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# The Town of Niagara-On-The-Lake

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<b>Report:</b>	<b>CDS-18-062</b>	<b>Committee Date:</b>	<b>September 10, 2018</b>
		<b>Due in Council:</b>	September 17, 2018

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<b>Report To:</b>	<b>Community &amp; Development Advisory Committee</b>
<b>Subject:</b>	<b>Estate Lots Study - Final Consultant Report</b>

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## 1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 Council receive the Final Report entitled "Estate Lots Study", prepared by Bray Heritage, dated July 19, 2018, attached as **Appendix A** to this report, as information.

## 2. PURPOSE / PROPOSAL

The purpose of this report is to present the final consultant report for the Estate Lots Study prepared by Bray Heritage (the "Final Report"), to Council for its information. The Final Report is attached as **Appendix A** to this report.

## 3. BACKGROUND

In September 2017, the Town engaged Bray Heritage to undertake a study for the purposes of determining how to ensure the preservation of the large lots known as "Estate Lots" in Old Town. Bray Heritage undertook its work program from September 2017 to August 2018. A summary of the study method and tasks is provided on pp. 2-3 of the Final Report.

The Final Report culminates the Estate Lots Study work program. The recommendations of the Final Report are discussed in Section 4 of this report.

## 4. DISCUSSION / ANALYSIS

The majority of effort in the Final Report has been put towards drafting new Official Plan policies for cultural heritage preservation, with a focus on "Cultural Heritage Landscapes" (CHLs) as the most effective approach for understanding and conserving the large lots known as "Estate Lots" in Old Town. The Report emphasizes that the concept and language of CHLs is well understood and reflected in present-day cultural heritage policy and legislation, whereas the term "Estate Lots" is generally a locally-understood term that consequently has less significance and defensibility under the current policy and legislative framework.

The consultants have prepared updated Official Plan policies within the Final Report, and have been working with the consulting team undertaking the Official Plan Review (Planscape) towards the preparation of new cultural heritage policies for the next draft of the revised Official Plan. Town Staff understand through conversations with the heritage consultants that the cultural heritage policies in the current in-force Official Plan lack many of the features, tools, and language of the modern cultural heritage and archaeology policy and legislative framework, and view a full update of those policies as being the most pressing matter for ensuring the future conservation of the Town's cultural heritage resources, including those properties identified locally as "Estate Lots".

The report includes other recommendations for conserving and promoting cultural heritage resources and the heritage character of Old Town, which Council may consider giving Staff direction to undertake as future projects.

## **5. STRATEGIC PLAN**

Not applicable.

## **6. OPTIONS**

Council may wish to direct staff to undertake any of the recommended actions in the Final Report. At this time, updated Official Plan policies from the heritage consultants are being incorporated into the next draft of the revised Official Plan, which will be provided to Council for comment.

## **7. FINANCIAL IMPLICATIONS**

Financial resources, including staff time, consultant fees and disbursements, would be associated with the implementation of the recommendations of the Final Report.

## **8. COMMUNICATIONS**

The next draft of the revised Official Plan will incorporate the recommended Official Plan policies of the Final Report.

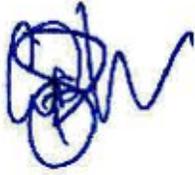
## **9. CONCLUSION**

The Final Report, attached as **Appendix A** to this report, is being provided to Council for information. The Final Report culminates the Estate Lots Study undertaken by Bray Heritage. The next draft of the revised Official Plan will incorporate the recommended Official Plan policies of the Final Report. Council may also wish to proceed with the other recommendations of the Final Report toward the preservation of the Town's cultural heritage resources.

**Respectfully submitted,**



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Manager of Planning (A)**



**Craig Larmour  
Director of Community  
& Development Services**



**Holly Dowd  
Chief Administrative Officer**

ATTACHMENTS



Appendix A - Final Report.pdf

WEB ATTACHMENTS

ATTACHMENTS FOR LINK

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First Capital of Upper Canada - 1792

# Niagara-on-the-Lake



August 2018  
Final Report

## Estate Lots Study

*Prepared for:*

the Corporation of the Town of Niagara-on-the-Lake

*Prepared by:*

Bray Heritage



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# 1. Study Context



Fig. 1: Infill to rear of an estate lot

## 1.1 Study Mandate

As stated in the study terms of reference prepared by the Town, the purpose of the Estate Lots Study is to assess “the cultural heritage value of “Estate Lots” in Old Town and develop relevant Official Plan policies and Zoning provisions for these lots. Key objectives include:

1. Conserving and enhancing properties of cultural heritage value that contribute to the heritage character of the area;
2. Encouraging re-investment in these lots;
3. Ensuring [that] proposals for new development enhance and contribute to the unique sense of place, streetscape character and ambience of Old Town and do not detract from the Estate Lot character of a property or area;
4. Provide transparency and clarity in the identification of Estate Lots; [and]
5. Promote increased awareness of the cultural heritage value of Estate Lots.

The overall goals of the study are to:

1. Identify and provide criteria to identify Estate Lots in Old Town including the cultural heritage value or interest of Estate Lot properties with respect to Ontario Regulation 9/06;
2. Identify sub-areas or neighbourhoods that may have a specific character, relationship of cultural heritage landscape character;
3. Provide policy direction for the conservation of Estate Lots in relation to streetscape character, the character of the Municipality and the cultural heritage value or interest of the property and surrounding area(s);
4. Develop strategies for assessing development impacts to Estate Lots and whether development is compatible or incompatible; [and]
5. Provide recommendations for ways to make maintenance of Estate Lots more viable for property owners.

## 1.2 Study Method

The study team consisted of heritage planners, landscape architects, urban designers, historians and archaeologists from the firms of Bray Heritage and Letourneau Heritage Consulting Inc. The study team conducted interviews with Town staff and with local residents identified by the Town as having a particular interest in the estate lot issue. Archival research was also conducted, primarily in the collections of the Niagara Historical Society Museum. Further public consultation included a public workshop (facilitated by the consulting team with the assistance of Town staff) in which the issues affecting conservation and development of estate lots were discussed and suggestions made for revised heritage planning policies and guidelines. See Appendix A for summary of public comment.

The Town has instructed the study team to review the draft Official Plan (OP). Consequently, the analysis below refers to the text of the draft OP unless otherwise noted. A recurrent issue arising from the draft OP is the lack of definition of Old Town's "character". Many different terms are used in reference to character but none are defined in any detail, or with any consistency. Much of the analysis in the following report will address this issue.

Tasks undertaken in completing this Study include historical research, interviews, site visits and review of relevant policy documents. Members of the study team consulted archival and secondary sources at the Niagara

Museum as well as libraries at Western University and Queen's University. Telephone interviews were conducted with individuals and representatives of groups within the town who had an interest in estate lots (the list was supplied by the Town, augmented by referrals made during the interview process). The consultants and Town staff facilitated a public meeting to review the draft study contents and recommendations. Team members made several site visits, in different seasons. They reviewed the draft Town Official plan, undertook a preliminary gap analysis and made recommendations for changes in terms used as well as in policies proposed in the draft Plan. Adding to this analysis, team members undertook a preliminary review of potential policy tools for addressing estate lot conservation and development, including a review of case studies, applicable case law and conservation best practices. Beyond the study terms of reference, the consultants explored the heritage character of Old Town by means of an analysis and evaluation of key character areas, as a means of providing policies and guidelines for conservation and development of estate lots and for compatible infill.

### 1.3 Study Area

The focus of this study is on the area of Niagara-on-the-Lake known as Old Town. This part of the municipality is located at the mouth of the Niagara River as it opens into Lake Ontario. The study area includes the existing Queen-Picton Heritage Conservation District as well as the National Historic District and generally encompasses the oldest part of the former town of Newark.

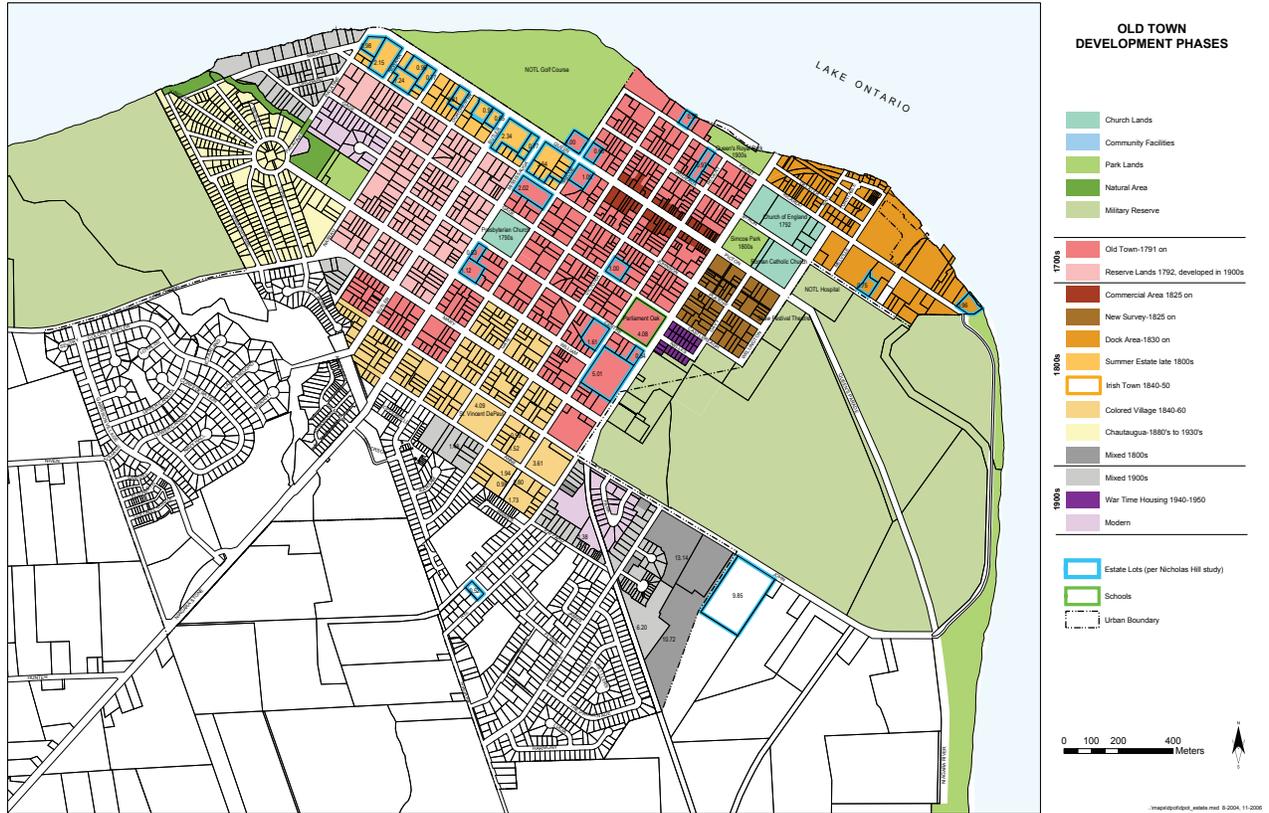


Fig. 2 Study Area and Development Phases

## 2. Defining Terms

### 2.1 What is an “Estate Lot”?

There is no commonly-accepted definition of the term “estate lot” in the literature of heritage planning: it appears to be a local creation dating from the early 1980s. As a local term, it lacks a foundation in the planning literature and professional practice.

Attempts to provide a definition need precision. At a basic level, the term “estate” (as applied to physical settings) is defined in the Oxford English Dictionary as “A landed property; usually, one of considerable extent (Now the commonest sense.)”. It has direct associations with ownership by the wealthy and powerful in society, usually the titled aristocracy but also including wealthy industrialists and others involved in business rather than possessing hereditary title.

The origins of the term appear to date back to early years of settlement in Great Britain, where there is reference to “Celtic estates” some of which were as large as 6000 acres and constituted a feudal fiefdom.<sup>1</sup> W.G. Hoskins, author of the definitive history of landscape evolution in England, goes on to describe the emergence of the more familiar English country estate (of the kind popularized in the television series “Downton Abbey”). These were substantial properties, some created after the dissolution of the monasteries and, like the monasteries, often constituted an entire community. The usual elements were a grand house situated in an extensive “park” (often originating as a private hunting ground) that included mature woodland and extensive open fields. The larger estates were working farms and included all of the necessary outbuildings and activities required to operate a substantial agricultural operation. Some estates included dependencies in the form of tenant cottages or even entire “ried” villages. The estates were large – averaging 1000 acres – but some were twice that size, and they supplied the income as well as the daily necessities for the aristocratic landowners and their tenants, in a rural setting. They dominated the rural landscape and remained distinct and separate from nearby towns and cities.

But they were more than utilitarian operations: they were also status symbols meant to promote and preserve the privileges of the upper class. As summarized by Hoskins (op.cit. 170):

*Parks grew yet more extensive during the eighteenth century, in the age of the territorial aristocracy. Building themselves magnificent houses, they needed (or thought they needed) more square miles of conspicuous waste to set them off.*

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<sup>1</sup> Hoskins, W.G. (1955, 1970). *The Making of the English Landscape*. Penguin: Harmondsworth.

As translated into North America, these estates also began as comprehensive agricultural operations designed as largely self-sufficient entities. The early versions included the French seigneuries and the British and, later, American plantations, as well as the expansive Dutch estates in upstate New York. Many of these were rural operations that either remained separate from towns and cities or evolved into them. As Canada and the United States developed into industrialized nations, “estates” became large rural retreats for the wealthy. The Biltmore Estate (1895, North Carolina) is an example of an industrialist building a mansion in an extensive “park”. Similarly, the wealthy built summer homes close to water, along the seacoasts, inland rivers and lakes, beginning in the mid-19<sup>th</sup> century and continuing well into the 20<sup>th</sup> century. The houses were big in order to accommodate large parties of family and guests as well as servants. As in the English precedent, size also served to enhance prestige. And, as fashions changed in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, the extensive grounds associated with the early estates became smaller landscaped gardens associated with a large house, often in an urban setting. Estates shrank in size to become, in latter form, a large house on a large lot. Today’s “estate lot subdivision”, with large houses on large lots in a rural setting, is a current example of this trend, but with both the house and the lot smaller than earlier versions of estate lots. In a similar vein, the term “estate winery” has gained wide acceptance, particularly in the Niagara Region.

In Niagara-on-the-Lake, the first use of the term “estate” appears to be in a report prepared in 1982 by Peter John Stokes, a nationally-prominent, locally-based heritage architect.<sup>2</sup> He defines the term as properties that were in the range of 1-2 acres, part of a single or double lot in the original town plan and including some already subdivided. The characteristics of these properties are (op. cit. 2-3):

- Deep front yard setbacks (on those summer house properties facing the Commons or golf course);
- Minimal front yard setbacks (on those older properties built in the core of Old Town);
- Large yards with gardens, and mature trees, some with windbreaks on properties facing the lake;

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<sup>2</sup> Stoke, Peter John (April, 1982). *The Larger Estates of the Old Town of Niagara: A commentary on their contribution to local amenity and their possibilities for preservation and enhancement.* (no publisher)

- Fencing or hedges along the perimeter on larger “estates”; and
- Houses that dominate the property.



*Fig.3 Fence, perimeter planting, large house and deep setback*

The study does not appear to have been adopted by Council.

A subsequent study by Nicolas Hill, architect and planner (ca. 1985)<sup>3</sup> appears to build upon the Stokes report. It examined 27 properties in Old Town that share similar characteristics and his report specifically addresses what are termed “estate lots”. He defines estate lots as follows (op. cit. 1):

*These estates, located mainly on Queen Street looking towards the Niagara River, form a distinct and beautiful streetscape of spacious gardens with large residences. Many of the residences were originally and still are for summer use. Others have subsequently been converted to year round homes.*

*Most of the estates are enclosed by white painted picket fences and hedges and are accessible by handsome sweeping driveways lined with trees. Spacious pleasure gardens, lawns, orchards, garden houses, greenhouses and vegetable gardens also embellish the estates. With only a few exceptions the properties are well preserved and maintained.*

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<sup>3</sup> Hill, Nicholas (ca. 1985). *Niagara on the Lake Estate Lots: plan and zoning by-law.*

*While the majority of the grand estate lots are on Queen Street, a number also are randomly spread around the town. They are also attractive and interesting in their own right.*

This description applies to all of the properties in the study, although several clearly do not have some, or any, of the characteristic elements described in the text. As with the Stokes study, the Hill study was not adopted by Council; however, it does appear to have been used as an advisory document subsequently by Town staff and by conservation organizations active in the municipality. However, it should be noted that the list of estate lots was not necessarily complete because, at the time of the Hill study, several property owners asked for their properties to be taken off the list of those to be assessed, and the Council of the time agreed.

