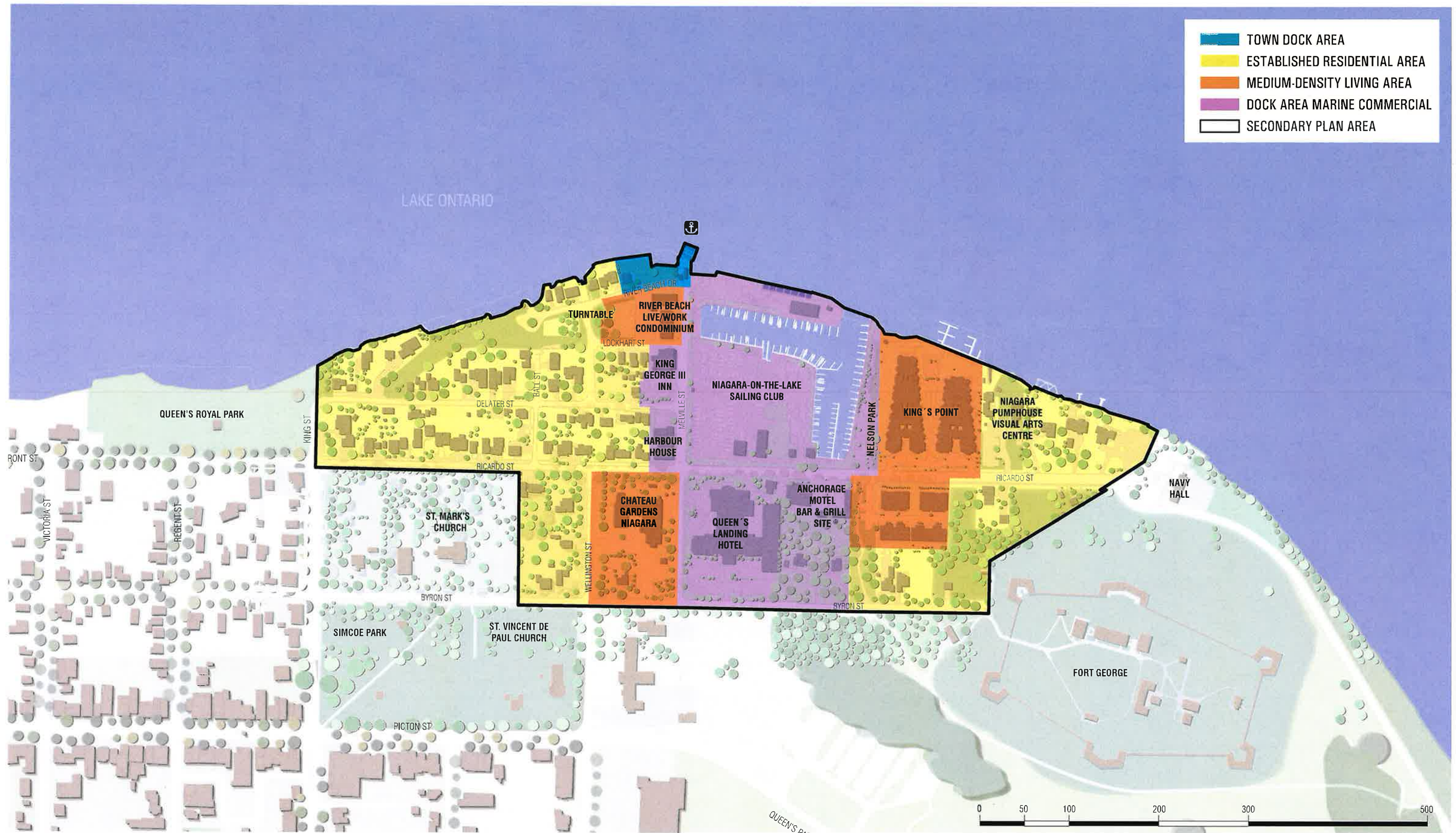
FINAL SCHEDULES OCTOBER 28, 2013  
DOCK AREA  
SECONDARY PLAN

## SCHEDULE B2: CHARACTER AREA DISTRICTS



URBAN  
STRATEGIES  
INC.





