

PLANNING ANALYSIS:

Regent Street, John Street E, King Street & Anne Street (Pillar and Post Garden) Applications for Official Plan and Zoning By-law Amendments

The Planning Analysis is intended to be read as an Appendix to the Community & Development Advisory Committee Report (herein referred to as the CDS Report), dated September 12, 2016 for applications to amend the Official Plan and Zoning By-law for lands fronting on Regent Street, John Street E, King Street & Anne Street (Pillar and Post Garden). The concept site plan, concept landscape plan, and architectural renders and drawings are attached as Appendices D, E, and F to the CDS Report, respectively. The applications are submitted to facilitate the development of two(2) properties: an open garden area with a multipurpose building to host events and functions (Garden Property), and a new administrative office, parking structure, and warehouse building (Office Property). It is anticipated that the two properties will merge together, along with the Regent Street road allowance, to form one property.

Currently, there exists multiple zoning designations on the subject lands that allow for a hotel, conference centre, single-detached dwellings, semi-detached dwellings, townhomes, and apartments. The purpose of the planning applications is to rezone the site from what is currently permitted to allow for what is being proposed. The applicant is rezoning the site to a site-specific General Commercial use.

PLANNING FRAMEWORK

The applications have been reviewed in regard to Provincial, Regional, and Town land-use planning policies. The relevant policies are noted below, followed by the planning analysis.

The subject property is located in the urban area of Old Town and within an established neighbourhood of residential uses. Relevant policies pertain to intensification, urban design, land-use compatibility, and commercial land uses.

Provincial Policy Statement (PPS)

The PPS provides province-wide policy direction regarding intensification and redevelopment in *settlement areas*. The following policies specifically apply:

Section 1.1.3 Settlement Areas

- 1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.
- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.

Regional Official Plan

The applications conform to the policies of the Regional Official Plan regarding directing development within the *Built-up Area*. The policies and directions of the Regional Official Plan must be met by the Town of Niagara-on-the-Lake's Official Plan.

Town Official Plan

Growth management:

Section 3 of the Town's Official Plan provides direction regarding growth management, including growth management objectives. The following growth management objectives specifically apply:

Section 3.2 Growth Management Objectives

- a) To accommodate all future urban growth within the present-day urban boundary.
- d) Direct urban growth and development to the Town's existing Urban Areas.
- f) Direct appropriate intensification to Designated Intensification Areas.
- j) Require growth in stable neighbourhoods within residential designations shall meet the "Residential" objectives and policies of the Official Plan.
- l) Develop compact, complete communities that include a diverse mix of land uses, a range of local employment opportunities and housing types, high quality public open spaces, and easy access to local stores and services via automobile and active transportation and provide active transportation-friendly structures and amenities.

Intensification:

Section 4 of the Town's Official Plan provides direction regarding intensification and infilling within Built-up Area, in accordance with the Land Use Compatibility criteria. The objectives of the intensification policies that specifically apply are:

Section 4.4 Intensification Objectives

- a) Support the Built-up Areas by strategically directing the majority of intensification to Intensification Areas
- e) Direct intensification to the Built-up Areas where development will not impact designated heritage areas, adjacent heritage resources and/or heritage resources on the property, estate lots and the residential character of the property or the surrounding area.

The Town encourages appropriate infilling and intensification within the Built-up Area. The following policies specifically apply:

Section 4.4 Built-up Area Intensification Policies

- a) The Town plans to accommodate 15% of its forecasted intensification development within the Built-up Area between 2015 and 2031.
- c) Mixed use development is also encouraged within the commercial areas of the Built-up Area. The preferred built form for mixed use development is a minimum of 2 storeys with commercial and office uses on the ground floor, with residential units or office uses located above. The two-storey height will ensure mix use developments are not underdeveloped.

- d) Parking for all new residential, commercial and mixed use development will be located at the rear of the building, with the principle entrance fronting onto the street and a secondary entrance at either the side or to the rear of the building.
- f) The Town will ensure that intensification and redevelopment is consistent with the heritage and character of the Built-up Area. Urban design guidelines for the Built-up Area may be prepared and used as a tool to achieve compatible built form with intensification and redevelopment.

Urban design:

The Town encourages high-quality urban design for all developments. Within Old Town, the following urban design guidelines shall apply to intensification proposals:

Section 4.4 Urban Design

- a) Infill and intensification sites should match the average pre-established building setback of adjacent buildings within the block face.
- b) Parking for commercial, mixed use, and apartment buildings should be located at the rear of the buildings, with a secondary entrance at the side or back of the building. The main entrance to the building should front onto the street.
- c) Where appropriate, the design of commercial, mixed use and apartment buildings development should provide linkages and connections to existing and proposed pedestrian and bicycle networks.
- d) Bulk, mass and scale of new development shall fit the context within which it is located.
- e) The design of infill and intensification development should be consistent with the Land Use Compatibility criteria of this Plan.

Land-use compatibility:

The Town requires intensification and/or redevelopment to be consistent with the Land Use Compatibility Policies. The following policies specifically apply:

Section 4.6 Land Use Compatibility Policies

Intensification and/or redevelopment should be consistent with:

- a) The existing and/or planned built form and heritage of the property and surrounding neighbourhood;
- c) The existing and/or planned densities of the surrounding neighbourhood;
- d) The existing and/or planned height and massing of buildings within the surrounding neighbourhood;
- e) Development proposals will demonstrate compatibility and integration with surrounding land uses by ensuring that an effective transition in built form is provided between areas of different development densities and scale. Transition in built form will act as a buffer between the proposed development and existing uses and should be provided through appropriate height, massing, architectural design, siting, setbacks, parking, public and private open space and amenity space; and
- f) Intensification and/or redevelopment shall be compatible and integrate with the established character and heritage of the area and shall have regard to:

Street and block patterns
Lot frontages and lot area
Building Setbacks, Privacy and over view
Lot grading and drainage
Parking
Servicing

Commercial uses:

Section 10 of the Town's Official Plan provides policy direction on commercial uses. The following goals and objectives specifically apply:

Section 10.2 Goals and Objectives

- 1) To provide for an orderly distribution of commercial areas within the Urban Boundaries of the Town to meet the shopping and service needs of residents and tourists.
- 3) To maintain in tourist-serving commercial areas, a character which is consistent with the historical importance of these areas and their surroundings.
- 6) To minimize the impact of commercial development on adjacent land uses.
- 7) To minimize the impact of commercial development on the traffic carrying capacity of adjacent roads.
- 9) To promote compact forms of commercial development, and to discourage scattered forms of development.

The following policies specifically apply to General Commercial designated land uses:

Section 10.3 Land Use Designations

General Commercial

- 1) Within the General Commercial designation shown on the Land Use Schedules the following uses shall be permitted:
Main Uses:
 - Retail Commercial Uses
 - Business OfficesSecondary Use:
Uses permitted with a Main Use:
 - Accessory buildings and structures
 - Dwelling unitsUses permitted independent of main use:
 - Service Shops
- 4) To provide for a balance of commercial uses, Tourist commercial uses may be restricted in the implementing Zoning to specific locations, leaving other commercial areas devoted to serving other needs.

The following policies apply to all Commercial designations and specifically apply:

Commercial Policies:

- 1) The commercial designation of land shall mean that the predominant use shall be buying and selling of goods and services.
- 2) To provide for differing ranges of commercial use and differing forms of development, there are five commercial designations:

General Commercial: intended to provide residents of the municipality with a wide range of goods and services. Tourist uses are also permitted but may be restricted in the implementing zoning by-law to specific locations so as not to detract from providing for the needs of local residents.

- 3) The character of each individual commercial area, and the character of its surrounding uses, shall be considered in determining the zoning regulations to apply to that area, so that a cohesive character may be promoted which will be in keeping with adjoining areas. Zoning regulations will also take into consideration limiting the use of land at the fringe of a commercial area designation.
- 4) Adequate off-street parking shall be provided for all new commercial development. In existing developed commercial areas, where inadequate parking has been provided, and where additional off-street parking is difficult to achieve, or would negatively affect the pedestrian character of the area, Council may consider accepting payments of cash-in-lieu of parking spaces from new or intensified commercial development.
- 6) Off-street parking areas for commercial uses will be designed to facilitate the efficient off-street movement of vehicles and not to negatively impact on abutting or near-by residential uses.
- 7) Vehicular accesses for new commercial developments will be restricted, as necessary, to minimize the effect of turning movements on adjoining roadways. Wherever possible, joint accesses will be designed to serve multiple commercial uses.
- 8) Requirements for building setbacks, minimum landscaped areas, buffer strips, maintenance of existing trees, privacy screening and other appropriate measures to enhance the “greening” of commercial areas and to protect adjoining residential areas from the effects of commercial activity shall be applied in all new commercial development or redevelopment.

COMMENTS

Circulation

The application was circulated to other Town departments and external agencies, including the Region of Niagara. The Region recommended that the applications be supported, subject to conditions regarding environmental assessment. The regulations of the Environmental Protection Act require properties changing from industrial uses to more sensitive land uses to file a Record of Site Condition (RSC). It is recommended by the Region that a Holding (H) provision be implemented in the Zoning By-law Amendment on the subject lands until an RSC has been filed on the site.

Detailed comments are provided in the circulation summary sheet in Appendix G of the CDS Report.