Another reference to estates is found in a local history.<sup>4</sup> In the description of the evolution of the town is an opinion as to the origins of the tourism-era “estate lots” and their influence on the character of the Old Town (op. cit., 10):

*Many who came to the Queen’s [Hotel], fell in love with the Old Town and established their summer houses in Niagara. Some, mostly Americans, bought and restored big old houses – like Randwood and its John Street neighbour, Pinehurst. Others built new houses – huge frame buildings with elaborate verandahs and often with turreted roofs on large lots facing the Mississauga Common. Once again, Niagara had estates almost as grand as those of the late 18<sup>th</sup> century.*

This description appears to refer to two types of properties: those along John Street facing the Commons, some of which were renovated; and those built along Queen Street facing the golf course. If it is also referring to the earliest days of settlement in Old Town, then it could mean the rural estate of Peter Russell, a military officer and government official who built “Springfield” in 1797 on what is now the Commons.<sup>5</sup> As the author describes it (op. cit. 33), the fifty-acre property contained a two-storey house, several outbuildings and a large garden. This was perhaps the first, and only, local example of an estate that fit the dictionary definition.

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<sup>4</sup> Mika, Nick and Helma (with Butler, Nancy and Ormsby, Joy) (1990). *Niagara-on-the-Lake: The Old Historical Town*. Belleville: Mika Publishing.

<sup>5</sup> Merritt, Richard D. (2012). *On Common Ground: The Ongoing Story of the Commons in Niagara-on-the-Lake*. Toronto: Dundurn.

The current, Council-adopted definition of “estate lots” is found in Section 6.9 of the Official Plan:

*Estate lots are those properties in an urban area containing a dwelling of historical or architectural significance which makes [sic] a contribution to the streetscape or character of the municipality and have the potential to be subdivided into additional lots.*

This definition appears to apply to a broad range of properties, of varying size, but with the common characteristics of heritage significance, contribution to the urban context, and the ability to be subdivided (all terms that have been superseded by changes to the *Ontario Heritage Act* made in 2005). However, there are still no agreed-upon criteria for determining how large, or how significant, a property has to be in order to be considered an “estate lot”.

In summary, there is confusion as to the exact nature of an “estate lot”. From a more precise definition found in the dictionary to a more generic definition found in the Hill study and the current Official Plan, the common element appears to be a focus on large houses on large lots. In turn, these properties are seen as part of larger streetscapes. So, instead of a study of “estate lots”, it would be preferable to call the subject properties “cultural heritage landscapes”. With that change in terminology, it may be easier to assess the issues that led to this study; namely, concerns over lot subdivision, and a lack of appropriate planning policies for dealing with same. At a more basic level, however, there seems to be an underlying concern over types of development that undermine the special character of Old Town.

## 2.2 What are the Current Issues Affecting the Conservation and Development of “Estate Lots”?

### 2.2.1 Introduction

In order to more fully understand the issues involved in assessing estate lots, the study team undertook a public consultation process. As noted above, this involved two main components (aside from ongoing conversations with Town staff): interviews with selected members of the local community; and a public meeting. Interview subjects were chosen by the Town and included representatives of Town Council, local architects and property developers, owners of estate lots, as well as members of local heritage organizations.

Interviews took place by telephone using general questions regarding that person or organization's views on estate lots and their conservation and development, but also their thoughts on the overall heritage character of Old Town. The lead consultant did the interviewing. In some cases, follow-up conversations and correspondence added to the initial discussion. At the public meeting, members of the consulting team presented the draft final report's main findings, followed by small-group discussions around questions regarding current issues and future opportunities for addressing estate lots. Members of Town staff helped facilitate the meeting and record comments.

The following text summarizes comments from the telephone interviews, augmented by additional comments from the public meeting. In the course of these conversations it became clear that issues involving estate lots were only a portion of the concerns local residents had regarding the broader issues of the impact of changes on the heritage character of Old Town as a whole.

### **2.2.2 Development Pressure**

Interviews conducted as part of this study demonstrate a range of opinions on the future of Old Town's urban character. First, there is the sense that there is an undue amount of development pressure being put upon Old Town by all levels of government. To some of the interviewees, intensification requirements stemming from the Growth Plan for the Greater Golden Horseshoe appear to be channeled into Old Town instead of being distributed to other parts of the municipality that may have greater capacity to absorb development. Add this to market pressure for development in Old Town (a result of its attractiveness as a community) and there seems, to some, to be a trend to "swamp" the small town character of Old Town.

There is also an underlying issue here of different ways of understanding the nature of "small town character". For many of those involved in local heritage organizations, and who have lived in the community for some time, it is a matter of newcomers arriving with their own notions of how one should live in a small town. In some cases, people purchase a property here after first being tourists who were captivated by the town's appearance and ambience. However, they come with pre-conceptions of the type of housing that they wish to have. In many cases, this means a large home of the kind more usually found in new upscale subdivisions in the countryside or in neighbourhoods around and within Toronto. Whether this means a large addition to an existing house, or the removal and replacement of that house, fitting large

buildings into the established streetscapes of Old Town is sometimes not successful, with a jarring result. Resentments arise when local residents feel that newcomers are imposing their values on the existing community and disregarding local attempts to describe the type of development that would be more compatible with the existing setting.



*Fig. 4: New large infill next to older small house*

A further issue expressed by several owners of large properties that were converted to commercial use (or are intended to be) was the financial impact of development controls through heritage policies. The feasibility of maintaining large heritage properties in Old Town seemed to hinge on the capability of that property to be subdivided, or for new buildings to be constructed on the lot. For some, having these options was the main way of ensuring the ongoing conservation of the heritage building and key portions of the grounds. If, as some thought, the main house was unsuited to commercial conversion because of the impact on the exterior and interior heritage attributes that meeting Building Code requirements would entail, they saw the need to allow additions or new construction in order to conserve those attributes. Some also questioned whether there was a market for large properties as single family dwellings or as seasonal homes.

Finally, several interviewees commented that the majority of the “estate lots” assessed in the Hill study had since been subdivided and that only a handful remained. If so, then the issue of conserving estate lots becomes confined to providing heritage policies for the remaining properties. Furthermore, the issue may not be confined to estate lots but, instead, may be one of clarifying the Town’s policies for subdivision of any kind of lot. This becomes a zoning issue as much as a heritage issue.

### **2.2.3 Insufficient Policies**

Discussions with Town planning staff reveal a dissatisfaction with current estate lot policies, and this opinion is echoed in the commentary as part of the Town of Niagara-on-the-Lake Official Plan Review (Heritage, Arts and Culture, May, 2014). The document summarizes the issues arising from the current Official Plan policies for estate lot conservation and development. It states that (p. 21):

*Despite the requirement for a streetscape study and the requirement that there is no negative impact on the natural features or the existing home on the site, the policy does not look at the impact on the overall cultural heritage landscape and has not been working well. This has resulted in unsympathetic, piecemeal division of a number of Estate Lots.*

As evidenced by the number of Ontario Municipal Board decisions made in favour of changes to estate lots, subdivision has occurred in spite of opposition by the Town and by local heritage advocacy groups. The reasons for these decisions appear to be the result of a lack of clear planning policies and definitions.

At issue here is the lack of a firm basis for describing estate lot character and, thus, the elements that require conservation. Neither the 1982 Stokes study or the 1985 Hill study of estate lots were adopted by Council and thus have no legislative or policy status. Both studies lack clear criteria for determining the character of estate lots and for assessing impact of proposed changes to the buildings and landscape.

Moreover, there seems to be an underlying assumption that there is a defined cultural landscape character for Old Town. However, no such definition exists, although elements of it appear in the draft documents for the proposed expansion of the Queen-Picton Heritage Conservation District, in which

characteristic elements<sup>6</sup> of streetscapes are mentioned. Similarly, the text included as part of the National Historic District designation for portions of Old Town offers a description of the historic place that includes a list of character-defining elements which are components of the District-wide cultural heritage landscape. But the Town lacks policies for the identification and conservation of cultural heritage landscapes.

#### **2.2.4 Lack of Consensus on Future Action**

Stemming from this lack of definition is a lack of agreement on how to proceed. For some, the next step is to provide firm conservation policies for the current estate lots that have not been subdivided, to ensure that they retain their generous grounds as well as their heritage buildings within the whole heritage property. For others, the concern is that further restrictions on lot subdivision will result in less conservation of valued settings, not more. Interview subjects cite as evidence the large properties along Queen Street that began as four acre lots developed by American summer visitors but have since been subdivided in order to pay for the conservation of the main buildings and grounds.

It is also a political issue. Those on Town Council or on municipal advisory committees find that they have the difficult task of balancing a desire to respond to market forces by encouraging development with the goal of conserving the very qualities that both residents and newcomers seem to value. Given that the town was “impoverished” until the economic revival that began in the late 20<sup>th</sup> century, the fact that there are wealthy people willing to purchase and restore large heritage properties is much appreciated by the local Council. Add to this the recent number of appeals to the Ontario Municipal Board for severance applications on “estate lots” that have been successful, despite objection by Town Council and local heritage organizations, and the issue becomes more contentious still.

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<sup>6</sup> Note: this is the term used in federal heritage conservation: the correct term used within Ontario heritage planning policy is “heritage attributes”.

## 3. Current Planning and Development Context

### 3.1 Brief history of estate lot development

Niagara-on-the-Lake has been identified as one of the best conserved colonial towns in North America.<sup>7</sup> The original town plot was a regular gridiron of five blocks subdivided into 4-acre square blocks.<sup>8</sup> These square blocks were further subdivided into 1 acre lots (half acre north of Queen). This pattern survives today and is one of the defining characteristics of Old Town. Many of the estate lots were originally created from entire blocks or large portions thereof and have been subdivided since.

As summarized in a local history<sup>9</sup>, Old Town was planned in three stages. As noted above, the first subdivision plan was established in 1791 and laid out a military grid of square, 4-acre blocks divided into 4 1-acre lots. Soon afterwards, in 1794, the plan for properties north of Queen Street was arranged in half acre lots and, in 1823, the original plan was further extended east of King Street. Within the grid the principal streets were wider than the normal right-of-way width: 99 feet instead of 66 feet. Space was set aside for a town square and for church lands. In this type of planning, the new community of Newark was similar to many other colonial towns. What made it distinctive were the military reserves, or “commons” that flanked the urban area on the northwest and east.

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<sup>7</sup> James D. Kornwolf. *Architecture and Town Planning in Colonial North America*. Baltimore: John Hopkins University Press, 2002: p. 1296.

<sup>8</sup> *ibid*

<sup>9</sup> Friends of Fort George Historical Park (2005). *Old Town Niagara: A History*. Niagara-on-the-Lake. Friends of Fort George Historical Park Inc.



Fig. 5: Town plan at time of American invasion (credit: Merritt, 2012)

The initial grid of square blocks remained as Old Town developed, but the one and half acre lots were further subdivided. Plans from the early 20<sup>th</sup> century show an ongoing pattern of lot subdivision in each block, with some being broken into very small lots. The town went through an extended period of economic depression for most of the first half of the 20<sup>th</sup> century so it perhaps understandable that larger lots would be reduced in size through the sale of portions around the perimeter, to provide funds to sustain the remaining property or to settle family estates. Mapping from this period shows a predominant development pattern of small (mostly frame) houses on deep lots, an indication of the modest circumstances experienced by many townspeople. By the 1950s, some of the summer home lots along Queen Street, for example, had already been subdivided. In the period since Canada's Centennial, there has been a renewed interest in heritage properties and local history, with the result that some of these properties have had the building restored or rehabilitated. Along with this trend has been the ongoing replacement or expansion of small houses on small lots, resulting in a different pattern whereby there is more dense development along street frontages.

### 3.2 Current Inventory and Evaluation of Estate Lots (1985 Hill Study)

The approach for planning for estate lots currently used by the Town uses a study prepared in 1985 by architect and planner Nicholas Hill<sup>10</sup>. The study was not formally adopted by Council but has served as a guide for planning and conservation activity since then. This current study of estate lots uses the 1985 report as a point of reference while assessing its study method, choice of properties, assessments, and recommendations.

Hill describes "estate lots" as a "rare heritage resource found in few other communities across Canada" and forming "a distinct and beautiful streetscape of spacious landscaped gardens with large residences" (p. 1). He goes on to list what he determines to be their salient characteristics: "Most of the estates are enclosed by white painted picket fences and hedges and are accessible by handsome sweeping driveways lined with trees. Spacious pleasure gardens, lawns, orchards, garden houses, greenhouses and

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<sup>10</sup> Nicholas Hill (1985). *Niagara on the Lake Estate Lots plan and zoning by-law*. Nicholas Hill. Architect. Planner. London.

vegetable gardens also embellish these estates. With only a few exceptions the properties are well preserved and maintained” (op. cit. p. 1).

Hill makes it clear that most of the properties he is describing are the large summer homes located on Queen Street west of the commercial core. However, he extends his analysis to other properties within Old Town that do not resemble large summer homes in size, architectural style or landscape treatment. A total of 27 lots were described, assessed and used as the basis for recommended planning policies and guidelines. His criteria for selection of these properties are not stated.

The policies and guidelines in his study are intended to “preserve and enhance the essential historic, architectural and landscape qualities of the estate lots” (op. cit. p. 2). These qualities are described in the assessments provided for each of the lots. Lots suitable for subdivision and infill are identified but the majority of those surveyed are intended to “remain largely as they exist today as single family [sic] residences set in large gardens” (op. cit. p. 1).

In the time since the Hill study was completed, questions have arisen about some of the study’s policies and guidelines, as well as its underlying assumptions about heritage character. Pressure for alterations to estate lots has increased. Many now appear to be too large to be suitable as single-family residences, as Hill had thought. Increased property prices have meant that the market for such lots has shrunk and those interested in purchasing include developers of commercial accommodation, such as country inns, bed and breakfast operations, or multiple unit residences. Old Town is becoming a very desirable location for new residential and commercial development, and Provincial policies for intensification can appear to encourage infill development within the historic core. Add to this the current trend in residential construction that favours large homes, often much larger than the 19<sup>th</sup> century structures that are found on most downtown streets. The type of infill proposed, either as separate buildings or additions to existing buildings, can begin to dominate the property. The Town has not been successful in preventing subdivision of some of the large lots that Hill recommended stay intact. While the main houses have been conserved in most cases, the surrounding landscapes have been reduced in size and infilled. As a result, the objectives the study intended have only been achieved for the main houses themselves, and not for the properties as a whole cultural landscape unit (which is the holistic, values-based policy approach required as a result of the changes in the 2005 *Ontario Heritage Act*).

### 3.3 Conservation and Development Issues for Estate Lots

An early attempt to provide effective conservation policies for estate lots is found in a report prepared by Peter John Stokes in 1982 and submitted to the Town (but not adopted)<sup>11</sup>. He assessed 28 properties (a list supplied by the Town; most of those on the list were then included in the subsequent Hill study of estate lots). His character analysis identified the following common elements: deep front setbacks (especially in the summer resort properties and those fronting on the Common); early houses built to the street, in the front half of the lot; large yards and gardens with mature trees around the perimeter, and windbreaks on those properties facing the lake; fencing and hedges on larger properties; and houses dominating the site (op. cit. pp. 2-3).

Using this as a basis for assessing development potential, he recommended that “historic precedent” be used rather than “standard regulations” (p.4). He then supplied a series of guidelines that included: exterior conservation of buildings via Part IV OHA designation; conservation of landscape features as much as possible, especially mature trees and boundary vegetation; and infill designed to take advantage of the setting but in ways that do not jeopardize existing buildings or views from adjacent properties (pp. 3-4). His suggested infill would include smaller houses, set back from the street and, if possible, accessed from the rear. An example he cited was the infill at 428 Queen Street, which had a “low profile [and] simple outline” (p. 9). Note that he supported infill on several lots that Hill considered to be unsuited for infill, including 117 Regent Street (pp. 19-20).

His strategic recommendations beyond these guidelines included relaxed setback regulations to allow compatible infill, terraced housing to reduce the footprint of new infill, and contemporary building design that has “sympathetic forms, good natural materials, and properly sited buildings” (p. 5). He went further in suggesting tax holidays and other financial incentives, including municipal property tax assessment based on current use, not potential development value (pp. 6-7, 10-11). In all of his recommendations, he advocates a flexible approach to assessing infill opportunities.