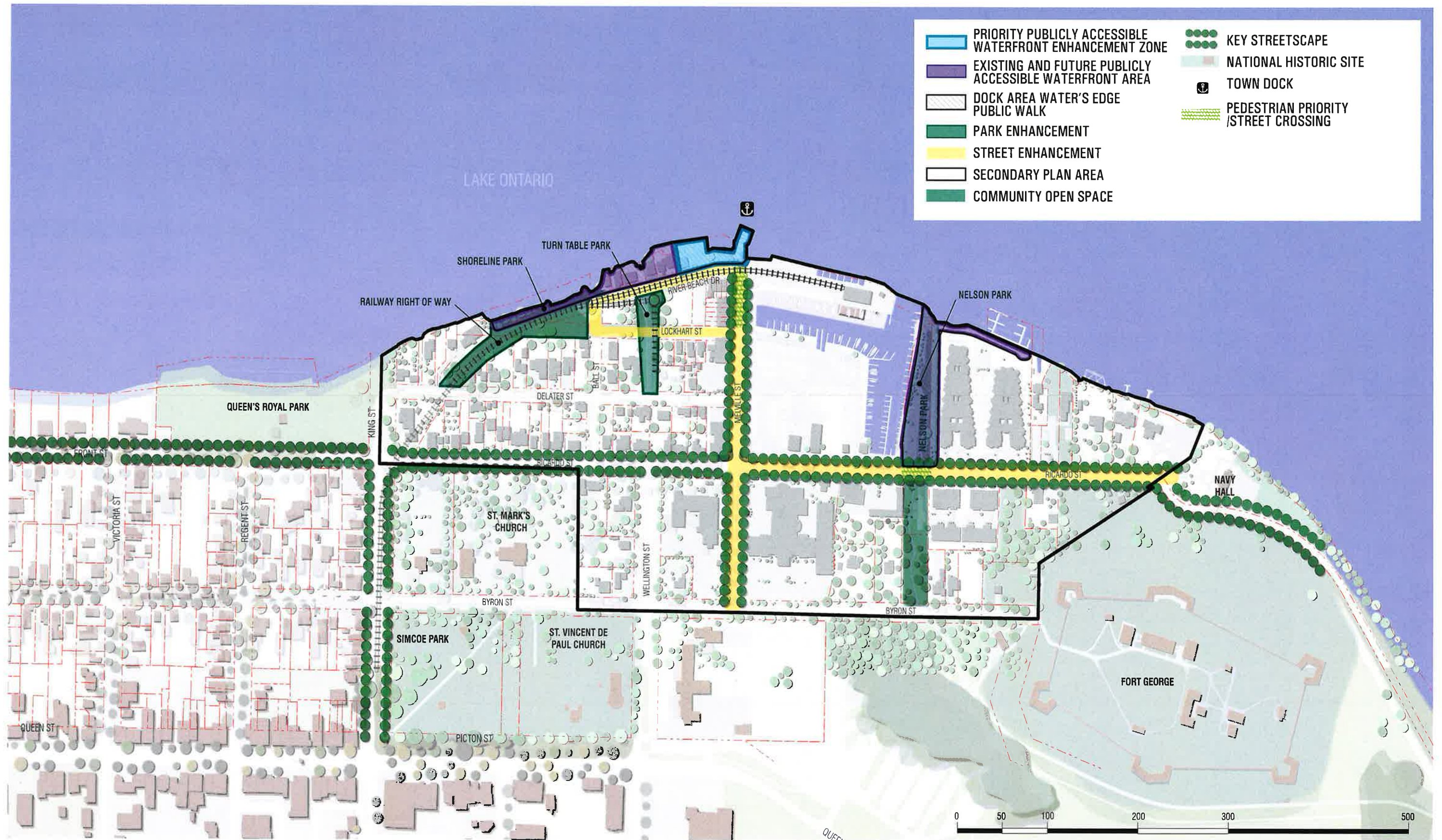
FINAL SCHEDULES OCTOBER 28, 2013  
DOCK AREA  
SECONDARY PLAN

## SCHEDULE B3: LAND USE DESIGNATIONS



URBAN  
STRATEGIES  
INC.

