The Corporation of the City of St. Catharines
CITY COUNCIL AGENDA
Special Meeting, Wednesday, May 23, 2018
Council Chambers, City Hall, 6:30 PM

His Worship Mayor Walter Sendzik takes the Chair and opens the meeting

Page

1. Mayor's Report

2. Adoption of the Agendas

3. Adoption of Minutes (Council and General Committee)

There are none at this time.

4. Declarations of Interest

5. Public Meetings Pursuant to Planning Act

3 - 15 5.1 Planning and Building Services, Planning Services
Information Report for Public Meeting
Application for Draft Plan of Vacant Land Condominium; 24 Grapeview Drive; Owner: Lucchetta Construction Ltd.; Agent: Upper Canada Consultants

16 - 99 5.2 Planning and Building Services, Planning Services
Information Report for Public Meeting
Application to Amend Zoning By-law 2013-283; Subject Lands: 61 and 63 Lakeport Road; Owner: Port Dalhousie Harbour Club Ltd.; Agent: The Planning Partnership
Additional Subject Lands: 57A (59A) Lakeport Road; Owner: Department of Fisheries and Oceans

100 - 126 5.3 Planning and Building Services, Planning Services
Recommendation Report
Application for Draft Plan of Subdivision; 41 Moffatt Street; Owner: 1473941 Ontario Ltd.; Agent: Anthony Continelli
(Report contains links to previous reports which are available upon request)

6. Discussion Reports

127 - 219 6.1 Planning and Building Services, Planning Services
Designation of 109 St. Paul Crescent (Rodman Hall) under Part IV of *Ontario Heritage Act*

Page

7. By-laws

220 7.1 Reading of By-laws

8. Adjournment

CITY OF ST. CATHARINES

Corporate Report

Report from Planning and Building Services, Planning Services

Date of Report: May 11, 2018 **Date of Meeting:** May 23, 2018

Report Number: PBS-104-2018 **File:** 60.46.436

Subject: *Information Report for Public Meeting*
Application for Draft Plan of Vacant Land Condominium; 24 Grapeview Drive; Owner: Lucchetta Construction Ltd.; Agent: Upper Canada Consultants

Recommendation

That Council receive this Information Report; and

That Council consider the Recommendation Report regarding application for Draft Plan of Vacant Land Condominium at a meeting of Council on June 25, 2018, at least 14 days after the Public Meeting of May 23, 2018, pursuant to Section 51(20) of the Planning Act. FORTHWITH

Summary

The purpose of this Information Report is to provide Council and the public with information concerning the application for Draft Plan of Vacant Land Condominium at 24 Grapeview Drive prior to the Public Meeting scheduled for May 23, 2018. This report provides an overview of the application, and a summary of applicable planning policies and circulation comments. An additional Recommendation Report containing planning analysis addressing any outstanding concerns from the Public Meeting and providing a staff recommendation will be considered by Council at the meeting on June 25, 2018.

Report

Proposed Development

The Draft Plan of Vacant Land Condominium application proposes to create 2 semi-detached units and 14 townhouse units along a private road, as well as a common element area for visitor parking, landscaping and servicing, as outlined in Appendix 1.

The development has one access from Grapeview Drive. The applicant has requested Draft Plan of Vacant Land Condominium Approval so that each of the 16 units can be sold individually. The development is currently undergoing the Site Plan Approval review process. Once approved, the Site Plan Agreement will be registered on title of the lands.

Location and Site Description

The subject lands are located on the north side of Grapeview Drive, east of Vansickle Road in the City's West Planning District. A location map is attached as Appendix 2.

The subject property is 0.67 hectares in size, with 27.39 metres of frontage along Grapeview Drive.

Surrounding land uses include:

North:	Hydro corridor
South:	Detached and semi-detached dwellings
East:	Detached dwellings
West:	Detached and semi-detached dwellings

Circulation of Application

The application was circulated to all relevant departments and agencies in accordance with the Planning Act. No objections to this application were received. Departmental interests and concerns are being addressed through the Site Plan Approval Process.

Planning Policy Context

Recent changes to Provincial planning legislation (Building Better Communities and Conserving Watersheds Act, 2017) require that an approval authority's decision on a planning application must be consistent with the Provincial Policy Statement (2014), and must conform with and not conflict with Provincial plans, upper-tier official plans and lower-tier official plans. Accordingly, planning staff will evaluate this Application for Draft Plan of Vacant Land Condominium against the policies of the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe (2017), the Regional Official Plan, and the Garden City Plan, all of which apply to the proposal, and staff recommendations will be formulated accordingly.