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<sup>11</sup> Stokes, Peter (April, 1982): “The Larger Estates of the Old Town of Niagara: A Commentary on their contribution to local amenity and their possibilities for preservation and enhancement”. Source: Niagara Historical Society & Museum

### 3.4 Identification

In the present context of heritage planning policy and implementation, some of these strategies may still be valid, but would need to be modified to meet current policy requirements. Basic to all strategies is the need to assess any potential infill property for its current or potential cultural heritage resources, using the criteria in O. Reg. 9/06, and produced within a Heritage Impact Assessment (HIA). Within that assessment there would be a review of the proposed development, and of development options, that could refer to the guidelines suggested by Stokes.

But beyond these “estate lots” are many of the other properties assessed in the 1985 Hill study, as well as others not included, that could be impacted by infill development. In these instances, an assessment of the cultural landscape context is necessary. Even if infill is not being proposed, the designating by-law should be updated to reflect the results of the 9/06 evaluation and, if the property is not designated, then consideration should be given to designation, should that be warranted by the 9/06 evaluation. The infill’s potential impact should be assessed not only in terms of the cultural heritage resources of the property itself, but also in terms of the overall streetscape. In this way, the issue of diminished landscape character can be addressed.

## 4. Cultural Landscapes

### 4.1 Cultural Landscape Characters

It is evident now that the character Old Town, or its “sense of place”, has not been well-defined. Some aspects have been hinted at, as discussed below, and some have been stated more categorically, as in the National Historic District description of heritage character. Without an agreed-to definition of this character, heritage conservation planning can only begin to address concerns about loss of “character”.

Some insights exist already. Aside from having some instances of there being more houses closer together, the Old Town streetscape has remained somewhat consistent in its appearance. As a result of an interrupted development pattern, the character of the evolved streetscape is varied. Several local commentators have noted the way in which the building line recedes and advances, creating an effect of expanding and contracting street spaces. The National Historic District text notes that development up to the mid-19<sup>th</sup> century tended to be built to the street line, while later development often had deeper front setbacks. In both cases, there was variety in the side and rear lot sizes. Where concerns arise is over the infilling of these green spaces associated with the existing buildings.

With this variety of property configuration was a fairly consistent treatment of the public right-of-way. A generous canopy of street trees, along with sidewalks and open gutters (no curbs) appears to be a key part of the special streetscape character in Old Town. In the original subdivision plans, and still extant today, the different right-of-way widths that distinguish the major from minor streets are another important characteristic. Adding to these, and reflected to some extent in the lotting patterns, are the alignments of the creeks that formerly ran across Old Town from the inland heights to the river and lake. Some of these creek beds remain evident today, especially in the Dock area and in properties running northwest from “the Wilderness”. There are also units of cultural landscape in the form of institutional properties such as churchyards, cemeteries and school grounds. These landscape units form distinct breaks in the lotting pattern along Old Town streets.

What this historical analysis suggests is that Old Town’s heritage character has more to do with the pattern of building and landscape along its streets than with any specific type of large lots. In other words, the discussion of development impact should be focused on streetscape character, including lot coverage and related lot severance, as they impact large (and smaller) lots and infill development, rather than on the ill-defined “estate lots”. The real concern, it seems, is over the character of new development and its impact on what up to now have been taken-for-granted aspects of the streetscape.

## 4.2 Current Evaluations of Cultural Landscape Character

Some efforts have already been made to identify and evaluate the heritage character of Old Town.

A summary of the Old Town landscape character is found in the writings of Peter John Stokes. He describes the evolved character of the streetscape, from the late 18<sup>th</sup> century military grid pattern initially developed with buildings fronting on the edge of the right-of-way to later iterations that had different setbacks<sup>12</sup>: *The result is visually rather remarkable, for the town's streets become an irregular pattern of contracting and expanding street spaces, ...with the accompanying fences, hedges, and gardens...*(p. 13).

The National Historic District goes into further detail for the portions of Old Town that were constructed up to 1850 in a district that covers 25 city blocks. In the designation as a National Historic Site of Canada (2004), the landscape elements of the historic place are summarized as *"The tree-lined streets within the district follow a late-18<sup>th</sup> century grid plan. The district also includes a city park and two early-19<sup>th</sup>-century cemeteries. The landscape is gently rolling in places, with a creek running through part of the district... The majority of the buildings are constructed in the British Classical tradition, producing similarities in design, materials and scale. Relevant character-defining elements (heritage attributes) relating to the built form include viewsapes between the buildings, including views up and down Queen Street and other residential streets. Elements particular to the era of the Loyalist town include the rectilinear grid pattern of the district that features uniform four-acre blocks, generous street proportions (30 metres for the two main commercial streets and 20 metres for other residential streets), soft shoulders, and tree-lined streets. Also included are the elements of landscape features such as One Mile Creek, the cemeteries, Simcoe Park, and the viewsapes from within the district outwards to the Niagara River and Lake Ontario. Finally, the designation recognizes elements of the conservation movement in Canada as it relates to Old Town, with an element of infill buildings that harmonize with the early buildings of the city [sic] in scale and materials. Note here that this element of pre-1850 construction could also be extended to include any building constructed after 1850 but may not address infill from the post-WWII era to the present.*

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<sup>12</sup> Stokes, Peter John (1971): *Old Niagara on the Lake*. Toronto: University of Toronto Press.

The Town's 2016 second draft of the Queen-Picton HCD expansion study<sup>13</sup> also notes the presence of "large open space features" such as parks, views to the lake and river, and also "larger estate lots and their houses" and institutional properties. This is the only existing analysis (and the 1985 Hill study of estate lots) of the cultural landscape features that includes the post-1850 period.

In summary, there needs to be further definition of the heritage character of Old Town in order to prepare strategies for estate lots. These properties need to be seen in context of the streetscape of which they are part and also of the larger area in which they are situated. These larger areas can have a distinct character as a result of common patterns of development and common built and landscape heritage resources. An assessment of these "character areas" is provided below, as a step towards providing a planning framework for the conservation and development of large lots.

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<sup>13</sup> Queen-Picton Streets Heritage Conservation District Expansion Study, Second Draft, July 21, 2016. Town of Niagara-on-the-Lake.

## 5. Areas of Heritage Significance

### 5.1 Character Areas Identified by the Town

Some potential sub-areas identified in local histories and mapping that have (or have had) a distinct heritage character include:

- Old town downtown commercial district;
- Dock Area;
- Chautauqua;
- Queen Street summer homes (facing the golf course);
- Cluster of heritage properties at the Queen/Simcoe intersection;
- The Randwood complex on John Street;
- The two Commons (Fort George and Mississauga);
- The Project (post-WWII housing on the west edge of the Commons);
- Former Irishtown (SE part of Old Town); and
- Former area of Black settlement (S near the “Negro” burial ground).

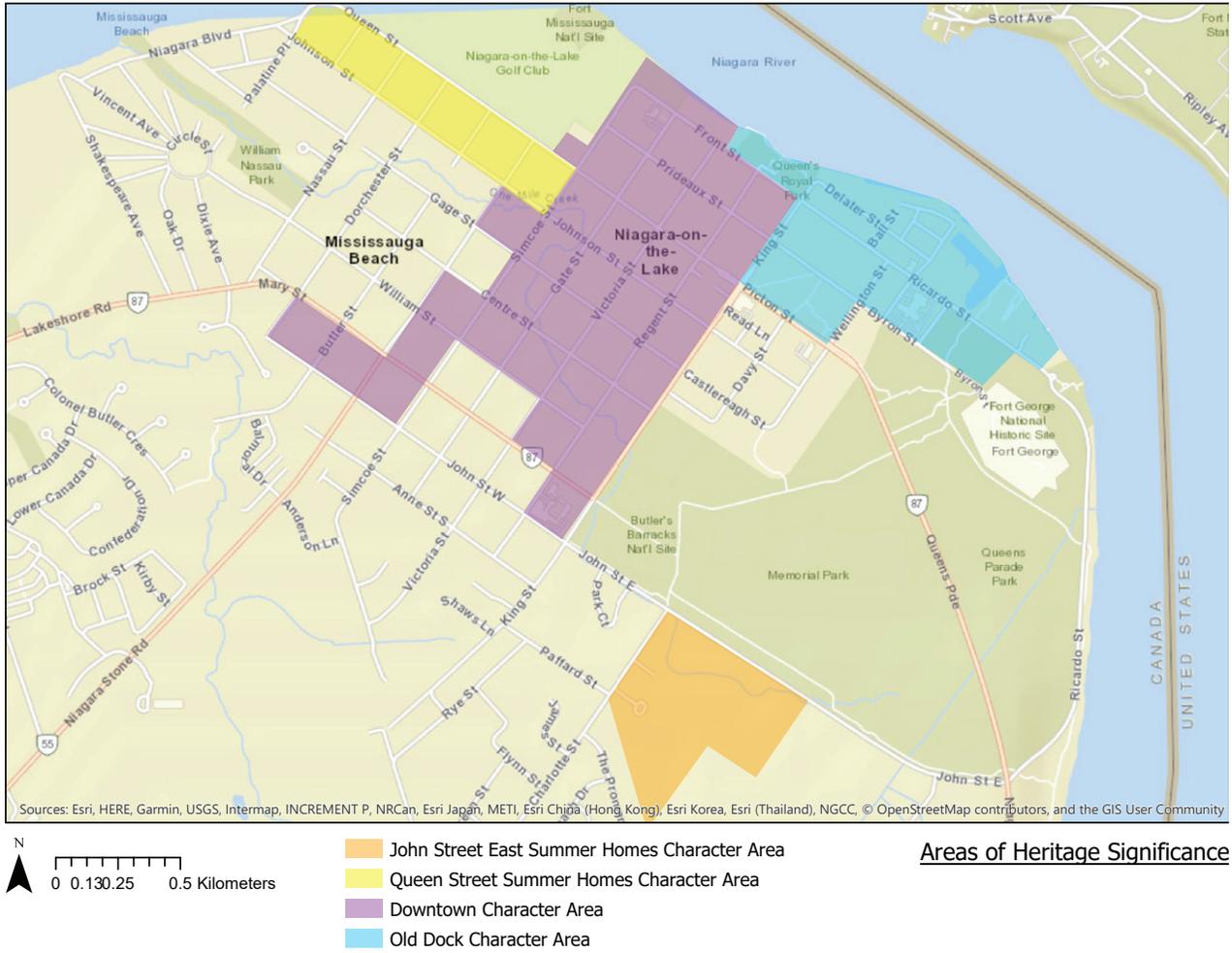


Fig. 6: Areas of heritage significance

This preliminary list of character areas would need to be assessed in greater detail as part of future planning exercises: for example, mapping for the last two is not available, and there will be overlap between several of the areas. However, the following observations can be made, based on existing information. Each of these character areas has cultural heritage value as a whole: in other words, the whole is greater than the sum of its parts.

Of all the character areas, the Old Town commercial district and the dock area have been assessed the most in the Town's planning documents. The Queen-Picton Heritage Conservation District Study/Plan, as well as the National Historic District, offer considerable detail as to the heritage attributes of these areas. The heritage character of the Dock area has also been somewhat defined in the Secondary Plan for that area. Local histories provide a useful analysis of the heritage character of the two Commons but there has been no assessment of the large summer homes beyond the Hill and Stokes studies. Architectural histories of Old Town (primarily those written by architect Peter Stokes) discuss the character of individual properties but also provide some contextual analysis for Old Town as a whole. Less well-assessed are the remaining areas of the Project, Chautauqua, and the two ethnic/racial sub-areas of Irishtown and the former Black settlement. There may be little or no physical evidence of these latter settlements.

Of the list of existing character areas in Old Town, the following are the areas of Old Town with the highest concentration of "estate lots". In each case, their heritage character has been assessed in a preliminary fashion, based on the criteria found in O. Reg. 9/06 as applied to groupings of properties, and in the format of Statements of Cultural Heritage Value of Interest. The intent is to place large lots within their wider urban context as a way to determine strategies for their conservation and development.

## 5.2 Old Dock Character Area

### **Description**

This character area encompasses the built-up portion of the Town's waterfront, including the sites of prominent former buildings such as the Queen's Royal Hotel and important former land uses such as the railway. The area is bounded by Queen's Royal Park on the west, the river shoreline on the north, the edge of the Commons on the east, and Front/Byron Street to the south (but also including Simcoe Park).

Large lots included in this area are confined to the undeveloped Shaw Theatre property on the north side of Byron and the ecclesiastical property of St. Mark's Church (Rectory and church lands).

### **Statement of Cultural Heritage Value or Interest**

The Old Dock Area has historical/associative significance as the location of many of the industrial and commercial activities that were important in the local economy from the town's inception until the mid-20th century. Industrial activity associated with marine commerce is reflected here as well a links to previous and current waterfront hotel development. In addition, the area's historical/associative significance stems from the ecclesiastical properties as well as the public park and waterfront areas. Design/physical significance stems from examples of 19<sup>th</sup> and early 20<sup>th</sup> century buildings that are found throughout the area, especially the key residential, commercial and ecclesiastical properties. Evidence of the form to landform and in the alignment of street large ecclesiastical grounds and park spaces, and varied treatments of the shoreline interrupt the street grid and provide design/physical as well as contextual significance. Current development includes the conservation and adaptive reuse of a variety of residential, commercial and former industrial properties.

## Heritage Attributes

### DESIGN/PHYSICAL

- Shoreline features (beach, marina, lighthouse)
- Varied built form (massing, age, type, use)
- Topography (terraced streets down steep slope to shore)
- Irregular block and property sizes (distorted grid pattern)
- Evidence of former uses (Queen's Royal Hotel, railway, dockyard, boatworks, boathouses)
- St. Marks's Church complex (rectory, church and additions, cemetery)

### HISTORICAL/ASSOCIATIVE

- Associations with former uses (steamers, railway, dockyard, concession stands, produce stands/storage), customs office, ice cutting, skating in harbour)
- Simcoe Park's current and historic uses (outdoor dance pavilion and refreshment stand, Sunday night community sing-alongs, winter ice rink and change hut)

### CONTEXTUAL

- Panoramic views of the Niagara River and Lake Ontario
- Landmarks (movie set gazebo, Navy Hall)

## 5.3 Downtown Character Area

### Description

This is the core of Old Town. The area includes the original military survey from 1791 on, with the commercial area along Queen Street as the central spine of the larger residential and institutional district. Portions of the area are within the boundaries of the Queen-Picton Heritage Conservation District as well as the Niagara-on-the-Lake National Historic District. The area contains the greatest concentration of significant heritage properties in Old Town.

Some large lots identified in the Hill study are found throughout the area, in varying sizes and configurations, from the large and heavily wooded "Wilderness" to the narrow lot on the north side of Prideaux Street. Most

have been altered over time. The watercourse of One Mile Creek winds through the area and links the grounds of several of the large lots. Infill activity has been most prevalent in this character area, both within the Queen Street commercial section and on the surrounding residential streets. As a result, large lots of varying sizes and shapes may be potential candidates for infilling.

### **Statement of Cultural Heritage Value or Interest**

This character area contains a large portion of the cultural heritage resources in Old Town and forms the core of the National Historic District. For design/physical significance it has the square block pattern established from the earliest days of settlement and contains evidence of all periods of development from the Loyalist occupation to the present. There are many well-conserved examples of pre-1850 building types, architectural styles and materials. Conservation of more recent properties is also evident. One Mile Creek is visible throughout the area, on private as well as public property. The early street grid and widened main thoroughfares remain, as do some grassed verges with open gutters. Mature trees are a feature of the public realm as well as in private properties. Varied front and sideyard setbacks characterize the residential streets. The area has historical/associative value for its evidence of all phases of Old Town's evolution. Key properties and landscapes provide contextual significance. There are many landmarks within the area: it is also where the key cultural, public institutional and commercial properties are found.

### **Heritage Attributes**

#### **DESIGN/PHYSICAL**

- Churches and associated cemeteries (significant open spaces)
- Mix of uses (residential, commercial, institutional, ecclesiastical)
- (In pre-1850s buildings) predominance of styles within the British Classical tradition
- Evidence of previous uses (commercial shops and offices, railway)
- Wide right-of-way (99 feet) with street trees and grassed boulevard
- Square blocks in a military grid pattern extending at right-angles to the river shoreline
- Varied lot frontages

- Mature street trees and private gardens
- Open gutters and grassed boulevards on residential streets
- One Mile Creek watercourse
- Varied built form (massing, age)
- Limited range of building materials used on pre-1850 buildings (frame, brick, roughcast)
- Tightly packed building frontages in the commercial core (minimal/no sideyard setbacks)
- Varied, but often generous side yard setbacks in the residential areas
- Varied front yard setbacks
- Many examples of infill buildings that harmonize with the early buildings in terms of materials and massing

#### HISTORICAL/ASSOCIATIVE

- Associations with significant events (Loyalist settlement, military survey, War of 1812, burning and rebuilding of Newark, designation of heritage conservation districts)

#### CONTEXTUAL

- Views down streets of river and between buildings
- Topography (slight rise away from river)
- Significant concentrations of pre-1850 buildings
- Shaw Festival Theatre (sympathetic new development)
- Prince of Wales Hotel (original and additions)
- Apothecary (conserved building and museum)
- Court House (current and historic uses)
- Landmarks (Clock tower)

## 5.4 Queen Street Summer Homes Character Area

### **Description**

This area developed later than much of the rest of Old Town and holds a cohesive group of large properties upon which are built large residential buildings, flanked by mature trees and ornamental gardens. The area includes the blocks between Palatine on the west, Simcoe on the east, from Queen Street south one block to Johnson. Originally built as summer homes for the wealthy, many are now year-round residences.