Public Information Meeting and Public Meeting

Public Information Meetings were held on April 11, 2016 and May 17, 2016. Town residents were present at both meetings. A Public Meeting was held on July 18, 2016. The following points were raised (with the planning consultant's responses in italics):

- What types of events will occur on the redeveloped lands?
 - *The proposed area is strategically focused on weddings and corporate functions. Weddings will have daytime ceremonies in the garden and tents would be for evening functions for weddings. It is anticipated that most of the events would occur on Saturdays (three per evening) due to market demands. The multipurpose building would host indoor meetings or evening dinners. In the summer, lunches and dinners could be held in the tent. The current Rose Garden hosts barbeques in the evening and it is anticipated that the same would occur in the gardens.*
- What measures have/ will be done to lessen the impacts resulting from noise?
 - *Noise has been a consistent concern for neighbours. The applicant has taken these comments very seriously and has hired an acoustical engineer to look at measures that could be implemented to help mitigate sound. The site plan has been revised to include a continuous 2.1m-high berm around the perimeter of the property, along with enhanced dense landscaping in order to reduce the migration of noise from the development. Alternative design measures for the actual tents have been examined, including the materials of the tent, to absorb noise and not deflect it. This will also contribute to noise mitigation. The Pillar and Post met with the Town's by-law enforcement officer to discuss ways to work together to enforce the Town's noise by-law. In addition, the Pillar and Post will have security officers employed for events which will serve to police and enforce noise by-laws on-site. Lastly, the Pillar and Post is also a neighbour to this development. They will work to enforce any noise issues as their main business is the hotel. They do not want events impacting their hotel guests.*
- What is the status of site remediation efforts?
 - *The applicant is currently working on Phase 2 of an Environmental Site Assessment. They anticipate that a Holding provision be placed in the final zoning by-law with a condition that an RSC be obtained. Once an RSC is obtained, an application can be lodged to lift the Holding provision.*
- What will be done to lessen the impact of increased traffic volumes?
 - *The uses that are currently permitted are more intensive than what is proposed. If the development went ahead as planned, it would result in an additional 50 or more driveway entrances in the area, along with larger traffic volumes than what is currently proposed. The current proposal will generate less traffic than the previous industrial use when it was in full operation. In regards to safety, the traffic impact study did not identify any safety concerns from increased traffic*

volumes. Adequate traffic controls and pedestrian controls are and will be in effect.

- What will be done in terms of privacy for adjacent residential properties?
 - *Privacy is accommodated by extensive vegetative screening and buffering. Mature tree plantings will be planted on a berm that lines the interior perimeter of a brick wall along John, Anne, and King Streets. Residences along John Street that abut the parking structure will have densely planted mature trees for screening and buffering purposes.*
- Where will construction access be located? Where and when will construction vehicles be located?
 - *It is likely that construction traffic will be via John Street or Anne Street. It is difficult to predict at this stage in the absence of a permitted land use in effect. Phasing will be finalized through the site plan approval process.*

Urban Design Committee

The Urban Design Committee reviewed the proposal on their May 24, 2016 meeting. The Committee was particularly pleased with the concept landscape plan and found it impressive. The Committee did express concern with the entrance into the garden directly across from the existing hotel. They felt that it should not be a solid brick entrance, but a wrought-iron entrance to provide a better connection between the hotel and garden. The Committee also felt that the design of the interior pond was good, however the design and the planting of tree species should be more informal and not so regimented.

The Committee made the following recommendations with respect to the proposed Official Plan Amendment and Zoning By-law Amendment applications:

- 1.1 the Official Plan Amendment be supported by the Urban Design Committee; and
- 1.2 the Zoning By-law Amendment be supported, subject to the following:
 - (i) the proposed massing and setbacks of the raised parking structure be addressed; and
 - (ii) the proposed landscape buffer of the raised parking structure from abutting residential properties be detailed spatially with annotated dimensions in the concept plan, and landscape plan.

At Site Plan Approval stage, a finalized site plan, landscape plan, building elevations, and accompanying architectural renders and drawings will be required to be submitted to the Committee for review.

PLANNING ANALYSIS

The most relevant planning policies pertain to intensification, urban design, land-use compatibility, and commercial land uses. A description of the draft Zoning By-law Amendment is also included.

Intensification

Intensification is mandated by both the PPS and the Regional Official Plan to focus growth and development within the Built-up Area. The Town's intensification policies reiterate the PPS and Regional Official Plan by seeking to direct intensification to the Built-up Area and Intensification Areas to ensure that it will not impact the character of the surrounding area.

Section 4.4: Built-up Area Intensification Policies provides policy direction for intensification in the Built-up Area. The subject lands belong in the urban area of Old Town and are wholly within the Built-up Area. The proposed development conforms to Section 4.4: Built-up Area Intensification Policies of the Town's Official Plan. The development is mixed-use by providing an expansion of commercial and office uses, as well as introduces green space amenities on a former industrial site.

The proposed form of development conforms to the Town's Official Plan policies with respect to minimum heights. The Town's Official Plan policy states that mixed-use development must be a minimum of two (2) storeys to ensure that such developments are not underdeveloped. The proposed buildings are a 1.5-storey multipurpose building, two-storey office/ administrative building, two-storey warehouse building, and two-level, partially subgrade parking structure.

The proposed parking structure conforms to the Town's Official Plan policy regarding parking for mixed-use development in Built-Up Areas. The parking structure is located on the Office Property and is located at the rear. Entry is from two public streets: one off Anne Street and another off Regent Street. Lower-level parking is only accessed from Anne Street and upper-level parking is only accessed from Regent Street. Parking for the development is accommodated by a two-level parking structure that rises to a height of 3.96m above ground. Adjacent uses are residential, the proposed office/ administrative building, warehouse building, and Regent Street.

The proposed development has been carefully designed to be cognisant of the adjacent residential character of this vicinity of Old Town. Its compatibility with existing built form will be further discussed in the subsequent section regarding the Town's urban design and land-use compatibility policies.

Urban design

Section 4.4: Urban Design of the Town's Official Plan provides policy direction to ensure intensification and infill developments are of a high-quality design and are compatible with the adjacent area's built form. The proposed development conforms to the Town's Official Plan policies regarding urban design of intensification and infill developments.

The applicant has noted many urban design features that have been incorporated in the design of the proposed development. The proposed development matches the average pre-established building setback of adjacent buildings within the block face. The multipurpose building, with a setback of 12.62m from Anne Street, matches the current setback of the warehouse building it will replace. The office/ administrative building has a minimum setback of 4.05m from Anne Street and varies to 6.32m. The warehouse building

has a setback of 7.19m from Anne Street and retains a portion of the existing warehouse building.

Parking, as mentioned in the previous section, is located on a two-level parking structure that is located to the rear of the Office Property, is served by two entrances. The Anne Street entrance fronts onto the public street and provides access to the lower level only. A secondary entrance from Regent Street provides access to the upper level only. The proposed development conforms to the urban design policies regarding parking.

This development will provide much-appreciated amenities to the Town, particularly in this vicinity of Old Town. Of particular note are the Monet painting-inspired gardens. The applicant has noted that the gardens will be open to the public when not in use by the hotel. Access to the gardens is proposed from a principle entrance along John Street, directly across from the existing hotel, and secondary entrances at John and King Streets and Regent Street. The entrance at John and King Streets provides an immediate pedestrian connection to the Common, across King Street. The portion of the current Regent Street road allowance will be reconfigured to become a pedestrian and cycling connection from Anne Street to the gardens. This linkage is significant as it creates a 'green' connection from Anne Street, via Regent Street to the gardens, and further to the Common. This portion of Regent Street will also act as an emergency access route.

The pedestrian network in this vicinity of Old Town will be further entranced by streetscape improvements initiated from this development. Mature tree plantings will be incorporated into the design and will line Anne, King, and John Streets. This landscaping will improve the streetscape along these streets and contribute to the dense tree canopy that is characteristic of Old Town. The design of the proposed development conforms to the urban design policies concerning pedestrian and cycling connections.

The proposed development is proposing to build four (4) new buildings and structures. They are generally consistent and fitting in terms of bulk, mass, and scale with the surrounding built form. The multipurpose building is smaller in massing and scale than the warehouse building it will replace and is thus, more complementary in nature to the smaller-scale residential dwellings of this vicinity of Old Town. The bulk, scale, and massing of the office/ administrative and warehouse buildings are also smaller than the existing warehouse buildings on-site, and are also more complementary to the adjacent residential character. The parking structure, with a larger scale and building footprint than the existing and proposed buildings, has been located to the rear of the Office Property. It should be noted that despite the larger building footprint and scale, it consolidates parking to a centralized building. The footprint of this building is smaller than the footprint of the existing at-grade parking lot that currently accommodates overflow guest, staff, and visitor parking. The height of the parking structure (3.96m) is shorter than the heights of the other proposed buildings. This change is an improvement from the current parking facilities on-site and is envisaged to accommodate future parking requirements for the Pillar and Post.

The applicant has noted in the architectural renderings that the architectural style of the buildings is a blend of traditional and contemporary styles that are inspired by the existing

brick Pillar and Post hotel. Brick is used for the façades of the multipurpose building and parking structure. The continuation of brick as a consistent material is further used for the perimeter wall and a portion of the façade of the office/ administrative building. The development has been evaluated for conformity to the urban design policies concerning bulk, mass, and scale. It has been deemed to conform to the context within which it is located.

To address the issues of noise mitigation, screening, and privacy, the applicant has proposed multiple ways to mitigate its impact on neighbouring uses. In order to deal with noise, the applicant has retained an acoustical engineer to address methods to contain noise arising from events. These include a continuous 2.1m berm in the interior of the perimeter wall. The berm will be planted with mature tree plantings and dense vegetation to absorb noise. Additionally, the event tents will be designed to absorb noise, not deflect it. Their specific design will be detailed at Site Plan Approval stage.

To address issues of screening and privacy arising from the parking structure, the applicant has proposed dense plantings of mature trees and other vegetation. The applicant has retained a professional landscape architect who has provided renders of this vegetative screening from the rear yards of abutting properties. They show that the view of the parking structure will be screened entirely. The height of the proposed parking structure is 3.96m with a perimeter wall of 4.88m. There currently exists a warehouse building, scheduled for demolition, that lies within the footprint of the proposed parking structure. Its height is currently higher than that of the parking structure that will replace it.

Land-use compatibility

Section 4.6: Land Use Compatibility Policies of the Town's Official Plan provides direction for intensification developments to be compatible with the character of the area in which they are situated. The proposed development is an extension of the current commercial use of the existing Pillar and Post hotel. The subject lands have previously been used for industrial and commercial purposes by C&C Yachts. The current proposal is a more sensitive land use for the subject lands and is more appropriate for the surrounding residential character of the surrounding neighbourhood.