Provincial and Regional Policy Context

The subject lands are located within a Settlement Area, as defined by the Provincial Policy Statement (2014) and within the Built-up Area as identified by the Provincial Growth Plan for the Greater Golden Horseshoe (2017). These documents contain policies that support all forms of residential intensification and urban area regeneration, directing growth to Built-up Areas. Provincial policies place an emphasis on intensification and infill to foster the development of complete communities which efficiently use land, resources, infrastructure and public service facilities; have a diverse mix of land uses and housing choices; improve social equity and quality of life; provide new and expanded access to multiple forms of transportation; provide access to public spaces that are vibrant and resilient in their design; and conserve built and cultural heritage resources.

The following provides an overview of the Provincial Policy Statement and the Provincial Growth Plan as it applies more specifically to this Application for Draft Plan of Vacant Land Condominium Approval:

- promote the wise use and management of land use change;
- promote compact built form and transit supportive development, a diversity and mix of uses and opportunities, and the efficient use of land, infrastructure and service capacities to support development, redevelopment and growth;
- establish a land use plan and pattern that supports financial sustainability and cost effective development and provision of services;
- provide for a range of uses and opportunities through development, redevelopment, intensification and adaptive reuse to accommodate projected growth and longer term need;
- accommodate an appropriate range and mix of housing opportunities, as well as employment, recreation, institutional, and active and passive recreation;
- support an accessible, connected and complete community;
- foster safe, interactive, active transportation and connected communities;
- ensure viability for long term development and community investment;
- maintain, enhance vitality of main streets, and conservation of neighbourhoods;
- encourage sense of place by promoting well designed built form and cultural planning to conserve features that help define the character, built heritage resources and cultural heritage landscapes of the area;
- adapt to climate change through compact and nodal development;
- promote high quality built form, attractive/vibrant public realm through site design and urban design standards;
- support complete communities.

A planning analysis and evaluation of the development against relevant Provincial policies will be provided in the Recommendation Report.

Regional Official Plan

According to the Regional Official Plan (ROP), the subject lands are within the Urban Area Boundary of the City of St. Catharines, as identified on the Regional Structure Plan of the Niagara Region Official Plan (ROP). The lands are identified as Built-Up Area, which is to be the focus of residential and employment intensification and redevelopment within the Region over the long term. Municipalities are encouraged to provide a full range of housing types to serve a variety of people as they age through the life cycle.

The ROP reiterates the land use pattern policies and objectives of the Provincial Policy Statement for residential intensification and sustainable communities outlined above. The ROP sets out that 95% of residential growth in St. Catharines will occur in the Built-Up Area, with intensification being encouraged throughout the entire Built-Up Area.

A planning analysis and evaluation of the development against the policies of the Regional Official Plan will be provided in the Recommendation Report.

Official Plan (Garden City Plan)

This request conforms to the City's Official Plan. The goal of the Official Plan is to create a sustainable community that makes efficient use of its infrastructure by

facilitating compact, mixed use, walkable, bikeable and connected developments. Provincial interests, policies and the land use planning framework inherent in the PPS, Growth Plan and ROP are entrenched within the City's Official Plan.

The subject lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) (Appendix 3). Within the West Planning District, the lands are further designated as Low Density Residential (Appendix 4) as per Schedule E6 of the GCP. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare of land. The proposed development has a density of 23.7 units per hectare.

The residential development proposed on the lands is a permitted use under the current designation. An Official Plan Amendment is not required.

Key components of the Official Plan pertaining to this application speak to the following:

- support a diversity and mix of housing opportunities through conservative infill within established neighbourhoods and transit supportive development and intensification at nodes and along corridors;
- enhance opportunities for more compact and mixed use development;
- promote multi modal and active transportation, complete streets, greening of the built environment and an enhanced urban tree canopy;
- promote accessibility and barrier free development;
- provide for context sensitive building, site, streetscape, neighbourhood and community urban design standards that promote and facilitate a balance and accessibility between the old and the new, the built and natural environments, and within and between all neighbourhoods;
- support and enhance a sense of place, character, and the promotion of complete community through a connected, more interactive, integrated and mixed use environment;
- embrace a balanced consideration of all interests to support and achieve a connected built and natural environment, and long term opportunities for sustainable growth and evolution.