This is the largest concentration of large lots in Old Town. Most of the original properties have been subdivided since the time of their initial development in the late-19<sup>th</sup> and early 20<sup>th</sup> centuries. Infill of these properties and on the severed portions has been concentrated to the rear and sides of these properties, leaving the portions of the lot facing Queen Street as lawns enclosed with trees and wooden or iron fences. The properties face north and have views across the street to the golf course, the Lake and river.

### **Statement of Cultural Heritage Value or Interest**

The Queen Street Summer Homes character area is a cohesive group of large properties that were created as seasonal residences. Their design/physical significance is based upon a consistent development pattern of a large detached main house with a deep setback from Queen Street and generous side and rear yards, in some cases including gardens but also secondary structures. Severances over the years have created new properties along the side streets and along most of the north side of Johnson Street, thus reducing the size of the original summer house lots. Though alterations to the buildings and landscapes have been made over time, most are sympathetic to the heritage character of the properties and have conserved the houses. Historical/associative significance and contextual significance stem from associations with key periods in the history of Old Town and from the larger landscape context to which they contribute.

## **Heritage Attributes**

### DESIGN/PHYSICAL

- Large houses on large lots
- Deep front yard setbacks
- Open lawns, ornamental gardens and mature perimeter plantings
- Picket and metal fences
- Outbuildings to the rear and side
- Predominance of architectural styles having Neo-Classical influences, often with large verandahs or galleries added, and columned front porticos
- Many examples of secondary buildings and additions that harmonize with the main house in terms of materials, massing and location

### HISTORICAL/ASSOCIATIVE

- Associations with former uses and events (War of 1812, military encampments, American summer residents)

### CONTEXTUAL

- Panoramic views across golf course to Lake Ontario and Niagara River

## 5.5 John Street East Summer Homes Character Area

### **Description**

This small character area is centred on the former Rand estate, itself a portion of one of the original Loyalist properties owned by William Dickson. The area is bounded by John Street and the Common to the north, Charlotte Street to the west, the former rail right-of-way to the south, and the property boundary of “Brunswick Place” to the east. The former Rand properties are very large lots with extensive grounds and, in the case of “Randwood”, a massive perimeter masonry wall.

The Randwood property has been subdivided and has residential infill on the Charlotte Street frontage. The size of the remaining properties may suggest opportunities for further infill.

### **Statement of Cultural Heritage Value or Interest**

Design/physical significance comes from the remaining portions of the two main summer home properties – “Randwood” and “Brunswick Place”. These two properties are some of the best examples of the large lot developments that arose in Old Town in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries and have historical/associative significance as a result. The enclosed nature of Randwood, with its high wall and tall trees, gives it a secluded character unlike the other summer home properties but makes it a landmark within a larger landscape adjacent to the Commons and One Mile Creek. The house itself has been altered with additions that are sympathetic to the original design. Note: heritage attributes for this character area will need to be confirmed through further assessment: the following are preliminary.

## Heritage Attributes

### DESIGN/PHYSICAL

- Large houses on large lots
- Brick wall and stone/iron entrance gates
- Mature vegetation on large lots
- One Mile Creek watercourse
- Deep front yard setbacks and large front yards with ornamental gardens
- Outbuildings to the rear and side
- Open gutters and grassed boulevards
- Evidence of former uses (railway right-of-way)

### HISTORICAL/ASSOCIATIVE

- Associations with former uses and events (military camps, War of 1812)
- Associations with prominent residents (Rand family, William Dickson)

### CONTEXTUAL

- Panoramic views across the Common to Fort George and the Niagara River
- Landmarks (Randwood complex)

The foregoing analysis of the character areas in which “estate lots” are located can serve as the basis for determining strategies for the conservation and development of “estate lots”. Such strategies will reflect the physical context of these lots as well as the heritage attributes of the character areas, as applied to each “estate lot”. Using a cultural heritage landscape as the primary descriptor allows the strategies to address the heritage character of individual properties within the wider cultural landscape context of the large character area.

## 6. Conservation of Individual Properties and Character Areas

### 6.1 Supporting a Cultural Heritage Landscape Approach

The conservation of these complex character areas and individual properties within the Town of Niagara-on-the-Lake required a multi-pronged approach. In reviewing the past Ontario Municipal Board cases and based upon a review of the existing legislative and policy framework governing the management of cultural heritage resources within the community, what has become apparent is that a “one-size-fits-all approach” – as exemplified by the Hill Study – fails to adequately protect these cultural heritage resources. Simultaneously, the lack of clear definitions allows for competing interpretations concerning the heritage values of these resources, but also results in confusion as to the policy tools that can be applied to ensure their long-term conservation.

To address this situation, several steps should be taken. Overall, rather than reworking the existing “estate lot” approach, it is recommended that the municipality should shift to a cultural heritage landscape approach. In addition, what is recommended is a simultaneous review of some of the municipality’s processes and by-laws (such as its Heritage Impact Assessment requirements and pre-2005 designation bylaws.<sup>14</sup>) This action will better align the municipality with current heritage planning best practice and with legislated definitions of key policy terms. It will also better position the municipality to address potential appeals.

Underlying these recommendations is another key element in the identification and evaluation process in the Town. So far, there has not been a community-driven, Council-adopted definition of local heritage character. One of the main issues surrounding the estate lot policies is a lack of clarity as to what aspects of local character are being lost and thus need to be protected by this policy. From interviews and archival research undertaken for this study it is evident that a discussion of heritage character has not occurred and that, at most, such character has been defined almost solely in architectural terms.

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<sup>14</sup> It is understood these processes are already underway, Further, new OP language (discussed below) has been suggested to support these efforts.

As implied by the recommendations above, one effective way to address this issue may be to study all of Old Town as a cultural heritage landscape. This can be done as part of a Heritage Master Plan or as a separate Cultural Heritage Landscape (CHL) Study. The latter option provides more detail in that it can include Statements of Cultural Heritage Value or Interest, and lists of heritage attributes, for the entire study area as well as for any character areas identified within the study bounds. The CHL study can be a precursor to a Heritage Conservation District study, especially if it identifies significant concentrations of cultural heritage resources.

## 6.2 Strategies for Conservation and Development of Cultural Heritage Landscapes

In the context of the foregoing discussion, the emphasis of development control (as exercised by the Town) should be on several factors that relate to the heritage significance of the property in question and to the character of the streetscape and character area within which the property is situated.

Where opportunities for severance and further development exist, they are to be located to the side or rear of the existing house, keeping the front yard and main building façade visible from the public street and retaining its visual dominance in the streetscape. Any application for severance must be accompanied by a Heritage Impact Assessment that includes a full inventory and evaluation of the cultural heritage resources on the property and in the streetscape within which it is situated. Only if the Heritage Impact Assessment can clearly identify the cultural heritage significance and heritage attributes of the subject property and demonstrate that the proposed severance will not negatively impact those attributes should severance of large lot properties be permitted. Criteria for severance should include the following policies and guidelines that should be prepared as part of the current Official Plan review process:

- Official Plan policies for conservation of cultural heritage resources in Old Town character areas;
- Guidelines for alterations and additions to built heritage resources;
- Guidelines for new construction; and
- Guidelines for landscape conservation.

In addition to guidelines for changes, the Town should consider offering information on best maintenance practices for heritage properties in the form of users' guides, website content, and course offerings (in collaboration with Willowbank School).

Further recommendations include:

- 1) A detailed update of existing Official Plan Policies. This is discussed within Table 1. These include amendments to general heritage policies, removal of the estate lot policies, the creation of new CHL and Heritage Character policies (and support schedules) as well as new supporting policies;
- 2) Selected Section 29, Part IV designations. Several properties are recommended for designation in Section 8.1 below.;
- 3) General policy amendments, as outlined within Section 8.3 below.;
- 4) At a more specific level, the Town should continue to List and designate individual properties (or cultural landscapes). In doing so, it should follow the prescribed process for evaluation specified under O. Reg. 9/06. Existing designation by-laws should also be updated to conform with the requirements of the 2015 *Ontario Heritage Act*.

There has also been discussion of incentives that may be made available to property owners by the Town. In the context of this current study, the main incentive will be the clarification of terms and the provision of revised policies and guidelines for cultural heritage landscapes within character areas. This is the primary incentive resulting from the current study.

Aside from these changes to the Town's approach to conservation of "estate lots", and in addition to what is recommended in this "estate lots" study, incentives for heritage conservation can be of two kinds. A municipality can offer funds for conservation work, or it can provide property owners with an expedited development approval process by exempting the proposed work from some municipal regulatory requirements. The municipality can also do nothing and leave the status quo in place.

Funding is a difficult option as it is often of an insufficient amount to compensate for the regulatory process required of applicants wishing to qualify. There are currently no Provincial or federal grant or loan programs for heritage conservation. Limited funds can be available through façade grants, for example, as part of a Community Improvement Plan.

Removing development regulations is often the preferred option. This approach can include removal of development charges, reduced zoning requirements (or such things as setbacks, amenity space, parkland dedication, and parking, and even reduced property taxes in return for strict adherence to a conservation plan for a designated property. Tax rebates are another option as are permissions for the creation of additions, secondary suites or accessory buildings.

For the Town, exemptions from regulatory requirements may be most effective incentive, at least in the short term. Grant programs are determined by the budget of the Region of Niagara and are currently capped at \$5000 annually for work completed with a heritage permit. Tax rebates have been reviewed but are not proceeding at this time. Secondary suites have been the subject of a discussion paper but have not been implemented in planning policy.

These and other options for incentives can be pursued by the Town in subsequent studies.

## 7. Conservation and Development Policies

### 7.1 Properties for Consideration for Designation

In the course of the current study, several properties identified in the Hill study as “estate lots” may have sufficient merit to be considered for designation under Section 29 Part IV of the Ontario Heritage Act. In each case, the property would need to be evaluated using the criteria for designation found in O. Reg. 9/06 of the Act. Although there may be other “estate lot” properties that are also worthy of designation, in the context of the research undertaken for the current study, the following properties are suggested for consideration:

- 428 Queen Street (currently Listed on the Town Register)
- 456 Queen Street (also Listed)
- 234 Johnson Street (Listed)
- 83 Gage Street

### 7.2 Heritage Policy Tools

In the Official Plan especially there needs to be a shift in the existing policy to place a greater emphasis upon the conservation of the identified heritage values and heritage attributes of cultural heritage resources. Policies need to be thoroughly reviewed to remove the overt references to heritage buildings (houses/buildings) or historic materials to better reflect the language of both the PPS and OHA. This also reflects the ruling of *Alma Estates v St Thomas* where it was noted that the decision-making process needs to be based upon the SCHVI and Heritage Attributes. Further, there a number of tools available to a municipality to conserve its cultural heritage resources, through a number of different pieces of legislation. However, there may be instances where the municipality has not put in place the necessary policies or currently has not considered using the tools mentioned. The following chart summarizes the policy tools available to the Town under current Provincial legislation.

<b>Under the Ontario Heritage Act</b>	
<ul style="list-style-type: none"> <li>• Designation of an archaeological site under Part VI</li> </ul>	In cooperation with the Province, archaeological sites can be protected under Part IV of the Ontario Heritage Act. However, very few sites have been designated to date, and these sites tend to be very significant.
<ul style="list-style-type: none"> <li>• Designation of a District under Part V</li> </ul>	Under the <i>Ontario Heritage Act</i> , a municipality or any part of it, may be designated as a Heritage Conservation District. In order to become a district, it must be studied in accordance with OHA and any local requirements and it must be proved that there is sufficient reason from a cultural heritage perspective. If a study reveals that an area does have cultural heritage value, a plan must be developed in accordance with the requirements of the Act. An HCD cannot regulate land use.
<ul style="list-style-type: none"> <li>• Designation of individual properties under Section 34.5, Part IV</li> </ul>	Under the <i>Ontario Heritage Act</i> , individual properties (and the heritage attributes related to that property) may be designated of Provincial Significance (meeting the criteria of O.Reg 10/06) and can be designated by the Minister of Tourism, Culture, and Sport. This is not a commonly used tool, but is available to the municipality. In this instance, if a property meets the criteria of Regulation 10/06, the municipality can request that the Minister designate the property.
<ul style="list-style-type: none"> <li>• Designation of individual properties under Section 29, Part IV</li> </ul>	Under the <i>Ontario Heritage Act</i> , individual properties (and the heritage attributes related to that property) may be designated by a local municipality. A Section 29, Part IV designation cannot be used to regulate land use and its attributes must be directly related to the associated real property.
<ul style="list-style-type: none"> <li>• Listing individual properties under Section 27</li> </ul>	Where a property is in the process of being designated under Part IV or Part V of the OHA, or where a property is not considered to have sufficient value for a Section 29, Part IV designation, municipalities can formally add the property to its Heritage Register. Known colloquially as 'listing', this form of recognition effectively provides demolition control for 60 days; depending on the specific policies of a municipality. Including of a property on a Register can also result in additional review and management requirements. The 2014 PPS provides additional protections for 'listed' properties by referring to properties on official registers under its definition of 'significant' and stating that some properties may not be 'formally evaluated.'
<ul style="list-style-type: none"> <li>• Easements/ Maintenance Agreements</li> </ul>	Heritage Easement Agreements and Maintenance Agreements are another set of tools used to protect cultural heritage resources. An easement is an agreement that is entered into between the property owner and the municipality or Province and registered on title. A Heritage Easement Agreement typically identifies heritage attributes that are to be retained in perpetuity and may also set out permitted alterations and development. A Maintenance Agreement is similar, but may or may not be registered on title. An Easement or Maintenance Agreement is required in Ontario in order to receive Provincial Tax Refunds for heritage properties.