Although a portion of the subject lands are designated as part of the Intensification Areas in the Official Plan, the proposed development does not hinder the Town's efforts to accommodate 15% of its forecasted intensification development in the Built-up Area. Intensification developments in other areas of Town have adequately allowed for the Town to achieve its targets and thus, this development, though a less-intense development than what is currently permitted, does not negatively impact the Town's intensification efforts. Old Town is one of the most densely populated areas in the Town and this proposed development would provide additional amenities for public enjoyment such as the gardens. The proposed development is a sensitive and complementary response to the needs of an expanding commercial use in a primarily residential neighbourhood.

The heights and massing of the proposed buildings, as discussed in the previous urban design section, are compatible with the surrounding neighbourhood. The proposed

development also demonstrates compatibility and integration with surrounding land uses, including a transition in built form with appropriate heights, massing, architectural design, setbacks, and private open, amenity space. Remaining issues such as servicing, lot grading, and drainage will be addressed during the Site Plan Approval stage.

Commercial land uses

Section 10 of the Town's Official Plan provides policy direction on commercial uses, with specific direction for General Commercial uses.

This development meets the goals and objectives for commercial uses by providing commercial uses within the urban area boundary to serve the needs of both residents and tourists. Its design addresses the ways in which it least impacts adjacent uses and is consistent with the historical importance of Old Town. The expansion of commercial uses on the subject lands, adjacent to the existing Pillar and Post hotel, promotes compact forms of commercial development and prevents a scattered, dispersed distribution of commercial activity.

The proposed development conforms to the Official Plan policies concerning commercial land uses. The primary function and predominant use of the proposed development is to host events and special occasions. The multipurpose building will host conferences and the event tents in the gardens will host weddings and other special events. The predominant use of the subject lands is commercial with supporting facilities such as office/administrative and warehouse buildings and a parking structure.

Parking and vehicular access for the proposed development have been mentioned in the urban design section. Parking has been consolidated into one parking structure that is heavily screened and buffered from adjacent residences. Vehicular access to the development is restricted to three (3) entrances, with two (2) to the parking structure. Regent Street will be transformed into a pedestrian and cycling connection to link the adjacent residential neighbourhood to the gardens.

As mentioned in the previous urban design section, appropriate setbacks, screening, and other buffering measures have been designed and will be implemented. The design has taken into consideration the character of the surrounding residential uses to minimize the impacts of the proposed development. Although the concept designs address measures to mitigate noise, the applicant has noted that specific measures will be dealt with at Site Plan Approval stage.

Draft Zoning By-law Amendment

The draft Zoning By-law Amendment, attached to the CDS Report as Appendix C is drafted with the assumption that the existing properties will have merged together with the Regent Street road allowance. Once these have merged, our Comprehensive Zoning By-law (CZBL) 4316-09, as amended, defines a LOT, CORNER as: *"means where a lot abuts one or more streets of such a curve that the tangents drawn from the street extremities of the lots lines contain an interior angle of not more than 135°, the lot for the purpose of determining yard requirements shall be considered a corner lot."* The CZBL also defines a

LOT LINE, FRONT as: "... (b) *In the case of a corner lot that fronts on one or more streets, the shorter lot line abutting the street ...*" For the purposes of the Draft Zoning By-law Amendment (Appendix C), it was deemed that the property front lot line was that side facing John Street. The following setbacks from the property lines are from the following streets:

- Front-yard setback: John Street
- Rear-yard setback: Anne Street
- Exterior side-yard setback: King Street
- Interior side-yard setback: property lines abutting the residential properties (along the sides of the parking structure).

CONCLUSION

In summary, the applications to amend the Official Plan and Zoning By-law to facilitate the development of the Garden Property and Office Property have been considered with regard to Provincial, Regional, and Town policies. Staff conclude that the proposed development complies with Town policies, as discussed in the Planning Analysis. Staff therefore recommend that the Official Plan Amendment and Zoning By-law Amendment applications be supported and recommend to Council that they be approved.

Respectfully submitted,



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Urban Design Specialist



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Community & Development Services

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. _____-15**

(Official Plan Amendment No ____
– Pillar and Post Garden)

A BY-LAW PURSUANT TO SECTION 17 OF THE ONTARIO PLANNING
ACT TO AMEND THE TOWN OF NIAGARA-ON-THE-LAKE OFFICIAL
PLAN

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact
this By-law by virtue of the provisions of Section 17 of the Planning Act, R.S.O.
1990, c.P.13, as amended;

The Council of The Corporation of the Town of Niagara-on-the-Lake, in
accordance with the provisions of Section 17 of the Ontario Planning Act hereby
enacts as follows:

1. Amendment No. 62 to the Official Plan for the Town of Niagara-on-the-Lake
consisting of the attached explanatory text is hereby adopted.
2. Amendment No. 62 to the Official Plan for the Town of Niagara-on-the-Lake
is exempt from the approval of the Regional Municipality of Niagara and will
come into force and take effect on the day of the final passing thereof.

Enacted and passed this ____th day of September 2016

LORD MAYOR PAT DARKE

TOWN CLERK HOLLY DOWD

PART A - THE PREAMBLE

This part does not constitute part of this amendment.

PART B - THE AMENDMENT

This part consists of the following text and attached plan which constitutes Official Plan Amendment No. 62 to the Official Plan for the Town of Niagara-on-the-Lake.

PART C -
ADDITIONAL INFORMATION

Does not constitute part of this amendment. Outlines additional information available upon request.

PART A - THE PREAMBLE

The preamble does not constitute part of this amendment.

PURPOSE

The purpose of this amendment is to change the land use designations on the subject lands from 'General Commercial – 45', 'General Commercial – 39' and 'Residential Development – 45' to 'General Commercial – Site Specific'. This amendment is required to facilitate the development of a conference centre, open space, outdoor event areas, business office, warehousing associated with the main use, and an accessory parking structure.

BASIS

The basis of the amendment is as follows:

1. The subject lands are located in the Urban Area of Old Town and are owned by the Pillar and Post hotel.
2. The proposed use of the lands is to facilitate the commercial expansion of the Pillar and Post to allow for a conference centre and open space with outdoor event areas to host conferences, weddings, and special occasions.
3. The amendment is consistent with the Provincial Policy Statement and the Growth Plan, the Regional Policy Plan and the general intent of the Town's Official Plan.
4. The development continues to provide a range of commercial uses within an established commercial area of Old Town.
5. The proposal will be subject to further approvals associated with Site Plan Control.

PART B - THE AMENDMENT

All of this part of the document entitled Part B – The Amendment, consisting of the following text and Schedule constitutes Amendment No. XX to the Official Plan of the Town of Niagara-on-the-Lake.

DETAILS OF THE AMENDMENT

1. Schedule “B” of the Official Plan for the Town of Niagara-on-the-Lake is amended for the lands shown on Map 1 attached hereto by redesignating the lands from “Residential Exception (EX-RES-6)” to “General Commercial (Pillar and Post Garden)”, and from “General Commercial” to “General Commercial (Pillar and Post Garden)”.
2. Schedule “I-1” of the Official Plan for the Town of Niagara-on-the-Lake is amended for the lands shown on Map 2 attached hereto by redesignating the lands from “Intensification Parcels” to “Built-Up Area”.
3. Part 3 “Land Use Policies”, Section 10: Commercial is amended by adding new policies titled “General Commercial (Pillar and Post Garden)” after “Recreational Commercial (Queenston Quarry)” as follows:

General Commercial (Pillar and Post Garden)

1. In the General Commercial (Pillar and Post Garden) designation the following land uses shall be permitted:

Main Uses:
 - a) Conference centre
 - b) Business office
 - c) Passive parks and open space
 - d) Art Gallery
 - e) Outdoor event areas
Secondary Uses:
 - a) Warehousing associated with a main use
 - b) Accessory buildings and structures
2. The implementing Zoning By-law may exclude specific uses or categories of uses which are considered to be incompatible with the goals, objectives and policies of the Plan.
3. In accordance with the regulations under Section 36 of the Planning Act, a Holding (H) Provision may be applied to the subject lands in the implementing Zoning By-law, which will enable Council to hold lands designated for specific

Appendix B

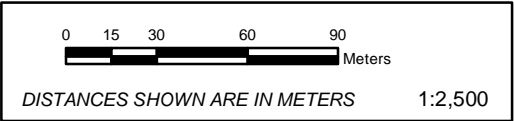
land uses until a Record of Site Condition has been filed or until supporting studies related to transportation or noise are completed and approved.

4. Any outdoor event area use will be seasonal and may be limited in the implementing Zoning By-law to the number of events per year, so as to remain compatible with the surrounding residential land uses. Any application for site plan agreement for use of an outdoor event area or event tent shall be accompanied by a noise study completed by a qualified expert, recommending appropriate separation distances from residential land uses, as well as noise mitigation measures. An on-going noise monitoring program may be required by the municipality, which may be established as part of any site plan agreement involving an outdoor event area or event tent use. Any noise monitoring program is subject to the approval of the Director of Community and Development Services.

PART C – ADDITIONAL INFORMATION

The following additional information is available upon request:

1. Community and Development Services Report CDS-16-XXX



**Map "A" ATTACHED TO OFFICIAL PLAN AMENDMENT #70
BEING AN AMENDMENT TO SCHEDULE "B" OF THE OFFICIAL
PLAN OF THE TOWN OF NIAGARA-ON-THE-LAKE**

LORD MAYOR
PAT DARTE

TOWN CLERK
HOLLY DOWD

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 4316XX - 16**

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2627 010 003 18400 0000, 2627 010 003 21600 0000

A BY-LAW TO AMEND BY-LAW NO. 4316-09, AS AMENDED, ENTITLED
A BY-LAW TO REGULATE THE USE OF LANDS AND THE ERECTION,
USE, BULK, HEIGHT, LOCATION, AND SPACING OF BUILDINGS AND
STRUCTURES WITHIN THE TOWN OF NIAGARA-ON-THE-LAKE.

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:

1. Schedules ‘A-1’ and ‘A-2’ of By-law 4316-09, as amended, are further amended by changing the zoning of the subject lands identified on Map A (attached to and forming part of this By-law) to “General Commercial (GC-73-H) – Site Specific Zone.