A planning analysis and evaluation of the development against the policies of the Garden City Plan will be provided in the Recommendation Report.

Zoning By-law

By-law 2013-283 zones the lands as Low Density Residential – Suburban Neighbourhood (R1) (Appendix 5). The R1 zone permits a range of residential uses, including detached, semi-detached, quadruplex and townhouse units, and private road developments comprising any of the preceding housing forms.

The proposed dwelling types are a permitted uses under the property's existing R1 zoning. A Zoning By-law Amendment is not required.

Site Plan Control

The City's Site Plan Control By-law, as amended, provides that all residential developments of four or more units shall be subject to site plan control. Site plan control is the City's principal tool through which staff can implement design considerations to maximize compatibility with the surrounding neighbourhood and ensure the long-term maintenance and functionality of the site. To this end, the site plan addresses matters including the location of buildings on the site, the grading, drainage and stormwater management, exterior lighting, landscaping, parking, access and the exterior architectural elevations. As part of the process, a site plan agreement is registered against the title of the lands and security deposits are collected to ensure the terms of that agreement are adhered to. For condominium developments such as this one, the future Condominium Corporation will assume the responsibilities of the site plan agreement.

The proposed site plan (Appendix 6) shows one entrance from Grapeview Drive. There are sixteen dwellings located along a private road. Two of the proposed units are single-storey semi-detached dwellings that are located at the front of the site, with one wall facing onto Grapeview Drive. Special attention will be given to the design and treatment of the street facing façade of this dwelling to ensure compatibility with the existing streetscape. The remaining fourteen units are townhouse dwellings along the proposed private road. The units range in width from 7 metres to 14 metres and are proposed to be two-storeys. The plan includes driveways to accommodate the required parking for each unit, as well as four additional parking spaces for visitors within the proposed common area. As currently proposed, staff are satisfied that the development is appropriate for the subject property and that appropriate landscaping, architectural elevations, grading, drainage and servicing can be provided. The Site Plan process will ensure that the final design is appropriate and in the best interest of the public and future residents.

In accordance with the requirements of the Condominium Act, additional securities for incomplete primary services within common elements may need to be collected prior to final condominium approval.

Circulated departments and agencies have had the opportunity to comment on the development during the site plan process. No further concerns were raised by the circulated departments with respect to the condominium application.

Draft Plan of Condominium

Section 51(24) of the Planning Act directs the matters to be considered when analyzing an application for Draft Plan of Condominium:

- The effect of the development on matters of provincial interest;
- Whether the proposal is premature or in the public interest;
- Whether the proposal complies with the Official Plan, and the suitability of the subject lands for development as proposed;
- The adequacy of the proposed private road;
- The dimensions and shapes of the proposed lots;

- The adequacy of existing utilities and municipal services to support the development;
- The relationship between the proposed condominium and the site plan control process.

Approval of the application for Draft Plan of Standard Condominium for 16 dwelling units, plus common element areas, which include visitor parking, servicing, and landscaped areas, would make the condominium corporation responsible for the terms and conditions of the registered site plan agreement. Staff will be commenting further on the above matters in the Recommendation Report for Council's consideration on June 25, 2018.

Public Open House

A public open house was hosted on March 22, 2018, by Planning and Building Services for the Site Plan and Condominium applications together. The agent for the application was in attendance. Three members of the public were also in attendance. The primary concern raised was traffic, as follows:

Comment: The development will increase traffic issues in the area including speed and congestion.

Response: The proposed development contains a total of 16 dwelling units. This translates to an estimated 16 additional vehicle trips during the peak P.M. hour. The application has been considered by TES traffic staff and together City staff are confident that the number of trips generated will not have significant impacts on traffic in the area in terms of speed or number of vehicles on the road. Grapeview Drive is designated as a collector road, and is expected to carry greater traffic volumes than a local street would be.

Public Notice

In accordance with established procedures, notices for the public meeting have been circulated.

Financial Implications

This development will add to the assessment base of the City.

Relationship to Strategic Plan

Economic Sustainability

The approval of this Draft Plan of Condominium will serve to support the goals for economic sustainability by:

- Facilitating private investment through development in the City (Goal 1).