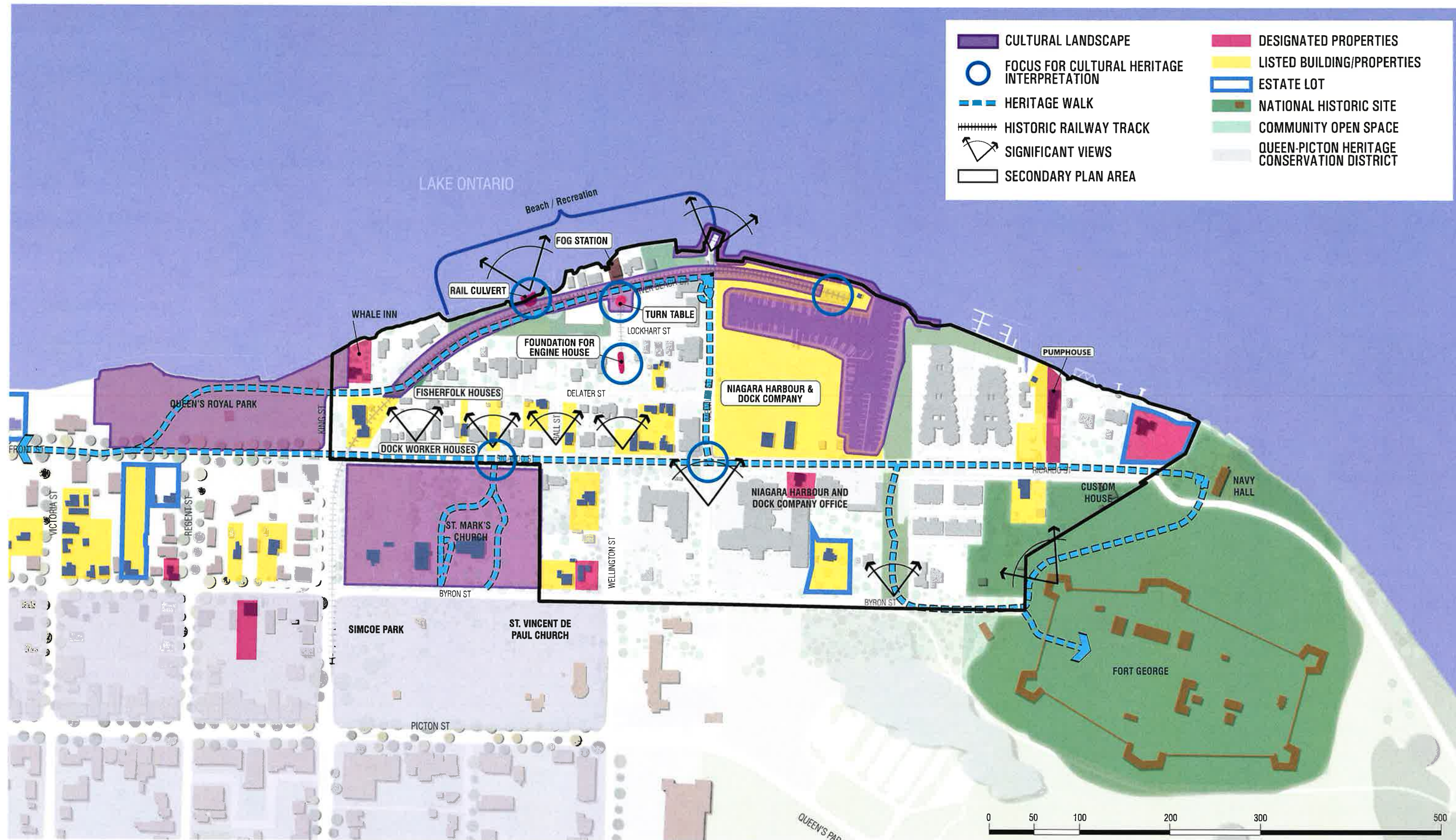












FINAL SCHEDULES OCTOBER 28, 2013  
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## SCHEDULE B6: CULTURAL HERITAGE LANDSCAPES



URBAN  
STRATEGIES  
INC.