2. That Subsection 7.14.39 is hereby further amended by deleting reference to Figures 7.14.36F (ii) and 7.14.39F (iii) in the ‘Notwithstanding’ clause, so that it reads as follows:
Notwithstanding the provisions of the General Commercial (GC) Zone, for the lands identified as (GC-39) on Schedules ‘A-1’ & ‘A-2’ and shown on Figure 7.14.39F, only the following provisions shall apply:

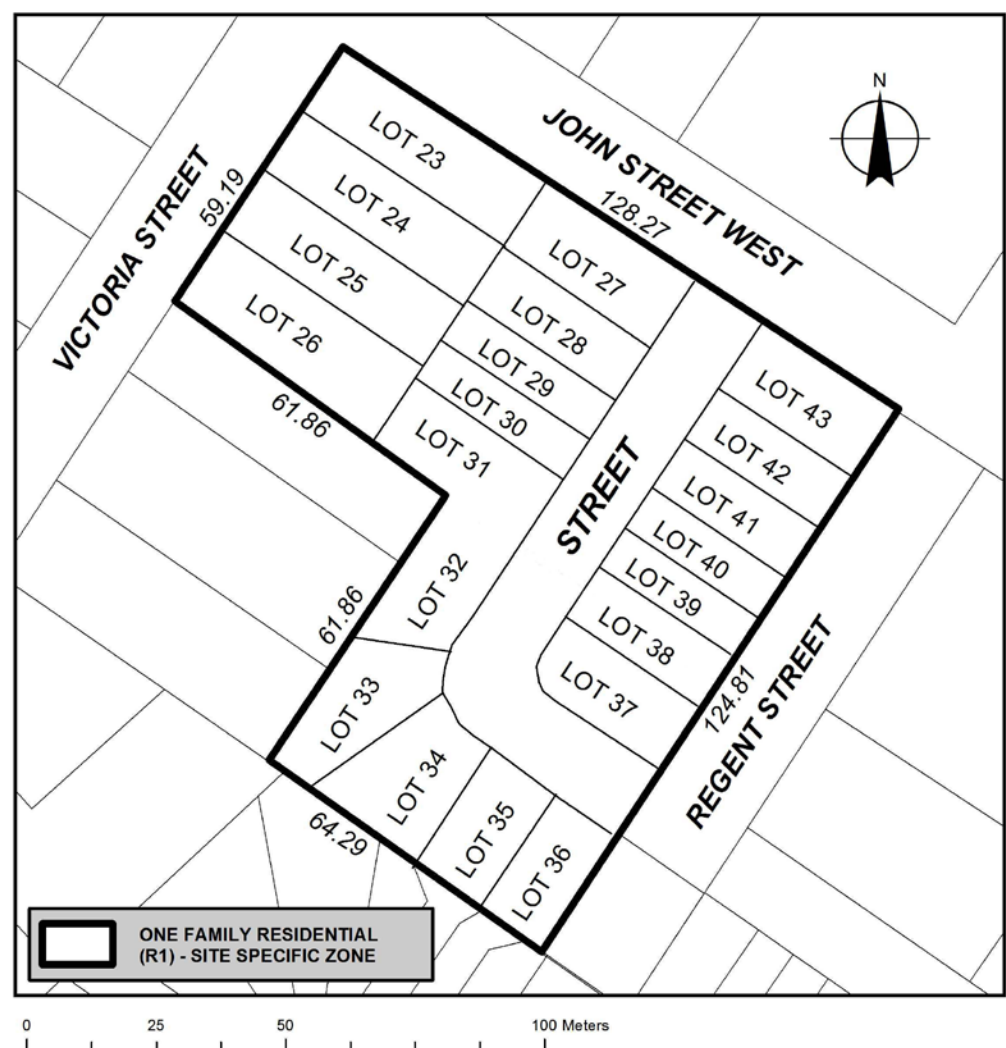
3. That Subsection 7.14.39.2 Zone Requirements is hereby further amended by deleting reference to Figures 7.14.36F (ii) and 7.14.39F (iii), so that it reads as follows:
The minimum setbacks as shown on Figure 7.14.39F below shall apply to the lands identified as GC-39 on Schedules ‘A-1’ and ‘A-2’.

4. That Subsection 7.14.39.3 and Subsection 7.14.39.5 are hereby deleted in their entirety.

5. That Figure 7.14.39F (ii) and Figure 7.14.39F (iii) are hereby deleted in their entirety.

6. That Subsection 7.14.39.6 is hereby deleted in its entirety and replaced with the following:
7.14.39.6 Notwithstanding Section 6.39, Parking Space Requirements, the minimum number of required parking spaces required to serve these lands is two hundred ten (210) parking spaces for the following uses and floor areas:
 - (a) One hundred forty-nine (149) spaces for uses existing as of October 23, 2006.
 - (b) Eight (8) hotel suites
 - (c) 938 m² (10,100ft²) of administration space
 - (d) Miller House (46 Mary Street): 160 m² (1,721 ft²) of administrative office space
 - (e) Best House (263 King Street): 385.5 m² (4,150 ft²) of hotel use space
7. That Subsection 7.14.45.1 is hereby deleted in its entirety and replaced with the following:
7.14.45.1 Permitted Uses:
 - (a) Thirteen (13) *single-detached dwellings*
 - (b) Four (4) *semi-detached dwellings*
8. That Subsection 7.14.45.3 (d) 1) is hereby amended by deleting reference to Lots 1 to 3.
9. That Subsection 7.14.45.4 is hereby amended by deleting reference to Lots 1 to 3.
10. That Subsection 7.14.45.5 and Subsection 7.14.45.6 are hereby deleted in their entirety.
11. That Figure 7.14.45F is hereby deleted and replaced with the following:

Figure 7.14.45F; Boatworks Subdivision [John, Regent & Victoria Streets]



12. That Subsection 7.14, Site Specific Exceptions is hereby further amended by adding the following:

7.14.73 526 Regent Street (Roll # 2627 010 003 21900 0000, 2627 010 003 15700 0000, 2627 010 003 18400 0000, 2627 010 003 21600 0000) – See Schedules A-1 & A-2 (GC-73-H)

7.14.73.1 GC-73 Permitted Uses:

Only the following uses shall apply on the lands identified as GC-73:

- (a) Conference Centre with One (1) Guest Bedroom
- (b) Private Park
- (c) Outdoor Events
- (d) Hospitality Tents
- (e) Art Gallery
- (f) Business or Professional Office
- (g) Warehouse as a secondary use to a principal use
- (h) Parking Structure
- (i) Accessory buildings and structures in accordance with Section 6.1

7.14.73.2 GC-73 Zone Requirements:

The following provisions shall apply on the lands identified as GC-73:

(a)	Minimum lot frontage	125.0 m (410.1 ft)
(b)	Maximum lot coverage	35%
(c)	Minimum landscaped open space	60%
(d)	Minimum front yard setback (John Street) for: (i) Conference Centre	84.4 m (276.9 ft)
(e)	Minimum exterior side yard (King Street) setback for: (i) Conference Centre (ii) Business or Professional Office (iii) Warehouse (iv) Parking Structure	41.85 m (137.3 ft) 136.9 m (449.1 ft) 174.6 m (572.8 ft) 137.8 m (452.1 ft)
(f)	Minimum interior side yard setback for: (i) Conference Centre (ii) Business or Professional Office (iii) Warehouse (iv) Parking Structure (i) Northern (ii) Western	115.0 m (377.3 ft) 45.2 m (148.3 ft) 7.58 m (24.9 ft) 3.14 m (10.3 ft) 1.4 m (4.6 ft)
(g)	Minimum rear yard setback (Anne Street) for: (i) Conference Centre (ii) Business or Professional Office (ii) Warehouse (iii) Parking Structure	12.56 m (41.2 ft) 4.0 m (13.1 ft) 7.0 m (23.0 ft) 34.0 m (111.5 ft)
(h)	Maximum height of parking structure	5.0 m (16.4 ft)
(i)	Maximum building height of all other buildings	15.0 m (49.3 ft)
(j)	Minimum accessory building setback	1.5 m (4.9 ft)
(k)	Minimum accessory building exterior side yard setback	4.0 m (13.1 ft)

7.14.73.3 GC-73 Zone Requirements for *Hospitality Tents*:

The following additional provisions shall apply to *Hospitality Tents* on the lands identified as GC-73:

(a)	Maximum total area for hospitality tents	600 sq m
(b)	Minimum setback to any lot line	15.0 m (49.3 ft)
(c)	Maximum building height	10.5 m (34.4 ft)

7.14.73.4 GC-73 Buffer Strip:

Where an interior side lot line or a rear lot line abuts a residential zone, a strip of land adjacent to the adjoining lot line being a minimum of 3.0 m (9.9 ft) in width shall be used as a buffer strip in accordance with Section 6.6.