Potential Appeals

Council should be aware that, effective April 3, 2018, certain land use appeals in Ontario are subject to new legislation. For draft plan of condominium applications, the appeal process has not been significantly revised and largely reflects the process in effect prior to April 3, 2018. Any appeals to draft plans of condominium are submitted to the Local Planning Appeal Tribunal (LPAT) which replaces the former Ontario Municipal Board (OMB).

Conclusion

In summary, this report provides the planning context and explains the application for Draft Plan of Vacant Land Condominium for 24 Grapeview Drive. The plan of condominium will allow each of the proposed dwelling units to be sold individually. A Recommendation Report will be considered by Council on June 25, 2018.

Notification

It is in order to advise William Heikoop c/o Upper Canada Consultants, 261 Martindale Road, Unit 1, St. Catharines ON, L2W 1A1, the owner's agent.

Prepared by:

Charlotte McEwan
Planner I

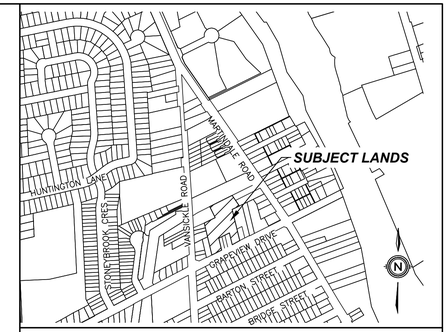
Submitted by:

Judy Pihach, MCIP, RPP
Manager of Planning Services

Approved by:

James N. Riddell, M.PL., MCIP, RPP
Director of Planning and Building Services

GRAPEVIEW COMMON
CITY OF ST. CATHARINES



KEY PLAN
N.T.S.

DRAFT PLAN OF VACANT LAND CONDOMINIUM

LEGAL DESCRIPTION

PART OF LOT 22 CONCESSION 4
TOWNSHIP OF GRANTHAM,
NOW IN THE
CITY OF ST. CATHARINES
REGIONAL MUNICIPALITY OF NIAGARA

OWNER'S CERTIFICATE

BEING THE REGISTERED OWNER, I HEREBY AUTHORIZE UPPER CANADA CONSULTANTS TO PREPARE AND SUBMIT THIS VACANT LAND CONDOMINIUM TO THE CITY OF ST. CATHARINES FOR APPROVAL.

OWNER'S NAME DATE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED ARE CORRECTLY SHOWN.

SURVEYOR'S NAME DATE

REQUIREMENTS OF SECTION 51(17) OF THE PLANNING ACT

a) SEE PLAN
b) SEE PLAN
c) SEE PLAN
d) SEE PLAN
e) SEE PLAN
f) SEE PLAN
g) SEE PLAN
h) MUNICIPAL WATER
i) SILTY SAND
j) SEE PLAN
k) FULL SERVICE
l) SEE PLAN

UNIT #	LOT AREA	EXCLUSIVE USE AREA–DRIVEWAYS
1	274.64m²	11.23m²
2	273.44m²	11.17m²
3	239.09m²	19.60m²
4	227.85m²	19.60m²
5	225.12m²	19.60m²
6	228.35m²	19.60m²
7	198.16m²	11.95m²
8	186.40m²	12.01m²
9	197.95m²	12.13m²
10	189.19m²	10.54m²
11	183.09m²	10.42m²
12	190.90m²	10.27m²
13	215.22m²	10.27m²
14	229.31m²	19.59m²
15	192.28m²	18.54m²
16	230.72m²	19.59m²
TOTAL LOT AREA		3281.71m²
TOTAL EXCLUSIVE USE (TOTAL DRIVEWAY AREA)		236.11m²
TOTAL COMMON ELEMENT AREA		3222.35m²
TOTAL AREA		6740.17m²

LAND USE SCHEDULE

CONDO LANDS	m²	%
BUILDING	2153.35	31.95
ROADWAY/DRIVEWAY	1732.06	25.70
LANDSCAPING	2854.76	42.35
DEVELOPABLE AREA TOTAL	6740.17	100.0
MIN PARKING SPACE PER DWELLING UNIT = 1.25 SPACES REQUIRED = 20 SPACES PROPOSED = 24 SPACES		
UNITS		16
DENSITY (UNITS / DEVELOPABLE AREA)		10.72u/Ha

