

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 4511-11**

(Official Plan Amendment– Randwood Estate)

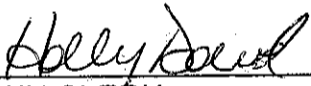
The Council of the Corporation of the Town of Niagara-on-the-Lake, in accordance with the provisions of Section 17 of the Planning Act, hereby enacts as follows:

1. Amendment Number 51 to the Town of Niagara-on-the-Lake Official Plan consisting of the attached explanatory text and schedule is hereby adopted.
2. This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this 12th day of December 2011.



LORD MAYOR
DAVE EKE



TOWN CLERK
HOLLY DOWD

Certified that the above is a true copy of By-law No. 4511-11 as enacted and passed by the Council of the Corporation of the Town of Niagara-on-the-Lake.

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 schedule, which constitutes Official Plan Amendment No. 51 to the Town of Niagara-on-the-Lake Official Plan approved on December 12, 2011.

PART C – THE APPENDICES -

Does not constitute part of this amendment. The appendices include a copy of the public meetings held in accordance with this amendment.

PART A – THE PREAMBLE

The preamble does not constitute part of this amendment.

Purpose

The purpose of this amendment is to redesignate lands at 144 & 176 John Street to a site specific General Commercial and site specific Open Space designation.

The northern boundary of the property fronts onto John Street, with Charlotte Street abutting the western edge of the property. The south west boundary of the property abuts a residential subdivision. To the east is a house that was related to Randwood but was subdivided and separated from the Randwood Estate by a thick coniferous hedge and a right-of-way. The property is bisected by One Mile Creek which runs generally north south through the property on the west side. The creek splits at the rear of the properties on Christopher Court and a tributary of the creek runs east/west through the estate.

Although the Randwood Property lies outside the national heritage district of the Old Town, Randwood has been listed on the Town's heritage register. The property will undergo designation under Part IV of the Ontario Heritage Act at the site plan application stage, once the details of the development have been determined.

The existing designations of Established Residential and Conservation reflect the single detached dwelling on the property and the natural feature of One Mile Creek and the tributary of One Mile Creek that transect the property.

The proposed designations will establish the policy direction to permit an inn, a spa, a conference centre, and an arts and learning centre. One of the significant features of the property is the size of the lot and the heritage features of the buildings as well as the designed landscape features.

Basis

The basis of this amendment is as follows.

1. The subject property is an expansive 13 acre estate located near the south eastern boundary of Old Town within Niagara-on-the-Lake and contains a number of buildings including the main house (known as Randwood), the Devonian House and the Coach House.
2. The proposal will ensure that the significant heritage and cultural landscaped features are maintained or minimally impacted while keeping the large estate lot as one property versus other possible proposals which could allow for this significant property to be subdivided into small pieces and would result in the loss of one of the few remaining estates in Niagara-on-the-Lake.
3. In recognition of the heritage value of the property, the applicant included a Heritage Impact Assessment. The consultants completed an inventory and analysis of the property and conducted historical research in order to determine the important heritage attributes and elements of the site and their significance with regard to events and movements that influenced local and national history. The report concluded that the majority of the proposed development is sensitive to the context and layout of the property and avoids demolition of any significant heritage assets on the site including the designed landscape features. The Heritage Impact Assessment supports the efforts of the proposed redevelopment to protect the heritage resources and landscape on the site while providing a viable new use for the heritage asset that will preserve and conserve it into the future.

4. The Heritage Impact Assessment provides mitigative measures to protect views, the cultural landscape, and the existing buildings on the site. The policies of this amendment will require that these measures be implemented.
5. A needs assessment and marketing study was submitted as part of the application and the anticipated economic benefit of the proposed development is expected to be significant for the Town of Niagara-on-the-Lake and the Niagara Region as a whole.
6. The needs assessment and marketing study concluded that the 100-room Inn and arts and learning centre will not negatively impact the overall market in the long term but that the conference facilities will be important in making the project economically viable as ultimately, over 40% of the demand will be for the conference or special events facilities.
7. A peer review of the Randwood Estate proposal was conducted by Brook McLroy Inc. to provide some further urban design recommendations given the significance of the property and the scale of the proposal. The recommendations include reducing the massing of the buildings especially any long walls as this is not proportional with the existing buildings, increasing the side and rear yard setbacks, heights should not exceed 3-storeys above grade, and terraces on the upper-storeys of buildings should face the interior of the property and should not be overlooking neighbouring properties.
8. This amendment will be implemented by a site specific zoning by-law amendment and a site plan agreement.