13. That development of the lands shall only be permitted upon removal of the Holding (‘H’) provision. The Holding (‘H’) provision shall only be removed upon filing a Record of Site Condition, to the satisfaction of the Regional Municipality of Niagara. Additionally, the Holding (‘H’) provision shall only be removed upon the completion of the Niagara-on-the-Lake Wastewater

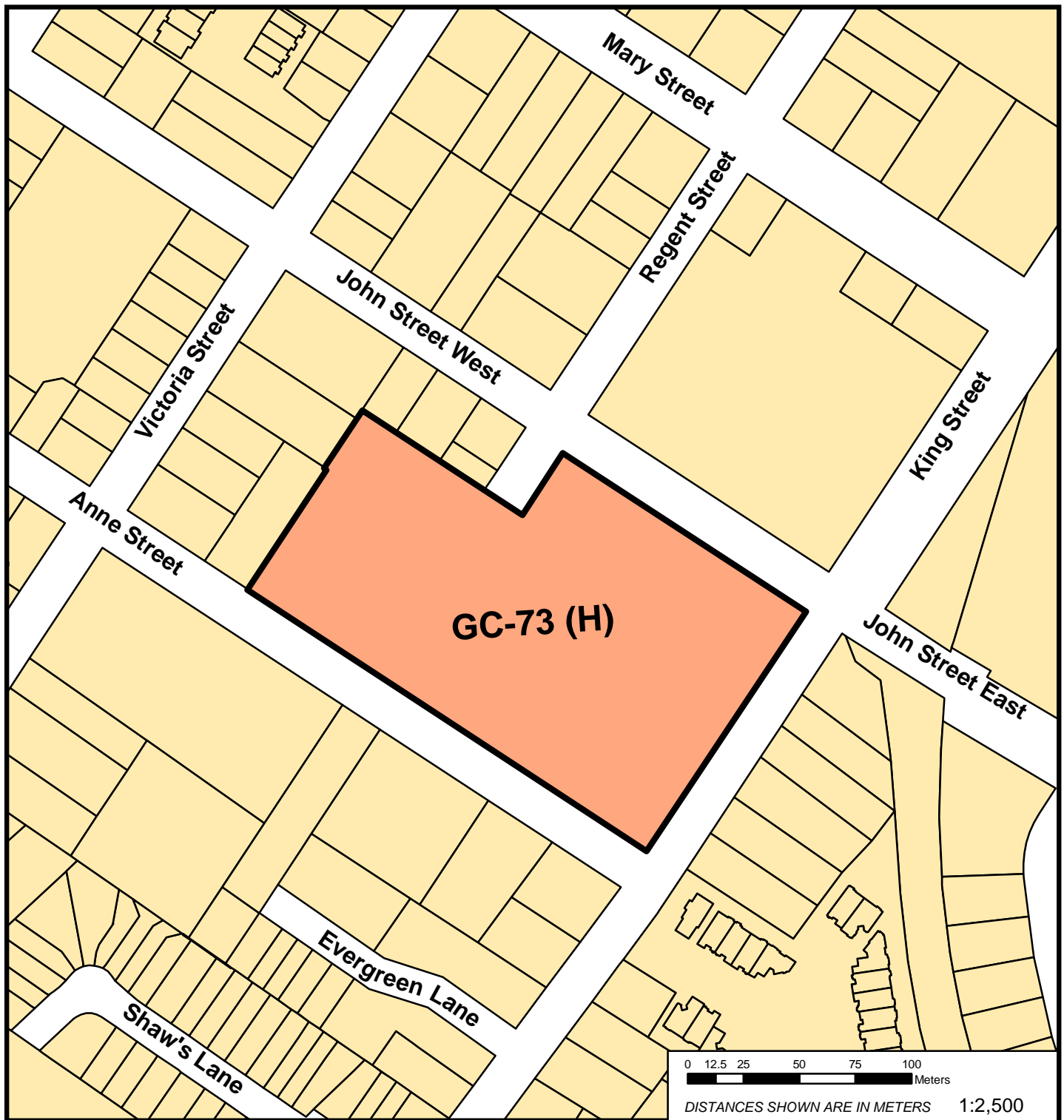
Treatment Plant, or when it can be proven that there is capacity in the existing plant for this development, to the satisfaction of The Corporation of the Town of Niagara-on-the-Lake.

14. That this By-law shall become effective upon final approval of the related Amendment to the Niagara-on-the-Lake Official Plan.

READ A FIRST, SECOND AND THIRD TIME THIS 25th DAY OF JULY, 2015.