#	REVISION	DATE	INIT
.	.	.	.
.	.	.	.
0	ISSUED FOR	YYYY–MM–DD	.

UPPER CANADA CONSULTANTS
ENGINEERS / PLANNERS
261 Martindale Road Unit #1
St. Catharines, ON L2W 1A1
Phone: (905)688-9400
Fax: (905)688-5274

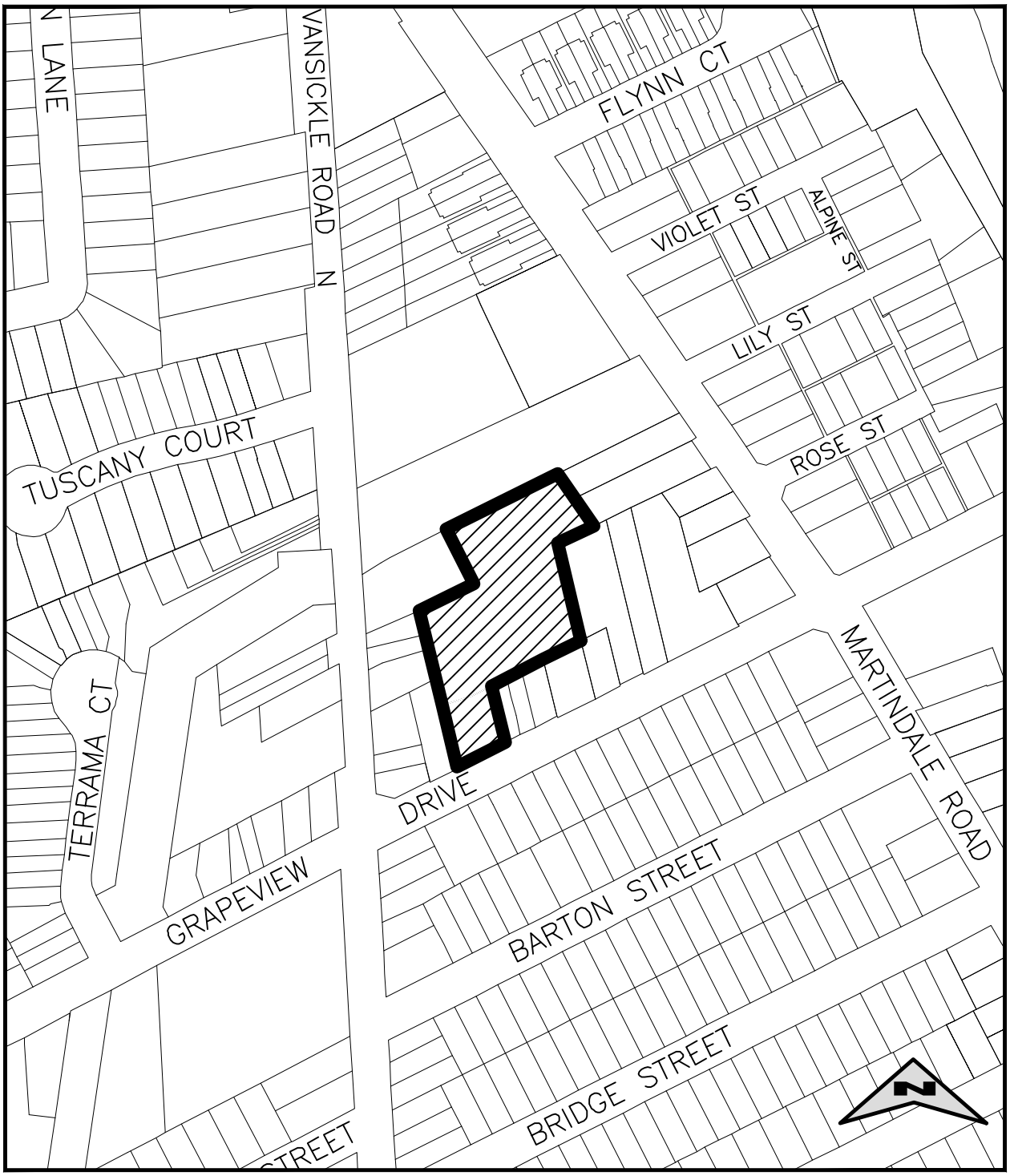
DRAWING TITLE

DRAFT PLAN OF VACANT LAND CONDOMINIUM

DRAFTING	M.C.
DATE	NOVEMBER 21, 2017
PRINTED	NOVEMBER 21, 2017
SCALE	1:250
DWG No.	1223-DP
REV	0

DRAWING FILE: F:\1223\Engineering\1223-BASE.dwg PLOTTED: Nov 21, 2017 – 1:32pm PLOTTED BY: MCook