PART B – THE AMENDMENT

All of this part of the document entitled 'Part B – The Amendment' consisting of the following text and Schedule 1 constitutes Amendment Number 51 to the Official Plan of the Town of Niagara-on-the-Lake.

Details of the Amendment

- i. That Schedule "B" Land Use Plan – Niagara/Old Town is amended by Schedule "1" attached hereto and forming part of this amendment.
- ii. That Part 3 "Land Use Policies," Section 10: Commercial is amended by adding new policies titled "General Commercial (Randwood Estate)" after "Regional Commercial (Niagara-on-the-Green)" as follows:

General Commercial (Randwood Estate)

1. In the General Commercial (Randwood Estate) designation the following land uses shall be permitted:

Main Uses	Hotel Spa Arts and Learning Centre Conference Centre Restaurant
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Secondary Uses Accessory buildings and structures.

2. At site plan approval stage, the property shall be designated under Part IV of the Ontario Heritage Act.
3. The final design and plans of any additions or new buildings shall be subject to approval by the Municipal Heritage Committee.
4. Sufficient landscaping, buffers, and setbacks shall be provided to minimize the impact on abutting residential uses.
5. No terraces or balconies above the second storey shall be oriented toward abutting properties. Any terraces or balconies shall be oriented toward the interior of the property.
6. All access to parking areas shall be oriented or designed in such a way that there shall be no impact of vehicular lights on abutting residential properties.
7. There shall be no negative impact on abutting properties as a result of lighting in parking lots, driveways, walkways, or other outdoor recreation and amenity spaces.
8. There shall be adequate building separation from adjacent residential uses.
9. A tree preservation plan prepared by a qualified professional and shall be submitted with a site plan application.
10. The boxwood hedge within the buffer area adjacent to the western property line shall remain and be properly protected and preserved to insure its continued growth. At site plan stage measures to mitigate construction impacts to protect the boxwood hedge will be required.

- iii. That Part 3 Land Use Policies, Section 15: Open Space and Community Facilities is amended by adding new policies titled “Open Space (Randwood Estate)” after “Open Space and Community Facilities” as follows:

Open Space (Randwood Estate)