LORD MAYOR PAT DARTE

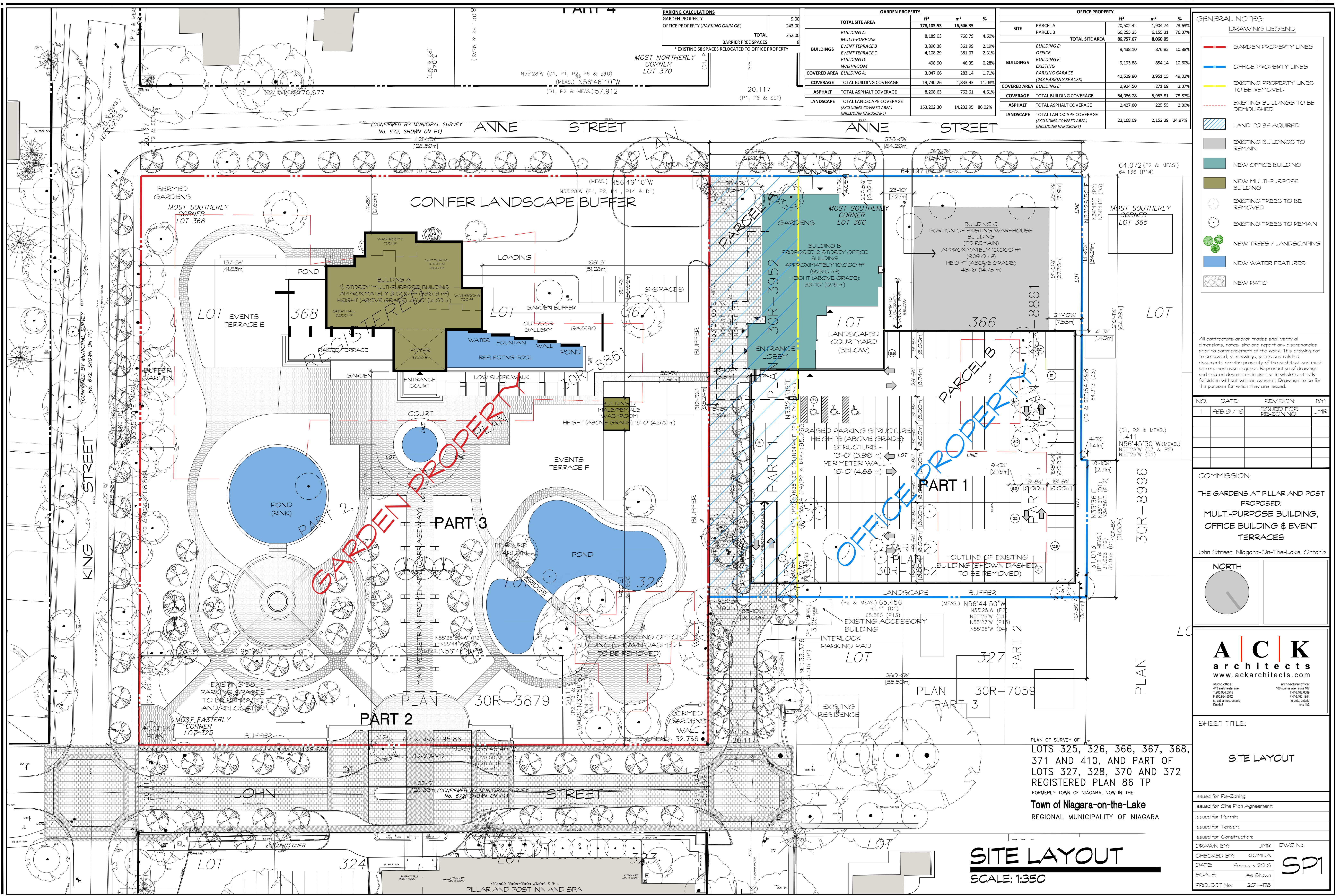
TOWN CLERK HOLLY DOWD

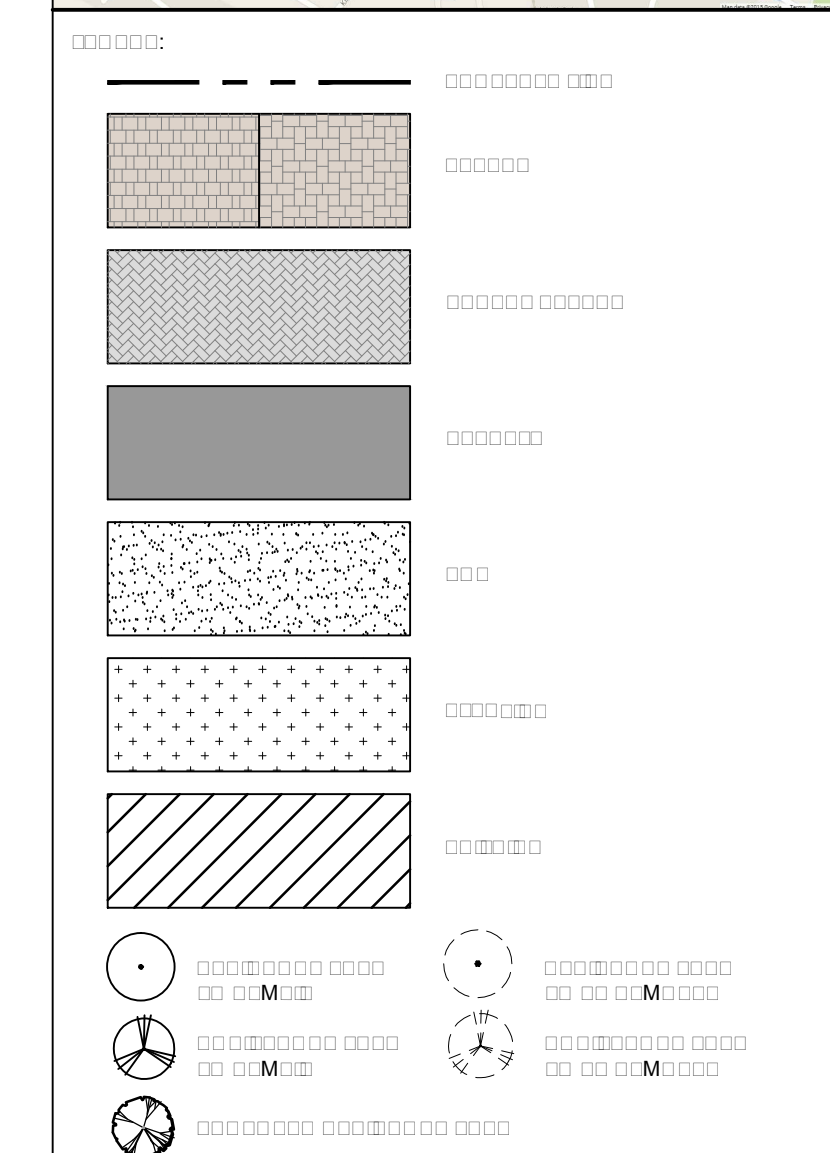
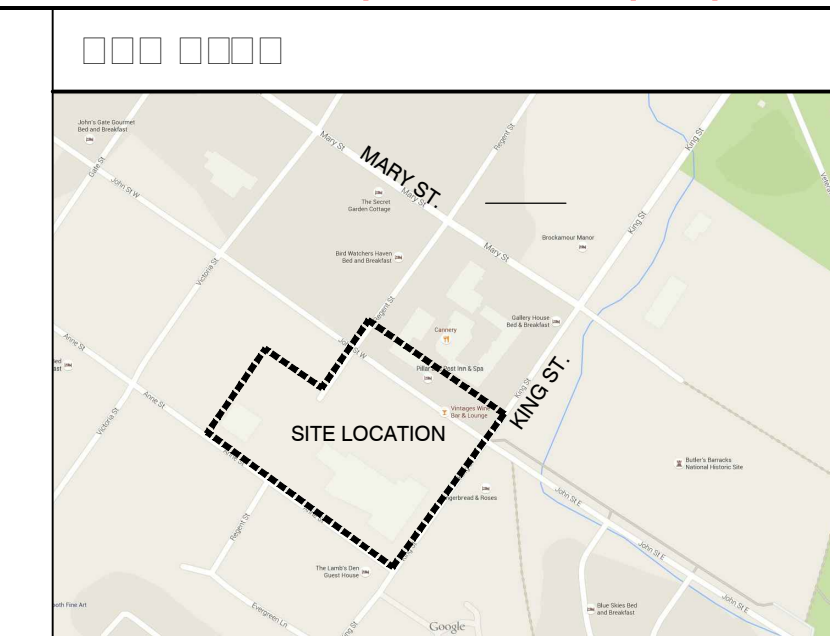
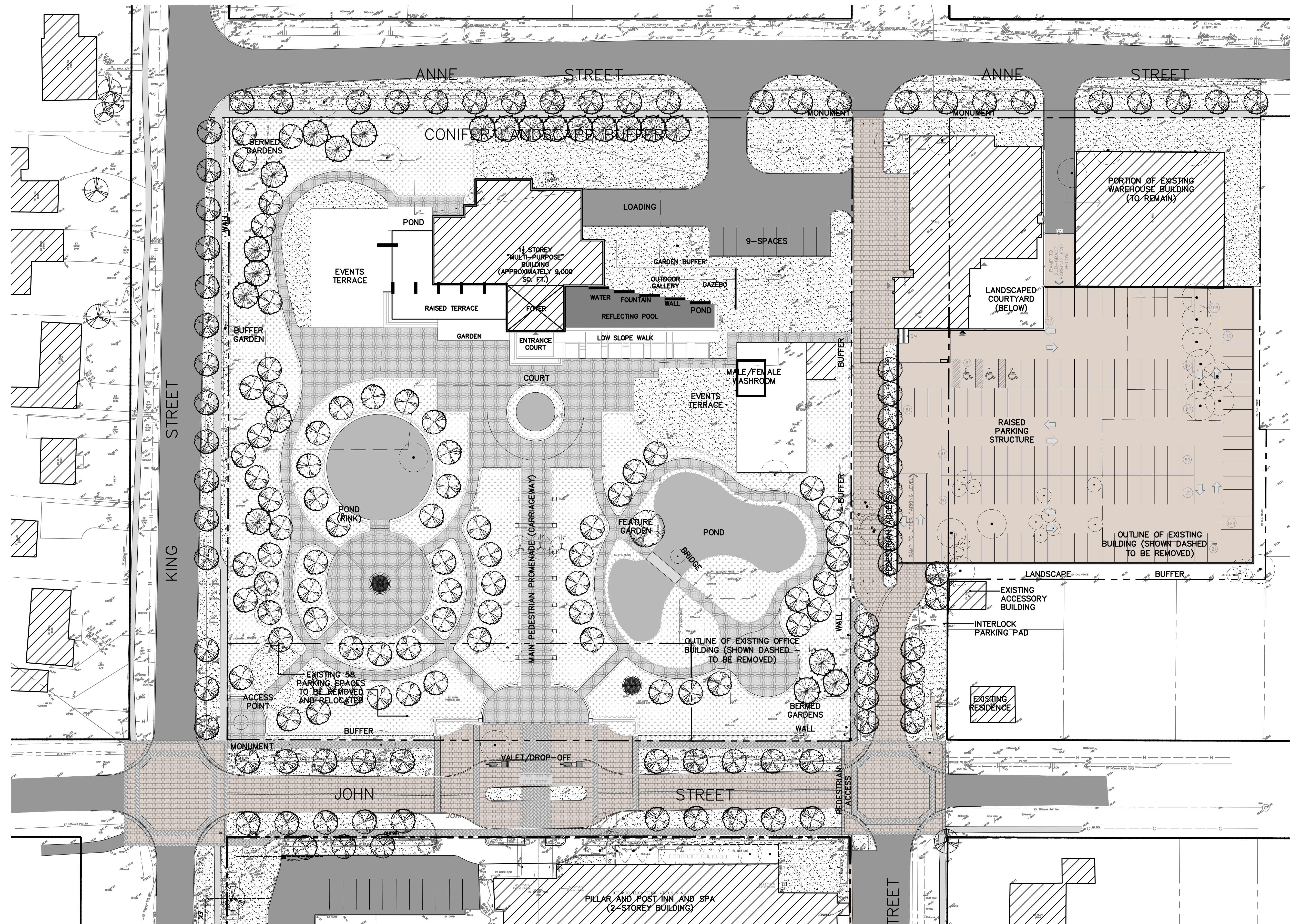


MAP 'A' ATTACHED TO BY-LAW 4316XX-16, BEING AN AMENDMENT TO SCHEDULES "A-1" AND "A-2" OF ZONING BY-LAW 4316-09, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS xxTH DAY OF SEPTEMBER, 2016.

LORD MAYOR
PAT DARTE

TOWN CLERK
HOLLY DOWD



[illegible]


DESIGN

A | C | K
architects

443 EASTCHESTER AVE. E. ST.
CATHARINES, ON L2M 6S2
(905) 984-5545

THE GARDENS AT PILLAR AND POST
John Street
Niagara-On-The-Lake, Ontario



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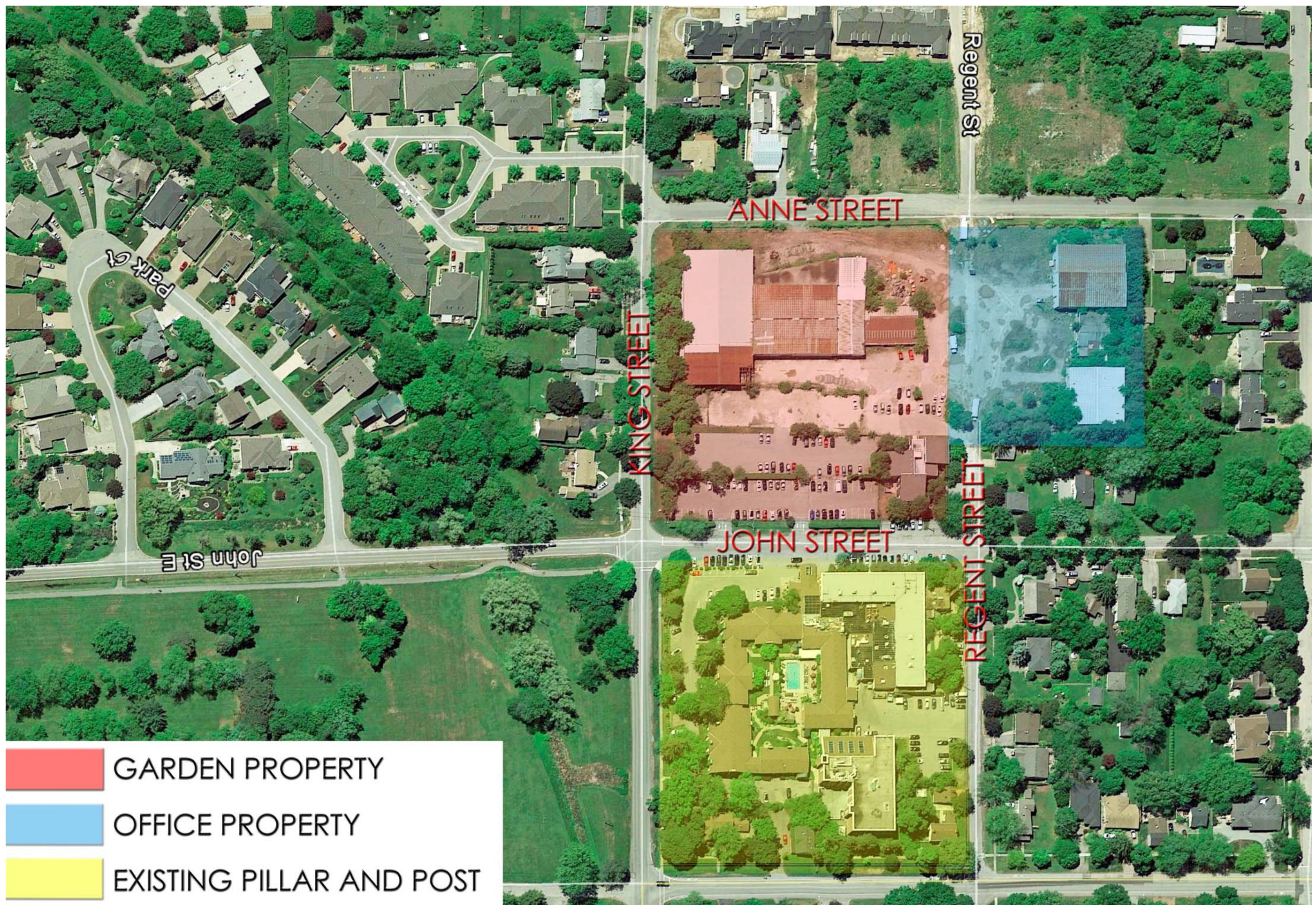
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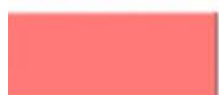