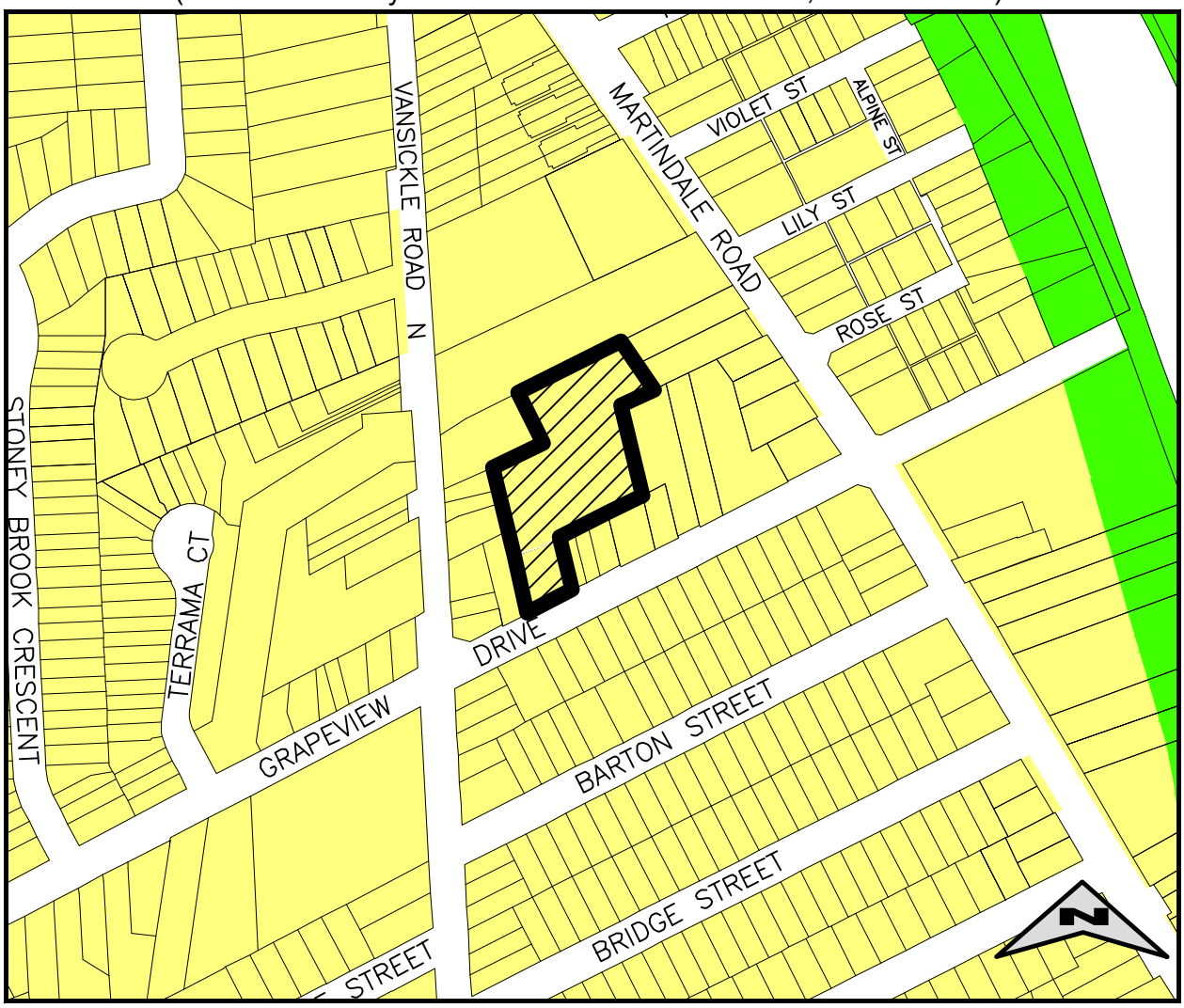
Location Map



Subject Lands
24 Grapeview Drive
File: 60.46.436 & 60.51.959

Existing Land Use Designation

(The Garden City Plan - General Land Use Plan, Schedule D1)