<b>Under the Planning Act</b>		
<ul style="list-style-type: none"> <li>• Official policies</li> </ul>	<p>Plan</p>	<p>An Official Plan is a statement of goals, objectives and policies for growth and development for a community for a 20-year period. In some instances, revisions to an Official Plan may result in a strengthened framework for heritage conservation planning such as ensuring that there are adequate policies regarding adjacent properties or heritage impact assessment; changes to an OP can also address contradictions between existing policies by providing a clear policy direction. Further, as an Official Plan is issued under the Planning Act, a wider range of issues can be addressed, such as views and land use.</p> <p>There are several issues that could be considered in particular.</p> <ol style="list-style-type: none"> <li>1. Views: While views can be addressed partially under the Ontario Heritage Act, their applicability is limited by property or district boundaries. The creation of specific OP policies and schedules regulating and identifying specific views (which may or may not be heritage-specific) will allow for the wider protection of views, view cones, and viewsheds that are important to a community.</li> <li>2. Use: Changes to the identified land uses (and the necessary subsequent changes within the zoning by-law) can facilitate the protection of cultural heritage resources in specific circumstances. Site-specific policies could be considered by the Town at the time of an OPA.</li> <li>3. If changes are necessary to the existing overarching heritage conservation planning policy framework for the community. These could include enhancing existing definitions, and creating new policies. These could include policies relating to the following Sections of the <i>Planning Act</i>.</li> </ol> <ol style="list-style-type: none"> <li>1. <b>Section 32 - Grants or loans for repairs.</b> Under Section 32, when there is a property standards by-law in place in a municipality, the council of the municipality may pass a by-law providing for the making of grants or loans to the registered owners or assessed owners of lands to pay for the whole or any part of the cost of the repairs required.</li> <li>2. <b>Section 33 - Demolition control area</b></li> <li>3. <b>Section 36 - Holding Provision By-law</b></li> <li>4. <b>Section 37 - Increased density, etc., provision by-law</b></li> <li>5. <b>Section 38 - Interim control by-law</b></li> <li>6. <b>Section 40 - Agreement exempting owner from requirement to provide parking</b></li> <li>7. <b>Section 42 - Conveyance of land for park purposes</b></li> </ol>

<ul style="list-style-type: none"> <li>Section 29 of the Planning Act</li> </ul>	<p>Under Section 29 of the Planning Act, a municipality, with the approval of the Minister, may enter into an agreement with any governmental authority or any agency thereof created by statute, to carry out of studies and to prepare and implement plans and programs for the development or improvement of the municipality. In Section 29(2), the Planning Act also indicates that Minister’s permission is not required for agreements with other municipalities. This could be interpreted as including cultural heritage studies.</p>
<ul style="list-style-type: none"> <li>Section 30 of the Planning Act- Agreements for grants in aid of community improvement</li> </ul>	<p>This policy permits the Minister, with the approval of the Lieutenant Governor in Council, to enter into agreement with a municipality to provide for payments to assist in the community improvement of a community improvement project area as defined in section 28, including the carrying out of studies for the purpose of selecting areas for community improvement</p>
<ul style="list-style-type: none"> <li>Secondary Plan</li> </ul>	<p>Area and secondary plans provide specific policies for areas identified within an Official Plan as requiring more detailed direction on topics such as land use, infrastructure, the natural environment, transportation and urban design. Again, like an Official Plan, a secondary plan can address issues of use. It can also include broader policies around urban form and design than can an HCD Plan.</p>
<ul style="list-style-type: none"> <li>Zoning and Form Based Zoning</li> </ul>	<p>The purpose of a zoning by-law is to specify specific controls on land use. Specifically, a zoning by-law outlines how land may be used; where buildings and other structures can be located; the types of buildings that are permitted and how they may be used; and, the lot sizes and dimensions, parking requirements, building heights and setbacks from the street. One of the key purposes of zoning is to put an Official Plan into effect. More recently, form-based zoning has emerged an alternative to more traditional types of zoning. It is a type of zoning that emphasizes the physical character of development. This type of zoning focuses on “how development relates to the context of the surrounding community, especially the relationships between buildings and the street, pedestrians and vehicles, and public and private spaces” (CMAP, 2013, 9.) This type of zoning puts a greater emphasis on design, resulting in greater predictability about the visual aspects of changes in a community.</p>
<ul style="list-style-type: none"> <li>Create policies for Neighbourhood /Heritage Character Areas</li> </ul>	<p>A Neighbourhood Character Area policy is typically integrated into an Official Plan or Secondary Plan. Focused less on the heritage aspects of a community, this type of policy seeks to consider a neighbourhood’s sense of place by treating its public and private realms as a collective whole. This type of policy considers how the features of an area result in a particular character by identifying its key attributes, uses, and characteristics, as well as the relationship between them, and how they are manifested in the physical realm. A Heritage Character Area is similar but instead focuses more specifically on the heritage attributes. It has been used in some communities as an alternative to a full heritage conservation district plan.</p>

<ul style="list-style-type: none"> <li>• Design Guidelines</li> </ul>	<p>Design guidelines can apply across an entire city or within a specific area. District or Area-Specific Urban Design Guidelines may focus on a particular property, block, neighbourhood or broader area, such as the development of an entire civic centre or new community and public spaces. Some of the guidelines focus on urban design matters, while others include design and other planning-related issues. They can be used to discuss issues such as infill, intensifications, new construction, streetscapes, accessibility, and how to integrate the natural/ built environments. General design guidelines tend to focus on broader design issues (although they can include sections on heritage conservation).</p>
<ul style="list-style-type: none"> <li>• Community Improvement Plan</li> </ul>	<p>A Community Improvement Plan (CIP) is tool that allows a municipality to direct funds and implement policy initiatives toward a specifically defined area within its boundaries. Authorized under Section 28 of the Planning Act, when existing OP policies are in place, a municipality can use CIPs to encourage rehabilitation initiatives and/or stimulate development, promote place-making, and promote brownfield redevelopment. Financial tools available include tax assistance, grants or loans. CIPs are often used to promote private sector development.</p>
<b>Other Tools</b>	
<ul style="list-style-type: none"> <li>• National Historic Site of Canada designation</li> </ul>	<p>If a property meets the criteria for a National Historic Site of Canada designation, a municipality can request that the Historic Sites and Monuments Board consider the property. However, the federal government will not designate a National Historic Site of Canada without owner's consent.</p>
<ul style="list-style-type: none"> <li>• Use of other legislation: The Municipal Act</li> </ul>	<p>The Municipal Act grants municipalities the authority to pass by-laws, including by-laws respecting heritage (Section 11 (3) 5.). The Municipal Act also enables a municipality to establish a program to provide tax incentives for an eligible heritage property (Section 365.2 (1)).</p>
<ul style="list-style-type: none"> <li>• Use of Other Legislation: The Ontario Building Code</li> </ul>	<p>Under Ontario Building Code (OBC), the Ontario Heritage Act is considered applicable law. In particular, the CBO cannot issue a permit if it is contrary to applicable law (Section 8 (2) and Section 10(2)) and can issue a conditional permit that does not meet the Ontario Building Code if it meets applicable law and additional OBC requirements (Section 8 (3)).This is used particularly when a heritage attribute is identified and can only be conserved through an exemption.</p>
<ul style="list-style-type: none"> <li>• Use of Other Legislation: Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c. 33</li> </ul>	<p>The Funeral, Burial and Cremation Services Act addresses human remains (including their discovery) and cemeteries. It is a key piece of legislation that should be considered when addressed a cultural landscape that does or could contain human remains.</p>

<ul style="list-style-type: none"> <li>• Use of Other Legislation: Environmental Assessment Act</li> </ul>	<p>Under the Environmental Assessment Act, “environment” is understood to include the social, economic and cultural conditions that include the life of humans or a community,</p> <p>It aims to provide for the protection, conservation and wise management of Ontario’s Environment and applies to all public activities including projects undertaken by municipalities, public utilities and conservation authorities. An analysis of the environment through an Environmental Assessment includes evaluation of “cultural conditions that include the life of humans or a community” and “any building, structure, machine or other device or thing made by humans” which includes artifacts, places, buildings and structures considered to be potential cultural heritage resources. Where municipal projects such as transportation, water, or sewer infrastructure projects under Municipal Class Environmental Assessment may impact heritage properties, cultural landscapes or archaeological sites, these cultural heritage resources are to be identified, assessed and protected from impact. This tool, however, tends to be more reactive and is only used in response to a proposed project. However, the identification of a CHL will necessitate a more critical examination if an EA is required for a project.</p>
<ul style="list-style-type: none"> <li>• Property Standards By-laws</li> </ul>	<p>Under the 2005 revisions to the Ontario Heritage Act, municipalities now have the ability to create specific policies for the conservation of cultural heritage resources in their property standards by-law.</p>
<ul style="list-style-type: none"> <li>• Modification to site alteration or foundation permit by-laws</li> </ul>	<p>The addition of policies into these by-laws can ensure that cultural heritage resources are addressed in advance of any work that may occur on a property.</p>
<ul style="list-style-type: none"> <li>• Tree alteration by-law</li> </ul>	<p>Provisions can be included in a tree alteration by-law to ensure the protection of trees identified as heritage attributes.</p>
<ul style="list-style-type: none"> <li>• The development of commemorative/ interpretative plans or heritage master plans.</li> </ul>	<p>The current legislative environment does not yet address intangible heritage or lost heritage effectively nor does it give specific instruction or direction on interpretation. These two plans help to identify why cultural heritage resources are important and provide tools to that end. With these plans in place, the Town should consider imposing, as a condition of any development approvals, the implementation of appropriate conservation, restoration or mitigation measures to ensure the preservation of any affected cultural heritage resources.</p>
<ul style="list-style-type: none"> <li>• Archaeological Management Plan (site specific or municipal)</li> </ul>	<p>For complex sites, a site-specific archaeological management plan may be used to ensure the long-term conservation of archaeological sites or areas of archaeological potential. This type of plan could be a condition of a municipal approval. A municipal archaeological management plan is a useful device for both long-term planning and for the review of specific development applications (thanks in large part to its mapping of layers of cultural heritage resources on a GIS platform).</p>
<ul style="list-style-type: none"> <li>• Conservation Plan</li> </ul>	<p>For complex properties, a site-specific conservation plan may be used to ensure the long-term conservation of the specific cultural heritage values and heritage attributes. This type of plan could be a condition of a municipal approval.</p>

These tools will only be effective if applied within robust policies for the conservation of cultural heritage resources. To that end, a more detailed assessment of the draft OP policies has been prepared. See the chart in Table 1 for these comments and for recommended policy revisions.

The foregoing list of policy tools shows that there are many ways that the Town can better conserve its cultural heritage resources. The variety and scope of the available tools also indicates that current Town heritage policies need to be augmented. Starting at the most general level, the Town should consider an overall conservation and management plan; in other words, a *Heritage Master Plan*. The value of this type of plan is in its ability to provide an overview of the full range of cultural heritage resources in the community - both known and potential – and to put those resources into a management framework. The plan will also assess two critical elements of cultural heritage resource planning: the capacity of the municipality to implement the plan; and the economic benefits accruing from the plan's implementation. It is often the latter point that persuades municipal Councils to make serious commitments to heritage resource conservation.

At a more specific level, the Town should continue to List and designate individual properties (or cultural landscapes). In doing so, it should follow the prescribed process for evaluation specified under O. Reg. 9/06. Existing designation by-laws should also be updated to conform with the requirements of the 2015 *Ontario Heritage Act*.

## 7.3 Recommended Revisions to the Heritage Policies of the Draft Official Plan

The heritage policies in the draft Official Plan should be substantially revised and enhanced. Table 1 provides the suggested wording for those changes, based on our analysis of the current draft OP text and our understanding of the relevant heritage planning legislation and best practices. In addition, the following are recommended:

1. Based upon an initial review of the existing policy, the following actions have been identified as recommended changes. Once there is agreement upon these changes, the actual policy language will be developed.
2. Amend the Site Alteration Permit By-law to include a reference to the protection of built heritage resources and cultural heritage landscapes.
3. Amend the sign by-law to state that the installation of any signs shall not negatively impact the heritage values and attributes of a cultural heritage resource.
4. Amend the fence by-law to state that the installation of any fences shall not negatively impact the heritage values and attributes of a cultural heritage resource.
5. Amend the property standards by-law to specifically state that the heritage values and attributes of heritage properties shall be conserved
6. Update the Heritage Impact Assessment terms of reference to state that works on any properties with a by-law adopted prior to 2005 will require the creation of a new SCHVI and list of heritage attributes to the satisfaction of the Town.
7. Develop Neighbourhood or Heritage Character Statements for key neighbourhoods and areas. The term character is used throughout the OP, for example, but is not sufficiently defined.
8. Develop a cultural landscape study that identifies key landscapes using a defensible methodology. Similarly, consider developing a heritage master plan and an updated archaeological management plan.
9. Review the Queen-Picton HCD Plan in terms of the current Provincial heritage policies and adopt a new plan for the surrounding areas. The existing Plan is very building-focused.
10. Revise Draft 3 of the Official Plan.

**TABLE 1:**

Existing policy	Recommended changes	Rationale
General Comment	Definition: Cultural Heritage Resources	Recommend defining the term “cultural heritage resources”. Throughout the draft OP, a variety of different terms are used; a lack of definitional clarity can lead to appeals and to problems in implementation. Further, in the absence of a clear link to the existing legislative framework, questions could be raised concerning what constitutes a ‘cultural heritage resource’. By defining it, particularly in relation to the PPS and OHA, the phrase has greater defensibility. The definition should include key defined terms, such as <i>archaeological resource, built heritage resource and cultural heritage landscape</i> .
1.4.1 The Town of Niagara-on-the-Lake is a unique community in Ontario, with its historic settlements, buildings and sites, tender fruit lands, specialized crop production and micro-climate, and infrastructure serving the	1.4.1 The Town of Niagara-on-the-Lake is a unique community in Ontario, with its <b>cultural heritage resources</b> , tender fruit lands, specialized crop production and micro-climate, and infrastructure serving the specialized needs of the agricultural community. <del>Its tree-lined streets and</del>	This revision uses the common definition of cultural heritage resources. Also recommend removing any aspects of the policy statement that could be seen as a subjective or erroneous, and thereby

<p>specialized needs of the agricultural community. Its tree lined streets and cultural landscapes from earlier periods of the country's history are different from almost any other town in Ontario. The challenge is to promote development that maintains and enhances the unique character of the town. The Official Plan is a strategic planning document that will guide development to meet the needs of the community, and balance economic, social and environmental concerns</p>	<p><del>cultural landscapes from earlier periods of the country's history are different from almost any other town in Ontario.</del> The challenge is to promote development that maintains and enhances the <del>unique character of the town.</del> The Official Plan is a strategic planning document that will guide development to meet the needs of the community, and balance economic, social and environmental concerns.</p>	<p>can be challenged.</p>
<p>1.5.4 Growth Plan for the Greater Golden Horseshoe (updated to 2013)</p>	<p>1.5.4 Growth Plan for the Greater Golden Horseshoe (updated to 2017)</p>	<p>Recommend update to the new 2017 version. There are enhanced heritage policies in it.</p>
<p>2.1.1 Niagara-on-the-Lake's vision for a sustainable future was established through extensive consultation during the Community Vision process. This vision identified the need for a well-planned built environment that respects the town's unique rural and historic character. Growth is to be managed in a balanced</p>	<p>2.1.1 Niagara-on-the-Lake's vision for a sustainable future was established through extensive consultation during the Community Vision process. This vision identified the need for a well-planned built environment that respects the town's unique rural character <b>and cultural heritage resources.</b> Growth is to be managed in a balanced manner, meeting resident and business needs.</p>	<p>Character is very difficult to define and can be seen to be subjective. By using cultural heritage resources, you are again tying back to the OHA and PPS definitions.</p>

<p>manner, meeting resident and business needs.</p>		
<p>2.2.4 The urban communities range in size and level of service but strive to be complete communities. The urban communities are all moderate in scale, generally with well-defined urban boundaries, and serviced with municipal water and sewer services. Most contain a mix of land uses and well established, stable residential neighbourhoods. Old Town and Queenston, in particular, reflect an historic character and include numerous heritage features. Most of the town's administrative, educational, health care, and community facilities are located in, or adjacent to, the urban communities.</p>	<p>2.2.4 The urban communities range in size and level of service but strive to be complete communities. The urban communities are all moderate in scale, generally with well-defined urban boundaries, and serviced with municipal water and sewer services. Most contain a mix of land uses and well established, stable residential neighbourhoods. Old Town and Queenston, in particular, <b>include significant cultural heritage resources that must be conserved.</b> Most of the town's administrative, educational, health care, and community facilities are located in, or adjacent to, the urban communities.</p>	<p>Uses consistent language and clearly dates that cultural heritage resources must be conserved</p>
<p>2.3.2 This Plan recognizes and supports the economic importance of agriculture, including estate wineries and tender fruit production; heritage resources and cultural facilities. The Plan</p>	<p>2.3.2 This Plan recognizes and supports the economic importance of agriculture, including estate wineries and tender fruit production; <b>cultural heritage resources</b> and cultural facilities. The Plan recognizes that these</p>	<p>Change for consistent definition</p>

<p>recognizes that these industries are the foundation of the Town's economy and recognizes the value of tourism as an outcome of these foundational industries.</p>	<p>industries are the foundation of the Town's economy and recognizes the value of tourism as an outcome of these foundational industries.</p>	
<p>2.3.7 The Town will develop a prosperous and diverse economy that would offer attractive employment opportunities and create a community where people live and work. In order to achieve strong economic diversity, it is recognized that the town's natural and cultural assets are important economic drivers that will be leveraged and promoted to attract a range of innovative and diverse businesses and attract and retain youth and families. Infrastructure investment and preparation of an economic development plan and marketing strategy are recognized as important for economic development as are well-managed municipal finances and a sound tax base.</p>	<p>2.3.7 The Town will develop a prosperous and diverse economy that would offer attractive employment opportunities and create a community where people live and work. In order to achieve strong economic diversity, it is recognized that the town's natural and cultural assets, <b>including cultural heritage resources</b>, are important economic drivers that will be leveraged and promoted to attract a range of innovative and diverse businesses and attract and retain youth and families. Infrastructure investment and preparation of an economic development plan and marketing strategy are recognized as important for economic development as are well-managed municipal finances and a sound tax base.</p>	<p>Recognizes that cultural heritage resources are important to economic development</p>
<p>2.4.2.1 The objectives of the Town's growth strategy are to:</p>	<p>2.4.2.1 The objectives of the Town's growth strategy are to:</p>	<p>This wording change is recommended to ensure that the objectives of the growth strategy includes</p>