The Gardens at Pillar and Post

Landscape and Architectural Concept Plans

Appendix F:
Architectural renders and
drawings





-  GARDEN PROPERTY
-  OFFICE PROPERTY
-  EXISTING PILLAR AND POST

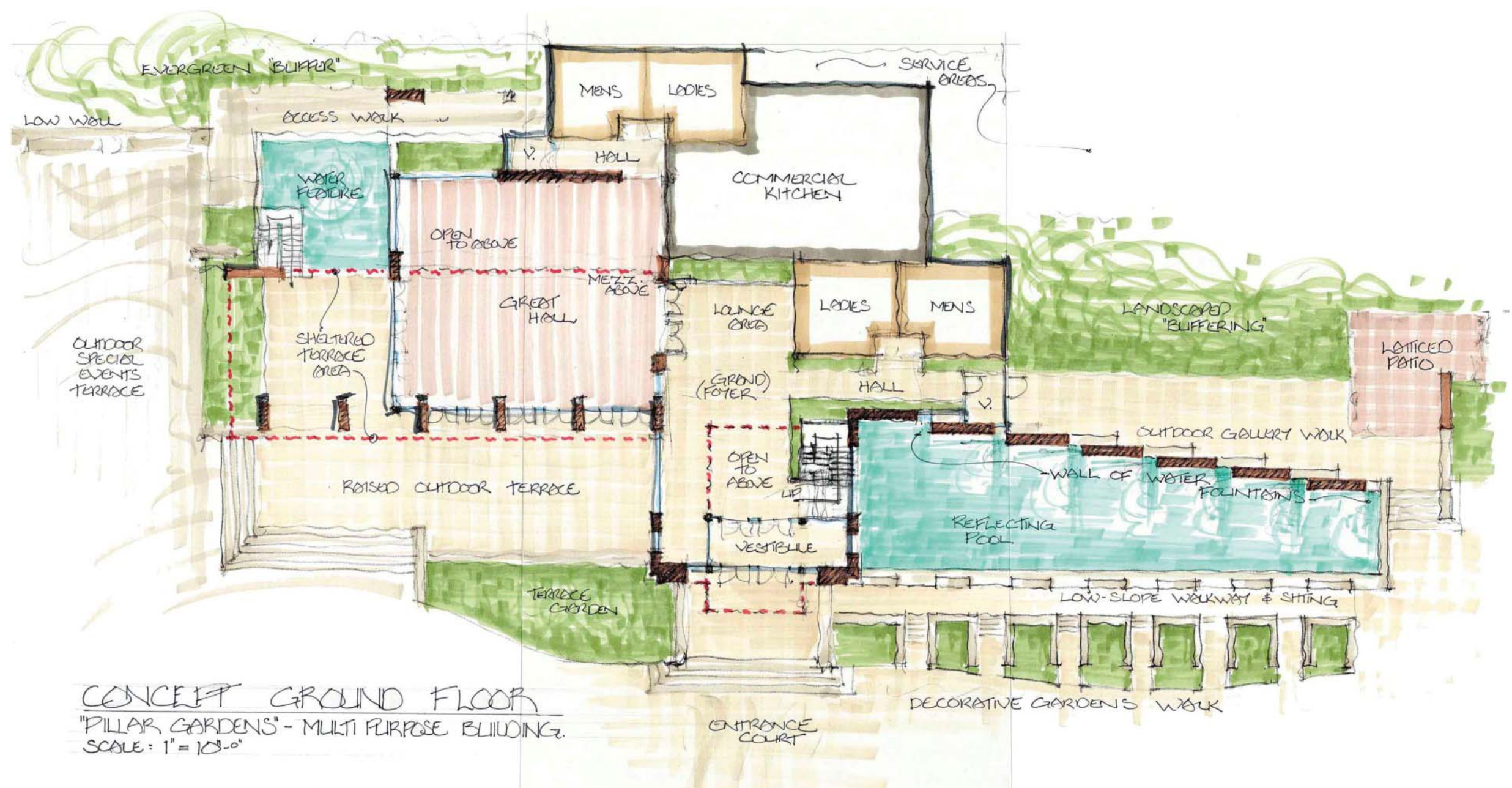


PILLAR_{and}POST
 NIAGARA-ON-THE-LAKE, ONTARIO

A | C | K
 architects

Seferian

UPPER CANADA
 CONSULTANTS
 ENGINEERS / PLANNERS





PAVILION WATER FEATURE WITH OFFICE COMPONENT BEYOND



PROPOSED GARDEN PAVILION (EAST PERSPECTIVE)



