

May 12, 2023

Lord Mayor Gary Zalepa and Council
c.c. The Clerk, Mark Iamarino, Senior Planner, Marnie Cluckie, Kirsten McCauley
Town of Niagara on the Lake
1593 Four Mile Creek Road
PO Box 100
Virgil, Ontario

**RE: OPA-01-2023 & ZBA-01-2023
Parliament Oak, 325 King Street.**

Dear Lord Mayor and Members of Council

I am registering my objection to the development proposal for the Parliament Oak School site, which is completely incompatible with the surrounding neighbourhood, streetscapes and vistas that characterize the Old Town. It lies smack in the middle of a quiet residential area.

The Official Plan (OP) and the Official Plan Review (OPR) recognize the unique character and atmosphere of the Old Town of Niagara on the Lake, and the need to protect and enhance it. Several years of planning studies, public meetings and a great deal of effort was spent to develop these important frameworks for future development. In this regard, I note that there are several important provisions of this planning framework that are not mentioned in the Information Report provided to Council by staff at the time of the Public Meeting held on May 9, 2023.

The OP in section 15 recognizes that certain institutional uses that serve the local community, such as a school, may cease operation. In those circumstances, the only permitted change of land use is to low density residential, subject to a site specific zoning by-law amendment . Other sections of the Official Plan recognize that any re-development must achieve a harmonious design, integrate with and not negatively impact the well established, low rise residential character of the Old Town. New development must be consistent with this character.

Consequently, Commercial Use is not appropriate for this site. Also not mentioned in the Staff Information Report to Council is that one of the Goals and Objectives of the Commercial Designation, is to prevent the *intrusion* of commercial use into residential areas (S.10.2.(8)) and also to minimize the impact of commercial development on adjacent land uses.

It is NOT intended that certain existing large tourist-serving commercial establishments within the Old Town (such as the Pillar and Post, Prince of Wales, Oban inn and Charles Inn) form nodes for expanded Commercial development. (s.10.3.1(3)).

An amendment is defined in the Oxford Dictionary as: *a minor alteration or addition in a document, resolution, etc..* **This proposal does not amend the Official Plan, it takes a wrecking ball to it.**

The Planning Justification Report has in several places attempted to frame this proposal as “gentle intensification”. There is nothing gentle about it: it is a monstrous intrusion into the quiet residential life of the neighbourhood in which it would sit. This is a large scale, intensive and extensive commercial enterprise:

- 129 guest rooms
- conference and event spaces - one of the speakers for the developer at the Open house confirmed that the hotel could accommodate 2 weddings on any given day. With that comes live music and dancing and late night partying
- a large restaurant, lounge and bar area with an outdoor patio - capacity for 700 dining and lounge seats -
- a spa and associated retail

Plus there will have to be extensive staff support for all the elements of this enterprise:

- housekeeping
- restaurant, lounge, bar and patio
- events and conferences
- maintenance and laundry
- landscaping
- administration

An enormous amount of traffic, with attendant noise and lights will be generated by hotel guests, wedding guests, conference and event attendees, people dining out and staff.

Surprisingly, there has been no traffic study. And one might wonder where everyone will park? The proposed parking falls 70 spaces short of what is required by the Town bylaw.

Furthermore, a commercial enterprise of this size and scale will have frequent and daily visits by a number of delivery trucks for supplies, food and beverages and these will be large, dangerous and noisy trucks that will be lumbering through our quiet residential streets. Not to mention garbage trucks and recycling trucks, and all of them will be turning into and backing out of the property via the otherwise quiet side streets of Gage and Centre that do not have sidewalks. These are noisy vehicles with their braking systems, back up alarms etc. I live on Centre Street and there is a lot of pedestrian traffic there heading toward Veterans' Memorial Park and the Commons.

As stated earlier, one of the Goals and Objectives of Land Use Policies for Commercial uses in the Official Plan is "to prevent the intrusion of commercial uses into residential areas". How can such a large scale, busy, noisy and traffic-generating commercial enterprise with such problematic parking be described as anything other than intrusive, and massively so. It is a far cry from gentle - it is an assault on the quiet character and privacy of the surrounding residential neighbourhood.

Another concern is Height, Massing and Scale. S. 6.4 of the OP outlines building height restrictions and directs that *“the Town consists of low-rise structures in a small town setting . . . Generally, the building height has not exceeded 11 metres (36 feet). For the most part, this low rise character should be maintained.”* The zoning bylaw sets a maximum height of 10 metres.

S. 4.6 of the OP deals with Land Use Compatibility Policies and provides that *“Intensification and/or redevelopment should be consistent with: d) the existing and/or planned height and massing of buildings within the surrounding neighbourhood”*.

Furthermore, the Land Use Compatibility Policies found in 6A s.4(6) OP require that *“intensification and/or redevelopment should be consistent with the existing and/or planned built form of the surrounding neighbourhood, the existing and or planned densities and the existing height and massing of buildings within the surrounding neighbourhood (6A s.4.6(a)(c)(d)). 6A 4.6(f) requires that development proposals shall be compatible and integrate with the established character and heritage of the area. (see also s.4.5.2.1(f), s.4.7.2.1 of the OPR).*

This intensification proposal does not comply with the Urban Design Guidelines that apply to the Old Town in that *the bulk, mass and scale of the proposal do not fit the context within which it is located* (see Urban Design Guideline (d) in s.6A 4.4 of the OP).

Again, these sections are not mentioned in the Information Report to Council.

A hotel 62 feet high (19.2 metres) simply does not fit with the surrounding neighbourhood. It is described in the application as 4 storeys high. But it is the *actual* height that really matters. The first storey alone is 20 feet! In reality, in terms of height (62 feet), its impact is more like that of a 6 storey building in a low rise 1 to 2 storey neighbourhood. The proposed hotel would tower over that neighbourhood.

Another concern is that The developer is requesting an OP amendment to Commercial for the whole 4 acre parcel, including the part proposed as Open Space. What would prevent the developer, at a future time, from extending the Commercial activity to where the Open Space is proposed? Theoretically, they could apply for a further zoning by-law amendment to allow for this.

It is noteworthy that the Planning Justification Report, in recognition of the insufficiency of proposed parking, states at p.15: *Additional parking spaces beyond the proposed minimum parking requirement are proposed – the final number of parking spaces is subject to change through more detailed study as part of the future Site Plan Application process.* Where would that parking go?

This application is not complete: there is no traffic study, insufficient parking. It is bereft of any real information regarding the planning justification for such an extensive and intensive commercial use and its impact on the surrounding quiet low- rise neigh-

bourhood. All the Planning Justification Report talks about is all the jobs it will create for potential employees who apparently are going to live in the area or take public transit to work. The application is flimsy and skimpy

Lastly, demolition is premature. It will only create an eyesore in the middle of the Old Town and Downtown Heritage character area. The developer has no approvals for any form of land use, other than institutional. What can the purpose of the demolition be, other than to pressure Council to approve a prohibited use.

In Conclusion:

Council and staff are responsible for giving effect to the vision and values of our Official Plan and Official Plan Review and to provide for growth or intensification in appropriate forms and areas in order to preserve the unique history, culture and character of this special town which has been centuries in the making. This proposal would significantly and permanently damage it. If this proposal moves forward, it would set a very dangerous precedent. Growth is inevitable and desirable, but erosion and destruction of our community is not.

Sincerely,

Marilyn Bartlett

12 Centre Street