<p>g) protect, conserve and manage agricultural and natural resources for current and future generations;</p>	<p>g) protect, conserve and manage agricultural <b>resources, natural resources, and cultural heritage resources</b>, for current and future generations;</p>	<p>cultural heritage conservation.</p>
<p>2.6.1.3 Sustainability is achieved through a variety of initiatives that can include:  c) conservation of agricultural and natural landscapes;</p>	<p>2.6.1.3 Sustainability is achieved through a variety of initiatives that can include:  c) conservation of agricultural <b>landscapes, natural landscapes, and cultural heritage resources</b>.</p>	<p>This wording change is recommended to explicitly recognize that cultural heritage conservation is a key part of achieving sustainability in a community.</p>
<p>2.6.2.1 Healthy neighbourhoods and communities form the basis of everyday life in Niagara-on-the-Lake, from housing to community services, arts and culture and heritage. Components of healthy communities in the town include: d) community design and heritage guidelines to ensure growth enhances the built character of the town;</p>	<p>2.6.2.1 Healthy neighbourhoods and communities form the basis of everyday life in Niagara-on-the-Lake, from housing to community services, arts and culture and heritage. Components of healthy communities in the town include: d) community design and heritage guidelines to ensure growth <b>will conserve, and where possible enhance, the cultural heritage resources of the town</b>;</p>	<p>This ensures consistency in terms of a definition of cultural heritage resources, and recognizes that, while it is not always possible to enhance a CHR through growth, it should always ensure CHRs are conserved.</p>
<p>3.2.6.7 Agriculture-related uses and On-Farm Diversified uses may be permitted in accordance with the policies in this Plan and specifically in accordance with the following:</p>	<p>3.2.6.7 Agriculture-related uses and On-Farm Diversified uses may be permitted in accordance with the policies in this Plan and specifically in accordance with the following:</p>	<p>Change to ensure consistency</p>

<p>j) Development on treed areas, steep slopes, ravines, watercourses and any other natural or cultural resource will be avoided.</p>	<p>j) Development on treed areas, steep slopes, ravines, watercourses and any other natural or <b>cultural heritage resources</b> will be avoided.</p>	
<p>3.2.7.1 Adaptive re-use of surplus farm facilities on existing farms for agriculture-related, on-farm diversified uses or agri-tourism uses will be encouraged to conserve built heritage resources and cultural heritage landscapes that would otherwise disappear as a result of no longer being required for farm purposes.</p>	<p>3.2.7.1 Adaptive re-use of surplus farm facilities on existing farms for agriculture-related, on-farm diversified uses or agri-tourism uses will be encouraged to conserve <b>cultural heritage resources</b> that would otherwise disappear as a result of no longer being required for farm purposes.</p>	<p>Change to ensure consistency</p>
<p>4.5.2.1 The objectives of the intensification policies of this Plan are to:</p> <p>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.</p>	<p>4.5.2.1 The objectives of the intensification policies of this Plan are to:</p> <p>e) <b>Ensure any proposal for intensification conserves cultural heritage resources. Intensification will be directed to the Built-up Areas where development will not impact cultural heritage resources.</b></p>	<p>By using a single definition, it clarifies and simplifies that cultural heritage resources must be conserved.</p>
<p>4.5.3.6 The Town will ensure that intensification and redevelopment is consistent with the heritage and character of the Built-up Areas.</p>	<p>4.5.3.6 The Town will ensure that intensification and redevelopment <b>conserves cultural heritage resources.</b> Community design guidelines <del>for the Built-up Areas</del> will be</p>	<p>If a character has not been defined, it should not be referenced. This change reinforces the policy that cultural</p>

<p>Community design guidelines for the Built-up Areas will be prepared and used as a tool to achieve compatible built form with intensification and redevelopment.</p>	<p>prepared and used as a tool to achieve compatible built form with intensification and redevelopment.</p>	<p>heritage resources must be conserved.</p>
<p>4.6.2.1 Intensification development within the Built-up Areas should be compatible with surrounding existing and planned land uses. Intensification and/or redevelopment should be compatible with the property and the surrounding neighbourhood, in terms of the following: a) Cultural and natural heritage;</p>	<p>4.6.2.1 Intensification development within the Built-up Areas should be compatible with surrounding existing and planned land uses. Intensification and/or redevelopment should be compatible with the property and the surrounding neighbourhood, in terms of the following: <b>a) conserving natural heritage and cultural heritage resources;</b></p>	<p>Change to ensure consistency</p>
<p>4.6.2.3 Intensification and/or redevelopment shall be compatible and integrate with the established character and heritage of the area and shall have regard to:</p>	<p>4.6.2.3 Intensification and/or redevelopment shall be compatible and integrate with the <b>cultural heritage resources</b> of the area and shall have regard to:</p>	<p>Again, if character is not defined, it is better to use a consistent definition</p>
<p>4.8.2.1 Objectives for residential development areas are as follows:  To support retention and give consideration to expansion of Heritage Conservation Districts in the older residential areas of the town through the policies of this Plan and the establishment of</p>	<p>4.8.2.1 Objectives for residential development areas are as follows:  <b>To support the conservation of cultural heritage resources. This includes, but is not limited to the retention, and possible expansion of Heritage Conservation Districts in the older residential areas of the</b></p>	<p>This change is designed to ensure that tools are not limited to HCDs.</p>

new heritage conservation districts.	<b>town and the establishment of new heritage conservation districts.</b>	
4.8.4.1 Character: a) The Established Residential areas represent older, stable neighbourhoods with a defined character, and generally comprised of larger lots with larger, older homes, many of which have historic significance to the town. The existing character of the Established Residential Areas shall be maintained.	4.8.4.1 Character: a) The Established Residential areas represent older, stable neighbourhoods. <b>These neighbourhoods can include cultural heritage resources that must be conserved.</b> The existing character of the Established Residential Areas shall be maintained.	Again, in the absence of a clear definition of character, it is recommended to use an established definition. It is recommended to consider removing the policy entirely until a statement on character can be developed
4.8.4.3 Policies: d) Several of the properties within the Established Residential Area have been designated under the Ontario Heritage Act. Both the owner and the Town will ensure the continued existence of that property in its historically significant form.	4.8.4.3 Policies: d) <b>Within the Established Residential Area, cultural heritage resources must be conserved.</b>	Simplifies and ensures that the policy is consistent with accepted definitions.
e) Development in the Established Residential designation will respect and reinforce the existing physical character of the neighbourhood, including in particular:  viii. Conservation of cultural heritage	<b>e) Development in the Established Residential designation will respect and reinforce the existing physical character of the neighbourhood, including in particular:  viii. Conservation of cultural heritage resources.</b>	As written, the policy potentially limited the types of cultural heritage resources.

resources, including buildings, structures and landscapes.		
<p>4.9.2.1 Objectives for commercial development areas are as follows:</p> <p>c) To maintain in tourist-serving commercial areas, a character which is consistent with the historical importance of these areas and their surroundings.</p>	<p>4.9.2.1 Objectives for commercial development areas are as follows:</p> <p><b>c) To ensure in tourist-serving commercial areas, that cultural heritage resources are conserved.</b></p>	<p>Character and historical importance are ambiguous.</p>
<p>4.9.5.6 Every effort will be made to preserve heritage resources if they are affected by an application for commercial development or redevelopment. A heritage impact analysis will be required and appropriate mitigation measures will be taken to protect and conserve the significant heritage features and heritage resources impacted by a development application.</p>	<p><b>4.9.5.6 Cultural Heritage Resources will be conserved if there is a potential they may be affected by an application for commercial development or redevelopment. A Heritage Impact Assessment will be required and appropriate mitigation measures will be taken to the satisfaction of the Town.</b></p>	<p>Updates language to ensure consistency with PPS and ensure that Town has the final say on the mitigation measures.</p>
<p>4.14.2 In addition, community plans will address the importance of prominent views and vistas. In the Old Town in particular the view between Fort George and Fort Niagara is recognized as being of national significance. As well the view of the Niagara River, Lake</p>	<p>4.14.2 In addition, community plans will address the importance of prominent views and vistas. In the Old Town in particular the view between Fort George and Fort Niagara is recognized as being of national significance. As well the view of the Niagara River, Lake Ontario and the Niagara Escarpment are an important component</p>	<p>This ensures consistency in definition, and ensures that, in the event of a conflict between policies, the higher standard will apply.</p>

<p>Ontario and the Niagara Escarpment are an important component of the town's urban design. Community plans will also have special regard to heritage resources.</p>	<p>of the town's urban design. Community plans will also have special regard to the <b>conservation of cultural heritage resources. In the event of a conflict between the wording of a community plan and the Official Plan concerning the conservation of cultural heritage resources, the wording that ensures the higher standard of conservation will apply.</b></p>	
<p>4.1.4.9 Community plans will have special regard for heritage resources including heritage conservation districts, individual properties designated under the Ontario Heritage Act and significant cultural heritage resources.</p>	<p>Delete</p>	<p>This is a duplication of the above policy</p>
<p>5.2.1 Within the area of the Niagara Escarpment Plan, the objectives are:  a) To protect unique ecological and historic areas;</p>	<p>5.2.1 Within the area of the Niagara Escarpment Plan, the objectives are:  a) <b>To protect and conserve unique ecological areas and cultural heritage resources;</b></p>	<p>Ensures consistency in definitions</p>
<p>7.1.1.1 The character of the town is reflected in its historic community design features, from the rural landscapes, tree-lined urban and semi-urban streetscapes, low profile development, walkable communities, and variety of architectural and design features.</p>	<p>7.1.1.1 The character of the town is <b>reflected in its cultural heritage resources, including, but not limited to, its</b> rural landscapes, tree-lined urban and semi-urban streetscapes, low profile development, walkable communities, and variety of architectural and design features.</p>	<p>Ensures consistent definitions and makes sure the policy is inclusive of all cultural heritage resources. Please see previous notes about character.</p>
<p>7.1.1.4 Community</p>	<p><b>New section</b></p>	<p>Ensure that urban design</p>

design should be based on the following:	<b>e) the conservation of cultural heritage resources.</b>	works and plans integrate cultural heritage
7.1.2.1 With the exception of Glendale, the town consists of low-rise structures in a small town setting with a large number of historic buildings.	7.1.2.1 With the exception of Glendale, the town consists of low-rise structures in a small town setting with a large number of <b>cultural heritage resources.</b>	Consistency with PPS and OHA
7.2.1.1 Conservation and recognition of the Town’s cultural heritage resources are important for protecting its cultural legacy and for developing a strategy for protecting these resources. Cultural heritage resources are not just buildings and structures. They can also be natural heritage sites; cultural heritage landscapes; archaeological sites; and intangible heritage such as traditions, beliefs, stories and family histories. Cultural heritage resources are not necessarily old. Newer buildings and sites can have cultural heritage value because of their design and/or designer, cultural association, or context.	7.2.1.1 a) Conservation and recognition of the Town’s cultural heritage resources are important for protecting its cultural legacy and for developing a strategy for protecting these resources. <b>Cultural heritage resources are understood to include built heritage resources, cultural heritage landscapes, archeological sites, areas of archaeological potential, heritage character areas, and historical sites. They are also understood to include any properties identified on any local, regional, provincial, national, or international heritage Register. Cultural heritage resources also include natural heritage sites, paleontological sites and intangible heritage such as traditions, beliefs, stories and family histories.</b>	Provides stronger links to the wording of the OHA and PPS.
7.2.1.2 Cultural heritage resources are not renewable resources. Once lost, they are gone	7.2.1.2 Cultural heritage resources are not renewable resources. Once lost, they are gone forever. These resources	This expands the types of properties that can be recognized.

<p>forever. These resources can be formally recognized either individually or as cultural heritage landscapes, through designation under Parts IV and V of the Ontario Heritage Act. They can also be recognized by adopting properties that are not designated to the same Register of Property of Cultural Heritage Value or Interest that includes designated properties.</p>	<p>can be formally recognized either individually or as cultural heritage landscapes, through designation under <del>Parts IV and V</del> of the Ontario Heritage Act or through identification within this Plan. <b>They can also be recognized by Parks Canada or other bodies.</b></p>	
<p>7.2.2.1 The Town, through a variety of initiatives, will identify and protect heritage resources as shown on Schedules D1 and D2, and:</p>	<p>7.2.2.1 The Town, through a variety of initiatives, will <b>identify, conserve and protect cultural heritage resources, including those</b> shown on Schedules D1 and D2, and:</p>	<p>Ensures consistency in language, ensures that CHRs are not limited to those identified on the Schedules</p>
<p>b) Identify Niagara-on-the-Lake's cultural heritage resources through a continuous process of researching and documenting the historical, architectural and contextual merit of these resources on both an individual and cultural landscape basis;</p>	<p>b) Identify Niagara-on-the-Lake's cultural heritage using <b>recognized methods such as those identified by the Ministry of Tourism, Culture, and Sport.</b></p>	<p>Updates language to be consistent with OHA, and notes that identified methods, such as O Reg 9/06 and cultural landscape methods, will be used to identify CHRs</p>
<p>c) Maintain a Register of Property of Cultural Heritage Value or Interest which is accessible to the public and identifies properties to be conserved and maintained consistent with</p>	<p>Break into two policies. The reference to the S and Gs would be better on its own. Also add to the end of the S and Gs (as amended and updated from time to time)</p>	<p>Provides greater clarity</p>

<p>the <i>Standards and Guidelines for the Conservation of Historic Places in Canada</i>. Niagara-on-the-Lake will develop a process to continually assess properties to determine their merit for inclusion on the Register and to remove properties from the Register, as required;</p>		
<p>7.2.2.1 d) Designate individual properties and groups of properties by by-law under Part IV of the Ontario Heritage Act; and</p>	<p>DELETE</p>	<p>Duplicates other policies</p>
<p>e) Ensure consistency in identification and evaluation of cultural heritage resources for inclusion on the Register of Property of Cultural Heritage Value:</p> <p>i. for individual property designation by utilizing criteria established by provincial regulation 9/06 under the Ontario Heritage Act; and</p> <p>ii. for properties that are not designated; but which are adopted to the Register of Property of Cultural Heritage Value, by utilizing criteria included in the Town's Building Classification</p>	<p>e) Ensure consistency in identification and evaluation of cultural heritage resources for inclusion on the Register of Property of Cultural Heritage Value <b>by utilizing criteria established by provincial regulation 9/06 under the Ontario Heritage Act</b></p>	<p>Recommend that all properties be evaluated against O Reg 9/06</p>

Form.		
<b>7.2.3 Protection of Heritage Resources</b>	<b>7.2.3 Protection of Cultural Heritage Resources (REVIEW ENTIRE SECTION)</b>	Update to be consistent in the use of definitions.
GENERAL COMMENT,	Make sure the term “ heritage impact assessment” is used consistently	
GENERAL COMMENT	Define adjacent for CHRs to include more than just contiguous properties	
7.2.3.1 (g)  Require a heritage permit for all alteration work to property, structures and buildings and for any new construction proposed:	7.2.3.1 (g)  Require a heritage permit for any work to a <b>cultural heritage resources protected under Section 29, Part IV or under Part V of the Ontario Heritage Act, where such work will have the potential to impact identified heritage values or heritage attributes.</b>	Moves the focus from buildings to a broader understand of CHRs
7.2.3.1 In order to protect heritage resources, the Town will:	<b>New section: Require where site alternation or development is proposed on or adjacent to a Section 29, Part IV Ontario Heritage Act Designated property, and where the designation by-law predates 2005, that any application or heritage impact assessment include an updated Statement of Cultural Heritage Value or Interest with a list of Heritage Attributes that is satisfactory to the Town. The potential impacts of any such development or site alteration must be evaluated against any identified</b>	

	<b>heritage values or heritage attributes.</b>	
<p>7.2.3</p> <p>j) Provide for protection and conservation of cultural heritage resources or the mitigation of adverse effects on cultural heritage resources as a condition of minor variance and severance approval and associated agreements.</p> <p>k) Evaluate each severance and variance proposal affecting cultural heritage resources for its compatibility with the heritage policies of this Plan and the objectives and policies of any applicable heritage conservation district plan.</p>	<p>7.2.3</p> <p><b>j) Severances and minor variances will not be permitted if such permissions would negatively impact the identified heritage values and/or the heritage attributes of cultural heritage resources. Notwithstanding the above, severances and minor variances can be considered if it can be demonstrated to the satisfaction of the Town that the identified heritage values and/or the heritage attributes of cultural heritage resources will be conserved and/or any impacts will be mitigated.</b></p> <p>k) Each severance and variance proposal affecting cultural heritage resources <b>must be evaluated</b> for its compatibility with the heritage policies of this Plan and the objectives and policies of any applicable heritage conservation district plan. <b>It must also be evaluated against any identified heritage values and attributes.</b></p>	<p>This ensures that severances and minor variances must demonstrate that cultural heritage values and resources will be conserved.</p>
<p>NEW POLICY</p>	<p>7.3.2 (a): The Town has identified the following Heritage Character Areas as</p>	