NORTH-WEST AERIAL VIEW





PROPOSED OFFICE WEST ELEVATION



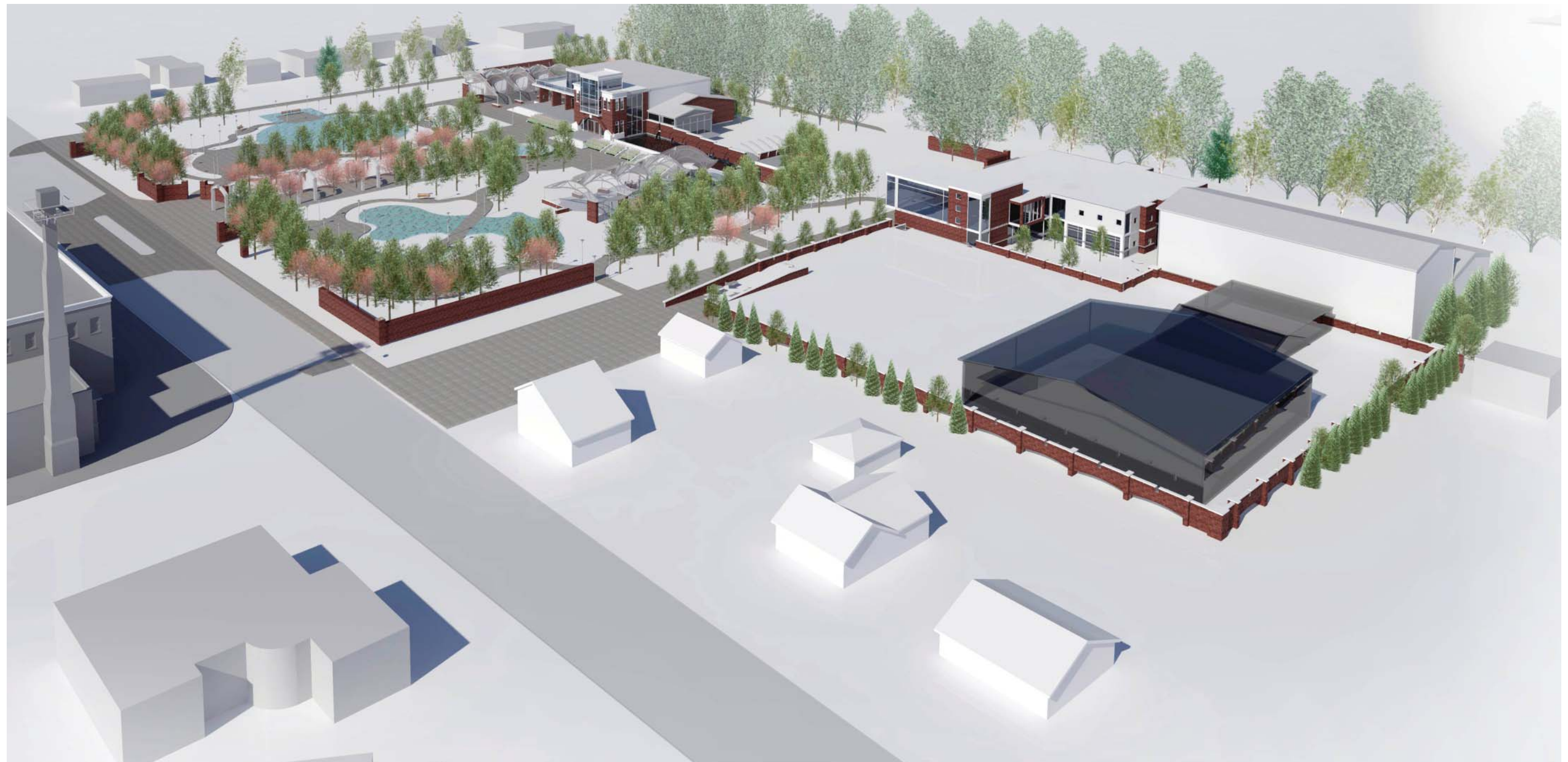
PROPOSED OFFICE SOUTH PERSPECTIVE



PROPOSED OFFICE NORTH PERSPECTIVE





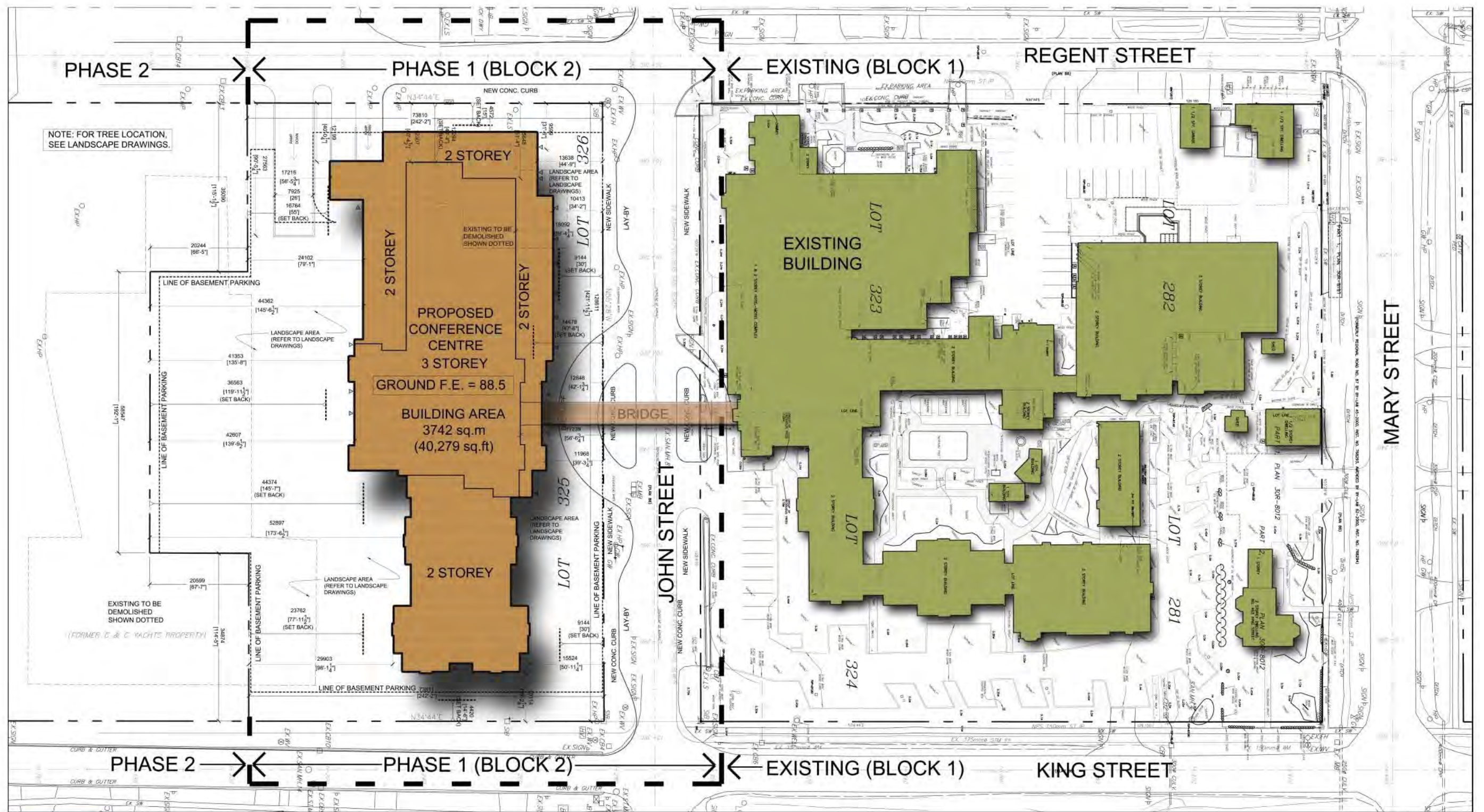


The Gardens at Pillar and Post

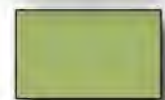
Landscape and Architectural Concept Plans







APPROVED 3-STOREY CONFERENCE CENTRE



EXISTING PILLAR AND POST BUILDINGS













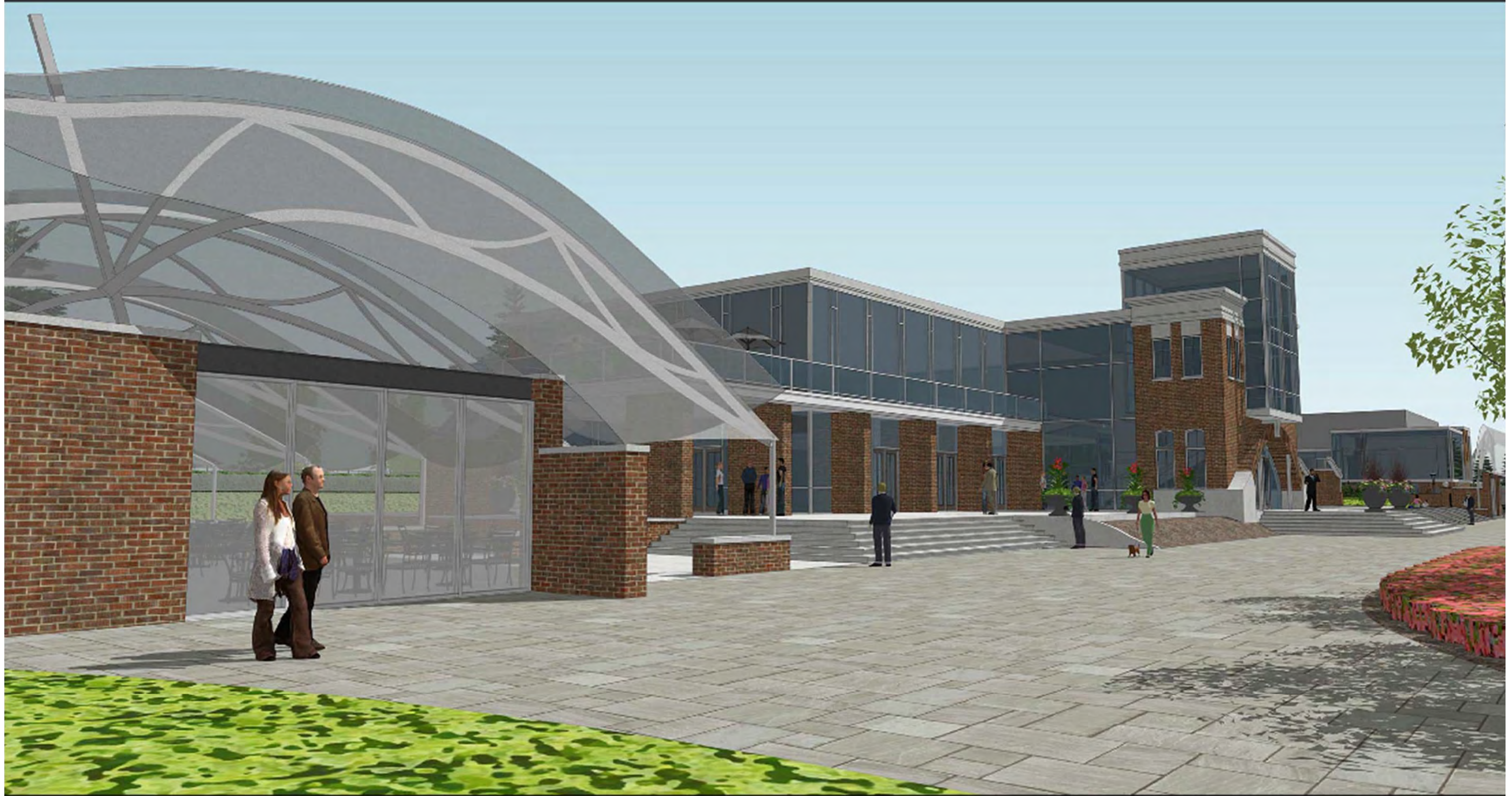


















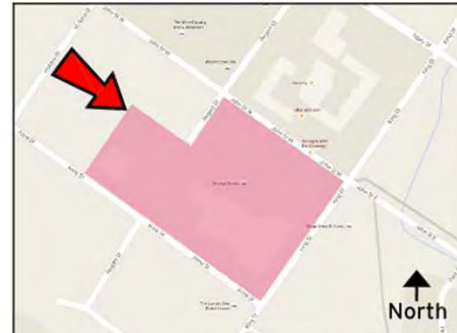




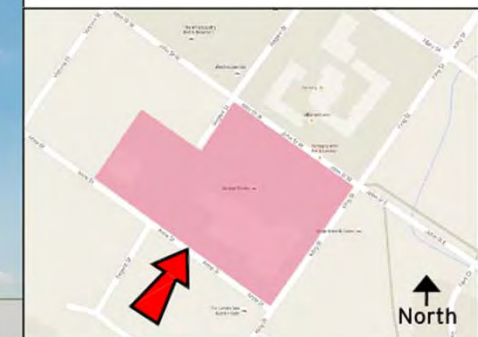




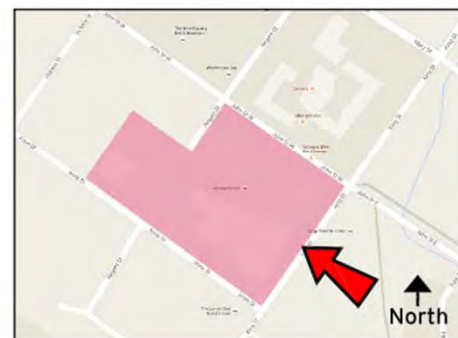
John Street Elevation



Regent Street Elevation



Anne Street Elevation



King Street Elevation



King Street Elevation





**Regent Street, John Street E, King Street & Anne Street (The Gardens at Pillar and Post)
Applications for Official Plan and Zoning By-law Amendments**

Commenter	Comments
Corporate Services	No concerns.
Operations - Traffic	Intersections within the study area of the Traffic Impact Study are currently operating with overall acceptable levels of service during Saturday peak hour. The proposed development will generate new trips and cannot adequately analyze or the support the study conclusions and recommendations without more realistic traffic and parking projections.
Operations – Stormwater Management	More information regarding drainage from the parking structure and how to accommodate it. The site should retain more runoff to keep John Street's existing storm sewer closer to 78% of its capacity.
Operations - Parks and Recreation	Further comments will be provided once a detailed landscape plan is submitted.
Building Department	No concerns.
Fire Services	No concerns.
Planning/ Zoning Technician	Zoning By-law Amendment will need to be site-specific as the uses proposed are not currently permitted. The outdoor events areas will need to be specially recognized as well. Once a GFLA has been established by finalized floor plans, parking, loading, and bicycle spaces can be established.
Heritage Planner	A copy of the Compliance Letter from the MTCS is required to confirm that all licensing and resource requirements have been met.
Region of Niagara	A Record of Site Condition (RSC) must be filed prior to the passing of the Zoning By-law Amendment (or the inclusion of a Holding (H) provision requiring an RSC. Site-specific Official Plan Amendment is exempt from Regional Council approval in accordance with the Memorandum of Understanding.



Figure 1: Current overflow parking on proposed Garden Property



Figure 2: Existing warehouse building on proposed Garden Property; to be replaced with multipurpose building



Figure 3: Existing warehouse building with portion to remain on proposed Office Property



Figure 4: Regent Street looking south into site



Figure 5: View across site from Regent Street road allowance; Garden Property to left and Office Property to right