1. In the Open Space (Randwood Estate) designation the following land uses shall be permitted:

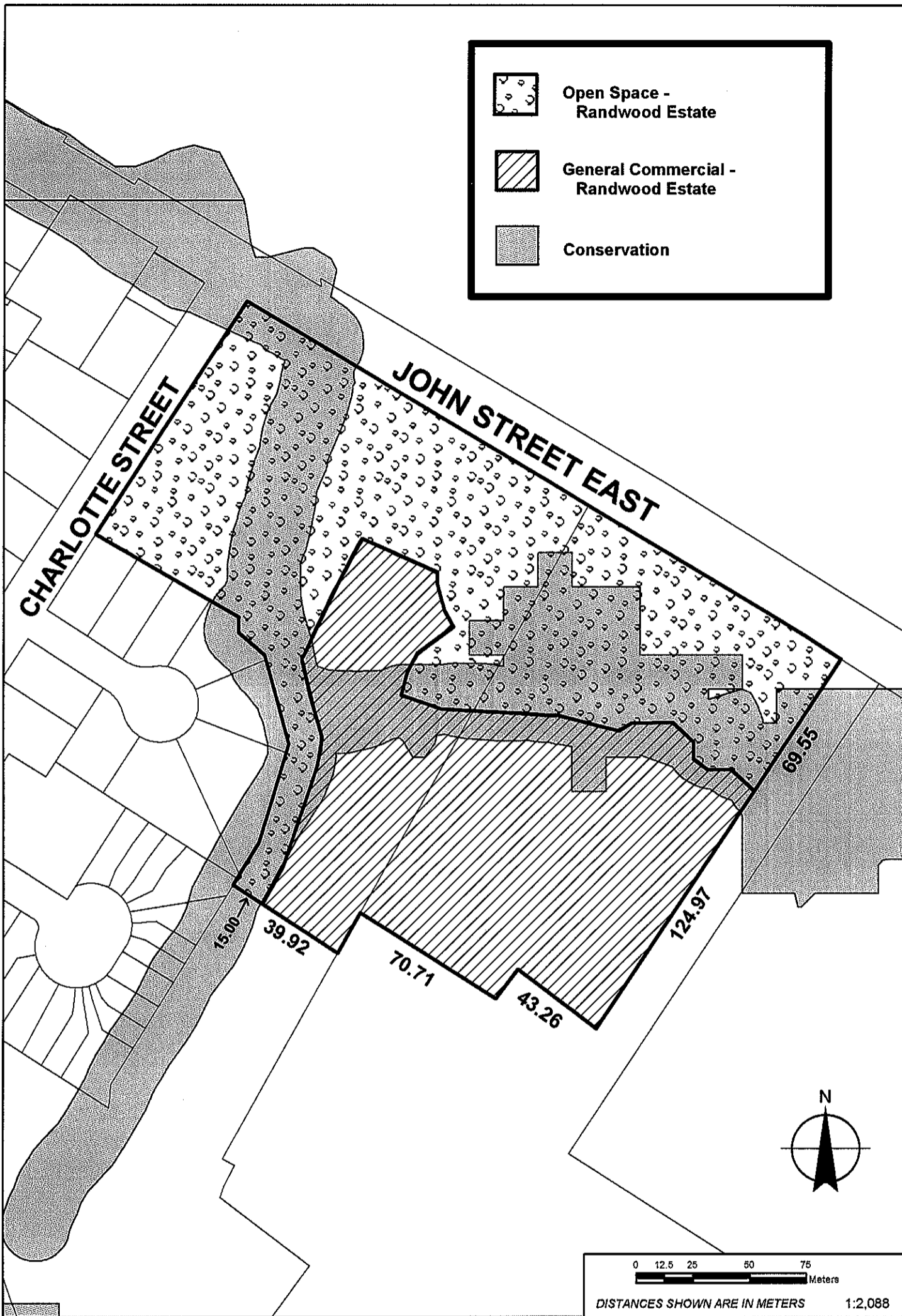
Main Uses Pedestrian and carriage pathways
Existing buildings and structures
Stormwater management facilities
Parking lots
Walls along John and Charlotte Streets
Accessory buildings and structures to main uses
in the General Commercial (Randwood Estate)
designation.

2. All parking areas shall be oriented or designed in such a way that there shall be no impact of vehicular lights on abutting residential properties.
3. There shall be no negative impact on abutting properties as a result of lighting in parking lots, driveways, walkways, or other outdoor recreation and amenity spaces or accessory buildings or structures..
4. A tree preservation plan prepared by a qualified professional and shall be submitted with a site plan application.

PART C – THE APPENDICES

The following appendices do not constitute part of Amendment Number 51 but are included as information supporting the amendment.

Appendix I	Location Map
Appendix II	Notice of Public Meeting – September 26, 2011 & November 28, 2011
Appendix III	Minutes of Public Meeting – September 26, 2011 & November 26, 2011
Appendix IV	Planning Justification Report, Randwood Estate Development, CDS-11-099, CDS-11-099A and CDS-11-099B



SCHEDULE ATTACHED TO OFFICIAL PLAN AMENDMENT #51

Dave Eke

LORD MAYOR
DAVE EKE

Holly Dowd

TOWN CLERK
HOLLY DOWD