	<p>CHLs:</p> <ul style="list-style-type: none"> <li>• Old Dock Heritage Character Area</li> <li>• Downtown Heritage Character Area</li> <li>• Queen Street Summer Homes Heritage Character Area</li> <li>• John Street East Summer Homes Heritage Character Area</li> </ul> <p>Should any site alteration, development, or demolition be proposed within any of these areas, a heritage impact assessment will be required. This heritage impact assessment must consider the potential impact to the overall area as well as to individual properties. Within these areas, the Town also reserves the right to request additional historical research and/or an O.Reg 9/06 Assessment prepared to the satisfaction of the Town on any property.</p> <ul style="list-style-type: none"> <li>• <b>7.3.2 (a) (i) Old Dock Heritage Character Area</b></li> </ul> <p><i>Statement of Cultural Heritage Value or Interest</i></p> <p>The Old Dock Area has historical/associative significance as the location of many of the industrial and commercial activities that</p>	
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	<p>were important in the local economy from the town's inception until the mid-20<sup>th</sup> century. Industrial activity associated with marine commerce is reflected here as well a links to previous and current waterfront hotel development. In addition, the area's historical/associative significance stems from the ecclesiastical properties as well as the public park and waterfront areas.</p> <p>Design/physical significance stems from examples of 19<sup>th</sup> and early 20<sup>th</sup> century buildings that are found throughout the area, especially the key residential, commercial and ecclesiastical properties. Evidence of the former railway is found in alterations to landform and in the alignment of streets and pathways. Steep slopes, large ecclesiastical grounds and park spaces, and varied treatments of the shoreline interrupt the street grid and provide design/physical as well as contextual significance. Current development includes the conservation and adaptive reuse of a variety of residential, commercial and former industrial properties.</p> <p><i>Heritage Attributes</i></p> <p><i>Design/Physical</i></p>	
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	<ul style="list-style-type: none"> <li>• Shoreline features (beach, marina, lighthouse)</li> <li>• Varied built form (massing, age, type, use)</li> <li>• Topography (terraced streets down steep slope to shore)</li> <li>• Irregular block and property sizes (distorted grid pattern)</li> <li>• Evidence of former uses (Queen’s Royal Hotel, railway, dockyard, boatworks, boathouses)</li> <li>• St. Marks’s Church complex (rectory, church and additions, cemetery)</li> </ul> <p><i>Historical/Associative</i></p> <ul style="list-style-type: none"> <li>• Associations with former uses (steamers, railway, dockyard, concession stands, produce stands/storage), customs office, ice cutting, skating in harbour)</li> <li>• Simcoe Park’s current and historic uses (outdoor dance</li> </ul>	
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	<p>pavilion and refreshment stand, Sunday night community sing-alongs, winter ice rink and change hut)</p> <p><i>Contextual</i></p> <ul style="list-style-type: none"> <li>• Panoramic views of the Niagara River and Lake Ontario</li> <li>• Landmarks (movie set gazebo, Navy Hall)</li> </ul> <p><b>SCHEDULE With BOUNDARY</b></p> <p>In addition to other policies of the Official Plan and any secondary plan, the following policies will also apply to the Old Dock Heritage Character Area</p> <ul style="list-style-type: none"> <li>• The Town may request, as part of any site alteration or development, a commemoration plan</li> <li>• Any proposed site alteration or development must demonstrate how it will conserve the specific heritage values and attributes of the area as a CHL</li> <li>• The Town will</li> </ul>	
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	<p>continue to designate individual properties under Section 29, Part IV of the Ontario Heritage Act in this area.</p> <ul style="list-style-type: none"> <li>• <b>7.3.2 (a) (ii)</b> <b>Downtown Heritage Character Area</b></li> </ul> <p><i>Statement of Cultural Heritage Value or Interest</i></p> <p>This character area contains a large portion of the cultural heritage resources in Old Town and forms the core of the National Historic District. For design/physical significance it has the square block pattern established from the earliest days of settlement and contains evidence of all periods of development from the Loyalist occupation to the present. There are many well-conserved examples of pre-1850 building types, architectural styles and materials. Conservation of more recent properties is also evident. One Mile Creek is visible throughout the area, on private as well as public property. The early street grid and widened main thoroughfares remain, as do some grassed verges with open gutters. Mature trees are a feature of the public realm as well as in private properties. Varied front and sideyard setbacks</p>	
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	<p>characterize the residential streets. The area has historical/associative value for its evidence of all phases of Old Town’s evolution. Key properties and landscapes provide contextual significance. There are many landmarks within the area: it is also where the key cultural, public institutional and commercial properties are found.</p> <p><i>Heritage Attributes</i></p> <p><i>Design/Physical</i></p> <ul style="list-style-type: none"> <li>• Churches and associated cemeteries (significant open spaces)</li> <li>• Mix of uses (residential, commercial, institutional, ecclesiastical)</li> <li>• (In pre-1850s buildings) predominance of styles within the British Classical tradition</li> <li>• Evidence of previous uses (commercial shops and offices, railway)</li> <li>• Wide right-of-way (99 feet) with street trees and grassed boulevard</li> <li>• Square blocks in a</li> </ul>	
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	<p>military grid pattern extending at right-angles to the river shoreline</p> <ul style="list-style-type: none"> <li>• Varied lot frontages</li> <li>• Mature street trees and private gardens</li> <li>• Open gutters and grassed boulevards on residential streets</li> <li>• One Mile Creek watercourse</li> <li>• Varied built form (massing, age)</li> <li>• Limited range of building materials used on pre-1850 buildings (frame, brick, roughcast)</li> <li>• Tightly packed building frontages in the commercial core (minimal/no sideyard setbacks)</li> <li>• Varied, but often generous side yard setbacks in the residential areas</li> <li>• Varied front yard setbacks</li> <li>• Many examples of infill buildings that harmonize with the early buildings in terms of materials and massing</li> </ul> <p><i>Historical/Associative</i></p>	
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	<ul style="list-style-type: none"> <li>• Associations with significant events (Loyalist settlement, military survey, War of 1812, burning and rebuilding of Newark, designation of heritage conservation districts)</li> </ul> <p><i>Contextual</i></p> <ul style="list-style-type: none"> <li>• Views down streets of river and between buildings</li> <li>• Topography (slight rise away from river)</li> <li>• Significant concentrations of pre-1850 buildings</li> <li>• Shaw Festival Theatre (sympathetic new development)</li> <li>• Prince of Wales Hotel (original and additions)</li> <li>• Apothecary (conserved building and museum)</li> <li>• Court House (current and historic uses)</li> <li>• Landmarks (Clock Tower)</li> </ul> <p><b>SCHEDULE With BOUNDARY</b></p> <p>In addition to other policies of the Official Plan and any heritage conservation district plan, the following policies</p>	
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	<p>will also apply to the Downtown Heritage Character Area</p> <ul style="list-style-type: none"> <li>• The Town may request, as part of any site alteration or development, a commemoration plan</li> <li>• Any proposed site alteration or development must demonstrate how it will conserve the specific heritage values and attributes of the area as a CHL</li> <li>• Any mid-block infill development must not be taller than any surrounding structures on the same block</li> <li>• The Town will update the existing Queen-Picton HCD Plan</li> <li>• The Town will complete a HCD Plan for the area covered by the National Historic District</li> <li>• In the event of any conflict between the Official Plan and any other plan, document, or statement that applies to this area, the highest standard for heritage conservation would</li> </ul>	
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	<p>apply</p> <ul style="list-style-type: none"> <li>• The Town will continue to designate individual properties under Section 29, Part IV of the Ontario Heritage Act in this area.</li> <li>• <b>7.3.2 (a) (iii) Queen Street Summer Homes Heritage Character Area</b></li> </ul> <p><i>Statement of Cultural Heritage Value or Interest</i></p> <p>The Queen Street Summer Homes character area is a cohesive group of large properties that were created as seasonal residences. Their design/physical significance is based upon a consistent development pattern of a large detached main house with a deep setback from Queen Street and generous side and rear yards, in some cases including gardens but also secondary structures. Severances over the years have created new properties along the side streets and along most of the north side of Johnson Street, thus reducing the size of the original summer house lots. Though alterations to the buildings and landscapes have been made over time, most are sympathetic to the heritage character of the properties and have</p>	
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	<p>conserved the houses. Historical/associative significance and contextual significance stem from associations with key periods in the history of Old Town and from the larger landscape context to which they contribute.</p> <p><i>Heritage Attributes</i></p> <p><i>Design/Physical</i></p> <ul style="list-style-type: none"> <li>• Large houses on large lots</li> <li>• Deep front yard setbacks</li> <li>• Open lawns, ornamental gardens and mature perimeter plantings</li> <li>• Picket and metal fences</li> <li>• Outbuildings to the rear and side</li> <li>• Predominance of architectural styles having Neo-Classical influences, often with large verandahs or galleries added, and columned front porticos</li> <li>• Many examples of secondary buildings and additions that harmonize with the main house in terms of materials, massing and location</li> </ul>	
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	<p><i>Historical/Associative</i></p> <ul style="list-style-type: none"><li>• Associations with former uses and events (War of 1812, military encampments, American summer residents)</li></ul> <p><b>SCHEDULE With BOUNDARY</b></p> <p>In addition to other policies of the Official Plan, the following policies will also apply to the Queen Street Summer Homes Heritage Character Area</p> <ul style="list-style-type: none"><li>• The Town may request, as part of any site alteration or development, a commemoration plan</li><li>• Any proposed site alteration or development must demonstrate how it will conserve the specific heritage values and attributes of the area as a CHL</li><li>• Any new development or site alteration must be sympathetic, ensure the conservation of the areas heritage values &amp; attributes, and not be taller than any surrounding structures on the same block</li></ul>	
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	<ul style="list-style-type: none"> <li>• The Town will review the area for its potential as a HCD</li> <li>• The Town will encourage and require replanting along Queen Street to ensure the maintenance and enhancement of the existing Street Tree canopy. A tree plan should be developed for this area.</li> <li>• The Town will cooperate with the Federal Government to ensure conservation of the broader area (including the golf course and Fort Mississauga).</li> <li>• The Town will continue to designate individual properties under Section 29, Part IV of the Ontario Heritage Act in this area.</li> <li>• <b>7.3.2 (a) (iv) John Street East Summer Homes Heritage Character Area</b></li> </ul> <p><i>Statement of Cultural Heritage Value or Interest</i></p> <p>Design/physical significance comes from the remaining portions of the two main</p>	
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	<p>summer home properties – “Randwood” and “Brunswick Place”. These two properties are some of the best examples of the large lot developments that arose in Old Town in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries and have historical/associative significance as a result. The enclosed nature of Randwood, with its high wall and tall trees, gives it a secluded character unlike the other summer home properties but makes it a landmark within a larger landscape adjacent to the Commons and One Mile Creek. The house itself has been altered with additions that are sympathetic to the original design. Note: heritage attributes for this character area will need to be confirmed through further assessment and the following are preliminary.</p> <p><i>Heritage Attributes</i></p> <p><i>Design/Physical</i></p> <ul style="list-style-type: none"> <li>• Large houses on large lots</li> <li>• Brick wall and stone/iron entrance gates</li> <li>• Mature vegetation on large lots</li> <li>• One Mile Creek watercourse</li> </ul>	
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	<ul style="list-style-type: none"> <li>• Deep front yard setbacks and large front yards with ornamental gardens</li> <li>• Outbuildings to the rear and side</li> <li>• Open gutters and grassed boulevards</li> <li>• Evidence of former uses (railway right-of-way)</li> </ul> <p><i>Historical/Associative</i></p> <ul style="list-style-type: none"> <li>• Associations with former uses and events (military camps, War of 1812)</li> <li>• Associations with prominent residents (Rand family, William Dickson)</li> </ul> <p><i>Contextual</i></p> <ul style="list-style-type: none"> <li>• Panoramic views across the Common to Fort George and the Niagara River</li> <li>• Landmarks (Randwood complex)</li> </ul> <p><b>SCHEDULE With BOUNDARY</b></p> <p>In addition to other policies of the Official Plan, the following policies will also apply to the John Street East Summer Homes Heritage Character Area</p> <ul style="list-style-type: none"> <li>• The Town may</li> </ul>	
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	<p>request, as part of any site alteration or development, a commemoration plan</p> <ul style="list-style-type: none"> <li>• Any proposed site alteration or development must demonstrate how it will conserve the specific heritage values and attributes of the area as a CHL</li> <li>• The Town will require the maintenance and conservation of mature vegetation and the existing stone walls within this area. Any site alteration or development proposed must include a vegetation plan.</li> <li>• The Town will cooperate with the Federal Government to ensure conservation of the broader area (including the Commons).</li> <li>• The Town will continue to designate individual properties under Section 29, Part IV of the Ontario Heritage Act in this area.</li> </ul>	
7.2.4.1 The Town will	7.2.4.1 The Town will actively	As written, it appears

<p>actively manage heritage resources and will:</p> <p>e) Require all municipal departments to respect the importance of Niagara-on-the-Lake’s cultural heritage resources, where feasible, through their by-laws, programs and works.</p>	<p>manage heritage resources and will:</p> <p>e) Require all municipal departments to conserve Niagara-on-the-Lake’s cultural heritage resources.</p>	<p>that the Town may be exempt from the OP requirements or the OHA. This could be problematic in CHLs</p>
<p>7.2.5.1 The Town will support initiatives to enhance existing heritage resources and promote public education, and will</p> <p>a) Enhance cultural heritage resources, particularly in heritage conservation districts,</p>	<p>7.2.5.1 The Town will support initiatives to enhance existing <b>cultural heritage resources</b> and promote public education, and will</p> <p>a) Enhance cultural heritage resources, particularly in heritage conservation districts, <b>identified Heritage Character Areas, and other CLHs,</b></p>	<p>Ensuring consistency in definitions</p> <p>Ensures that public realm enhancements can also occur in other CHLs</p>
<p>7.3.1 Cultural heritage landscapes are defined geographical areas that may have been modified by human activity and are identified as having cultural heritage value or interest by a community. These areas may have features such as structures, spaces, archaeological sites or natural elements that are valued for their interrelationship, meaning or association.</p>	<p>Delete</p>	<p>PPS definition has updated version</p>
<p>7.3.2 The town contains many significant cultural</p>	<p><b>7.3.2</b> The town contains <b>many</b> significant cultural heritage</p>	<p>Several changes to update language,</p>

<p>heritage landscapes including identified landscapes such as the Queen-Picton Heritage Conservation District and the National Historic District in Old Town as shown on Schedules D1 and D2. The town also contains other significant cultural heritage landscapes such as tender fruit farms, estate wineries, parks, neighbourhoods, villages, cemeteries, battlefields and natural areas. Identification, and evaluation of the important character-defining features of these landscapes, while acknowledging that they will change and adapt over time, is an important component of this Official Plan.</p>	<p>landscapes including identified landscapes such as the Queen-Picton Heritage Conservation District and the National Historic District in Old Town as shown on Schedules D1 and D2. The town also contains other significant cultural heritage landscapes such as <b>heritage character areas</b>, tender fruit farms, estate wineries, parks, neighbourhoods, villages, cemeteries, battlefields and natural areas. <b>Cultural heritage landscapes are understood as existing at different scales, including an individual property, or a large neighbourhood.</b> Identification, and evaluation <b>of the heritage attributes of these landscapes</b>, while acknowledging that they will change and adapt over time, is an important component of this Official Plan.</p>	<p>include a reference to Heritage Character Areas, and to recognize that CHLs exist at a variety of scales.</p>
<p>New Policy</p>	<p>7.3.4 The Town will also use other tools to protect cultural heritage landscapes including, but not limited to, individual property designation under Section 29, Part IV of the Ontario Heritage Act, identifying Heritage Character Areas, completing a cultural heritage landscape study, identifying key views, and creating area specific design and/or</p>	<p>As written, the tools available for CHL protection seemed to be limited to HCDs. This new policy allows the Town to use a number of tools including the federal statements.</p>

	development guidelines. For National Historic Sites or Districts, the Town will also use any Federally Commemorative Integrity Statement, Management Plan, or “Statement of Significance” and list of “Character Defining Elements” to guide its decision making.	
<b>7.4 Queen Picton Heritage Conservation District</b>	This section needs to be reviewed to ensure consistency of its definitions and terms	
<b>7.7 Estate Lots</b>	Delete whole section	As written, the policy is ambiguous and sets these properties apart as something different, which actually partially undermines their protection. By reconsidering them as part of this process (and through the changes to the above policy sections), these can be addressed under existing policies.
10.4.2.5 Holding provisions may be used to ensure: j) That any archaeological features are identified and appropriately protected.	10.4.2.5 Holding provisions may be used to ensure: <b>j) That any cultural heritage resources are identified and appropriately protected and/or conserved</b>	Allows for holding provisions on all cultural heritage resources.
10.5.1.1 The entire Corporation All or specific parts of the Town of Niagara-on-the-Lake shall be subject to a Development Permit By-	10.5.1.1 The entire Corporation All or specific parts of the Town of Niagara-on-the-Lake shall be subject to a Development Permit By- law. The	Change to ensure consistency with the OHA

<p>law. The development permit approval framework combines planning approvals through minor variance, site plan control and site alteration into one permitting system. Initially the Development Permit System will be utilized in the following areas:</p> <p>a) Heritage Conservation Districts designated under Part V of the <i>Ontario Heritage Act</i>.</p> <p>b) Individual buildings and properties designated under Part IV of the <i>Ontario Heritage Act</i>.</p> <p>c) Areas where Council has approved urban design guidelines or architectural controls.</p>	<p>development permit approval framework combines planning approvals through minor variance, site plan control and site alteration into one permitting system. Initially the Development Permit System will be utilized in the following areas:</p> <p>a) Heritage Conservation Districts designated under Part V of the <i>Ontario Heritage Act</i>.</p> <p><b>b) Individual properties designated under Part IV of the <i>Ontario Heritage Act</i>.</b></p> <p>c) Areas where Council has approved urban design guidelines or architectural controls.</p>	
<p><b>10.5.2 Objectives</b></p> <p>10.5.2.1 The objectives of the Town in implementing the Development Permit System include but are not limited to:</p> <p>a) the preservation of the existing small-town character;</p> <p>b) the preservation of historic buildings, properties and neighbourhoods;</p> <p>c) ensuring that new</p>	<p><b>10.5.2 Objectives</b></p> <p>10.5.2.1 The objectives of the Town in implementing the Development Permit System include but are not limited to:</p> <p>a) the preservation of the existing small-town character;</p> <p><b>b) the conservation of cultural heritage resources;</b></p> <p>c) ensuring that new development reflect the urban design guidelines approved by Council;</p> <p>d) ensuring that the new development or</p>	<p>Ensuring consistency with existing definitions and OHA language</p>

<p>development reflect the urban design guidelines approved by Council;</p> <p>d) ensuring that the new development or redevelopment is in keeping with the existing built form of the community;</p> <p>e) the protection of the natural environment; and</p> <p>f) streamlining the development approval process while providing certainty with respect to future uses and built form.</p>	<p>redevelopment is in keeping with the existing built form of the community;</p> <p>e) the protection of the natural environment; and</p> <p>f) streamlining the development approval process while providing certainty with respect to future uses and built form.</p>	
<p>10.7.2.1 The Town may undertake community improvement projects to address any of the following matters:</p> <p>e) Protect and enhance the cultural heritage attributes of the town and ensure that the redevelopment activities do not weaken these attributes;</p>	<p>10.7.2.1 The Town may undertake community improvement projects to address any of the following matters:</p> <p><b>e) Protect and enhance the cultural heritage resources of the town and ensure that the redevelopment activities conserve these resources;</b></p>	<p>Ensuring consistency with existing definitions and OHA language</p>
<p>10.8.1.1 Prior to approving any application for lot creation, the Town will be satisfied that the proposed development:</p> <p>e) Protects and enhances the natural heritage and cultural heritage attributes of the area;</p>	<p>10.8.1.1 Prior to approving any application for lot creation, the Town will be satisfied that the proposed development:</p> <p><b>e) Protects, conserves, and enhances natural heritage resources and cultural heritage resources</b></p>	<p>Ensuring consistency with existing definitions and OHA language</p>

<p>10.9.4 The location of land to be dedicated for parkland and the physical condition of the parkland will be to the satisfaction of the Town and will be based on the following considerations, where applicable:</p> <p>d) Locating facilities that have the potential for recreational amenity or aesthetic value in association with natural or cultural heritage features.</p>	<p>10.9.4 The location of land to be dedicated for parkland and the physical condition of the parkland will be to the satisfaction of the Town and will be based on the following considerations, where applicable:</p> <p>d) Locating facilities that have the potential for recreational amenity or aesthetic value in association with natural or <b>cultural heritage resources. It will also be considered where such a dedication will ensure the conservation of cultural heritage resources.</b></p>	<p>Allows Parkland conveyance to be used to ensure conservation and rewards for consistency with existing definitions.</p>
<p>10.14.3.2 The Town recognizes that there are cases where permitting country inns in designated heritage residential dwellings, or those that have potential for designation, could contribute to the conservation of their heritage character. Country inn use can provide an important revenue source to offset additional maintenance costs of heritage features in larger single-detached heritage homes. The Town encourages the conservation of heritage properties and will consider supporting such county inn applications providing that lots are sufficiently large and the</p>	<p>10.14.3.2 The Town recognizes that there are cases where permitting country inns <b>in or near on-site cultural heritage resources, could contribute to the conservation.</b> Country inn use can provide an important revenue source to offset additional maintenance costs of <b>heritage attributes.</b> The Town will consider <b>supporting such county inn applications providing that the heritage attributes of any cultural heritage resources will be conserved,</b> the lots are sufficiently large, and the residential neighbourhood character is maintained, and other criteria as noted.</p>	<p>Ensuring consistency with existing definitions and OHA language</p>

residential neighbourhood character is maintained, and other criteria as noted.		
10.14.3.5b  iii. adjacent heritage resources and/or heritage resources on the property;	10.14.3.5b  <b>iii. adjacent cultural heritage resources and/or cultural heritage resources on the property;</b>	Ensuring consistency with existing definitions and OHA language
10.14.3.5b  c) In the case of buildings designated under the Ontario Heritage Act, consideration will be given to applications for a greater number of rooms where the building is of cultural heritage significance and has been designated or is proposed to be designated under the Act. In such cases, the proposed conversion to a county inn should not adversely affect the heritage attributes, as set out in the by-law designating the heritage property under the Ontario Heritage Act.	<b>10.14.3.5b</b>  <b>c) In the case of properties</b> designated under the Ontario Heritage Act, consideration will be given to applications for a greater number of rooms where <b>the property has been designated or is proposed to be designated under the Act.</b> In such cases, the proposed conversion to a county inn should not adversely affect the heritage attributes, as set out in the by-law designating the heritage property under the Ontario Heritage Act.	Ensuring consistency with existing definitions and OHA language
i) Any application for an amendment to the implementing zoning by-law for a country inn must be accompanied by a planning impact analysis, and a heritage impact analysis for properties	<b>i) Any application for an amendment to the implementing zoning by-law for a country inn must be accompanied by a planning impact analysis, and a heritage impact assessment for any cultural heritage</b>	

<p>designated under the Ontario Heritage Act. The analysis will be required as part of the application to determine the appropriateness of the proposed change and identify ways of reducing any adverse impact on surrounding land uses.</p>	<p><b>resource.</b> The analysis will be required as part of the application to determine the appropriateness of the proposed change and identify ways of reducing any adverse impact on surrounding land uses.</p>	
<p>10.14.4.6 The existence of villas in designated heritage residential dwellings, or those that have the potential for designation, could contribute to the conservation of their heritage character and provide financial support for the ongoing maintenance of the heritage attributes of the property.</p>	<p><b>10.14.4.6</b> The existence of villas <b>in or near on-site cultural heritage resources, could contribute to the conservation of these resources</b> and provide financial support for the ongoing maintenance of the heritage attributes of the property.</p>	<p>Ensuring consistency with existing definitions and OHA language</p>
<p>d) Any application for an amendment to the zoning by-law for a villa will be accompanied by a planning impact analysis and heritage impact analysis for properties designated under the Ontario Heritage Act or non-designated properties listed on the Heritage Resource Register. The analysis will be required as part of the application to determine the appropriateness of the</p>	<p>d) Any application for an amendment to the zoning by-law for a villa <b>must be accompanied by a planning impact analysis, and a heritage impact assessment for any cultural heritage resource.</b> The analysis will be required as part of the application to determine the appropriateness of the proposed change and identify ways of reducing any adverse impact on surrounding land uses.</p>	<p>Ensuring consistency with existing definitions and OHA language</p>

<p>proposed change and identify ways of reducing any adverse impact on surrounding land uses.</p>		
<p>10.14.5.6 In addition, the existence of cottage rentals in designated heritage residential dwellings, or those that have the potential for designation, could contribute to the conservation of their heritage character and provide financial support for the ongoing maintenance of the heritage attributes of the property.</p>	<p><b>10.14.5.6</b> In addition, the existence of cottage rentals in <b>or near on-site cultural heritage resources could contribute to the conservation of their cultural heritage value</b> and provide financial support for the ongoing maintenance of the heritage attributes of the property.</p>	<p>Ensuring consistency with existing definitions and OHA language</p>
<p>10.14.7.1 One (1) garden suite may be permitted but only on a lot zoned for a single-detached dwelling and located outside the urban areas, provided:</p> <p>e) The location of the garden suite on the lot will not adversely impact adjacent land uses, the character of the property and the surrounding area and adjacent heritage resources and/or heritage resources on the property.</p>	<p>10.14.7.1 One (1) garden suite may be permitted but only on a lot zoned for a single-detached dwelling and located outside the urban areas, provided:</p> <p>e) The location of the garden suite on the lot will not adversely impact adjacent land uses, the character of the property and the surrounding area <b>and/or any cultural heritage resources located on the property or adjacent to it.</b></p>	<p>Ensuring consistency with existing definitions and OHA language</p>

## 8. Conclusions

### 8.1 Summary

The existing “estate lot” policies are inadequate and should be removed from the Official Plan. The term “estate lots” is confusing and should be replaced with the more inclusive term “cultural heritage landscape”. The issues arising from subdivision of “estate lots” are more fundamental than a simple revision of the “estate lot” policies. Instead, they are rooted in a sense amongst many in the community that some essential aspects of local heritage character are being threatened by new development. Of particular concern is the infilling of lots and the diminishing of the size and contents of landscape elements of individual lots and of the public realm of municipal streetscapes. The way to address these concerns is to begin to define the heritage character of Old Town and to substantially revise planning policies to provide the municipality with tools to meet the twin objectives of heritage resource conservation and the fostering of compatible development.

Underlying these recommendations is another key element in the identification and evaluation process in the Town. So far, there has not been a community-driven, Council-adopted definition of local heritage character. One of the main issues surrounding the estate lot policies is a lack of clarity as to what aspects of local character are being lost and thus need to be protected by this policy. From interviews and archival research undertaken for this study it is evident that a discussion of heritage character has not occurred and that, at most, such character has been defined almost solely in architectural terms.

One effective way to address this issue is to study Old Town as a cultural heritage landscape. This can be done as part of a Heritage Master Plan or as a separate Cultural Heritage Landscape (CHL) Study. The latter option provides more detail in that it can include Statements of Cultural Heritage Value or Interest, and lists of heritage attributes, for the entire study area as well as for any character areas identified within the study bounds beyond those identified and evaluated in this current study. The CHL study can be a precursor to a Heritage Conservation District study, especially if it identifies significant concentrations of cultural heritage resources.

However, even without further study, this current study of “estate lots” has shown that using a cultural heritage landscape approach, applied within the context of identified character areas, can be an effective conservation and development strategy for “estate lots” but also for all forms of development within such areas. With the policy recommendations provided here, it will be possible for the Town to address the pressing needs involving “estate lots” while also establishing an improved basis for broader heritage planning policies required for Old Town and the municipality as a whole.

# Appendices



## A. Public Consultation

Consultation with the public at large and with key stakeholders took place at beginning and end of the study. At the study's inception, the Town supplied a list of key stakeholders and the lead consultant used this list to undertake telephone interviews. In some cases, the person on the list referred the consultant to another person whom they felt would be better suited to discussing estate lots. Comments from these interviews are summarized in Section 2.2 of the main report text, above (attribution of comments to persons has been avoided for the sake of confidentiality). The following is a list of organizations contacted and the person interviewed:

- Niagara Historical Museum (Peter Babcock)
- Town Council (Councillor Jim Collard)
- Chapman Murray Architects (Wayne Murray)
- Niagara-on-the-Lake Conservancy (Gracia James)
- Niagara Foundation (Paul Shepherd)
- Vintage Hotels (Bob Jackson)
- Hummel Properties Inc. (Rainer Hummel)

(No response was received from Solmar Development Corp. or Quartek Group Architects and Planners)

Written submissions were received from the following:

- Lyons House B&B (Jolanta Janny)
- Megan Hobson Built Heritage Consultant (on behalf of the owners of 8 Centre Street)
- Wayne Murray
- Bob & Irene Bader

Once a draft final report had been prepared, its key findings were presented at a public workshop and comments from the public recorded (a summary of those comments is provided below).

## Public Workshop Notes 26 April, 2018

### NOTL Courthouse

#### **Town Staff in attendance**

- Craig Larmour (Director of Community and Development Services)
- Eric Withers (Senior Planner, Acting Manager of Planning)
- Tara Druzina (Administrative Assistant)

#### **Bray Heritage Consulting Team**

- Carl Bray (Lead consultant, Principal of Bray Heritage)
- Marcus Letourneau (Senior Associate, Bray Heritage)

#### **Agenda:**

Carl and Marc gave a brief introductory presentation after which the attendees were divided into small groups to discuss three key issues (see below). Each group was facilitated by a member of the consulting team or Town Planning staff. There were two sessions: one in the afternoon, and one in the evening.

#### **1. PROS AND CONS OF ESTATE LOTS**

- Term is too rigid: doesn't consider smaller homes and properties (e.g. Chautauqua)
- Cultural heritage landscape is more inclusive
- Need clear definition (e.g. lot and house)
- Assumption that there would always be people to maintain estate lots
- How to balance property rights of estate lot owners with ability of owners of non-estate lots to sever? (people are buying estate lots not to maintain them but to sever them)
- Need transparency and accountability
- Valuation: hope value vs. best use
- Some large old houses were poorly built
- Difficulties with Heritage Committee (owners "punished" for conservation work)
- Hard to get past discussion of estate lots to tools for use in future planning
- Need definition of what is entailed by Part IV designation for property owners

## 2. OLD TOWN HERITAGE CHARACTER

- Streetscape: variety of form, setbacks (i.e. many non-conforming), relationship between built form and natural environment (i.e. curbs and gutters vs. ditches)
- Signage: well-designed
- Severance: strong controls in Old Town (e.g. Hwy. 55)
- Lighting: uniform standards (e.g. Prideaux, inappropriate standards)
- Shoreline access
- Varied setbacks (no uniformity)
- Space/no crowding
- Water
- Varied topography (up and down)
- Organic development pattern over time
- Pure landscapes without buildings (e.g. Heritage Trail, Simcoe Park, Queen's Park, get the Dock back)
- Rectilinear street pattern (4 ac. Grid)
- Radial street pattern in Chautauqua (also amphitheatre)
- Reconstruction of classic old buildings (i.e. replacing those that have been lost)
- Most immediate need is for trees and landscaping
- NOTL used to be poor, that is why it was maintained (development picked up after 1972)
- Buildings as punctuation in the broader landscape
- Tie Old Town heritage with that of broader agricultural landscape (e.g. wineries)
- Feeling of escape from urban character when leaving QEW and entering landscape around Old Town/gut feeling of beauty
- Natural heritage needs to be considered as well as built heritage
- Viewscapes
- Irish Town as an example of cultural value based on ethnicity

### 3. THINGS THAT WOULD/DO DETRACT FROM HERITAGE CHARACTER

- Contrast between Oak Street and rest of Chautauqua streetscapes
- Neon or backlit signage
- Regent Street Park: design is too contemporary
- Queen Street post office (too contemporary?)
- Light and sound pollution
- Multiple driveways
- Big developers
- Forced intensification (Old Town has met and exceeded the GG Plan/Region's targets for Town)

### OTHER SUGGESTIONS/IDEAS

- Exit survey for tourists: their impressions of Old Town character, issues and opportunities
- HCDs: expand Queen-Picton, add Chautauqua
- Highway 55: make it a more attractive approach
- Architectural controls
- Apply other tools to protect character
- Define "cultural heritage landscape" in lay terms
- Official Plan: need heritage section with clearly defined character and clear regulations
- Enhanced property standards (for heritage)
- CIP for heritage work (heritage tax incentive program does not work)
- Creeks as distinct areas/HCDs (indicative of early settlement)