Subject Lands

24 Grapeview Drive

Land Use Designations

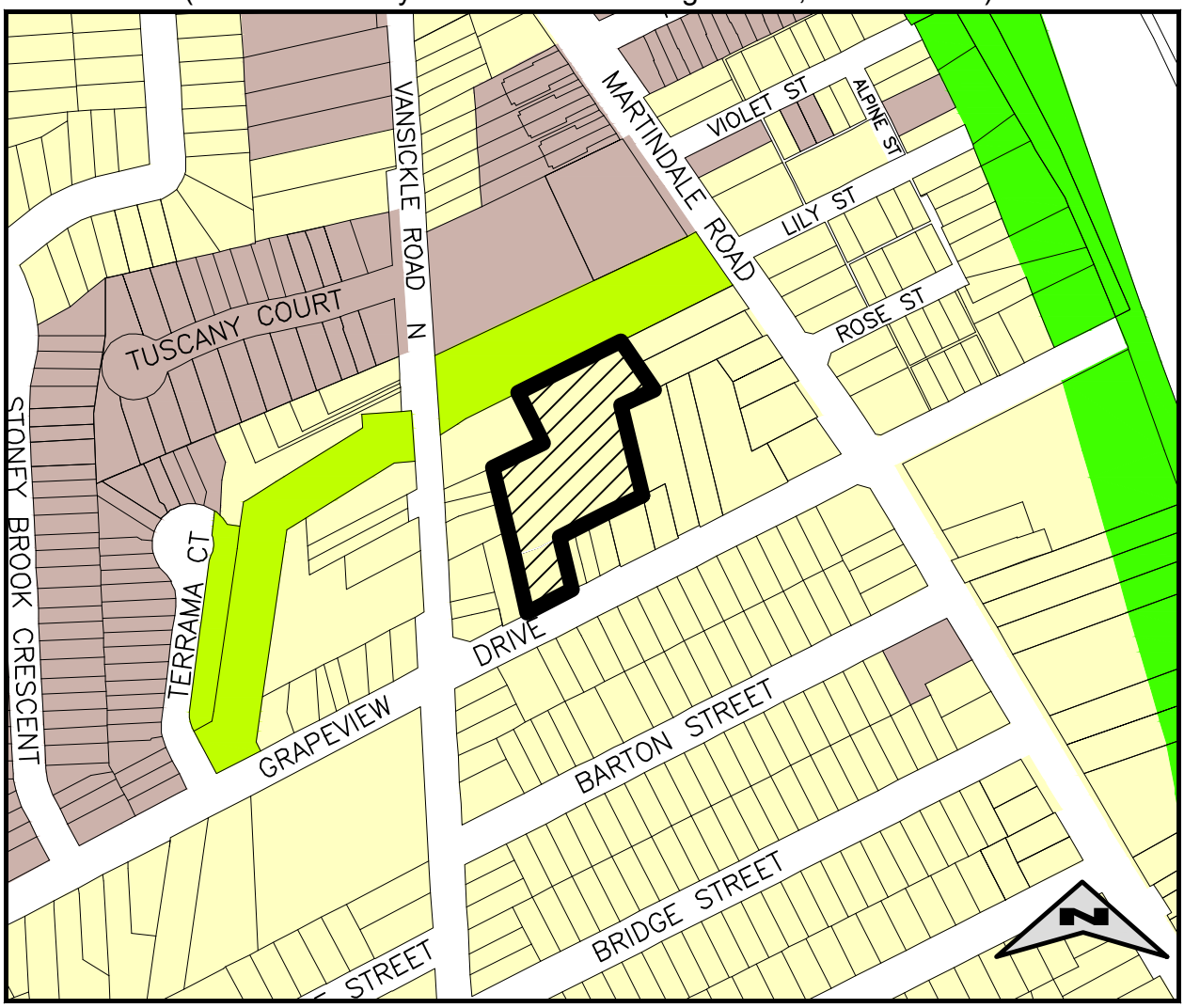
Neighbourhood Residential

Natural Areas

Files: 60.46.436 & 60.51.959

Existing Land Use Designation

(The Garden City Plan - West Planning District, Schedule E6)



Subject Lands

24 Grapeview Drive

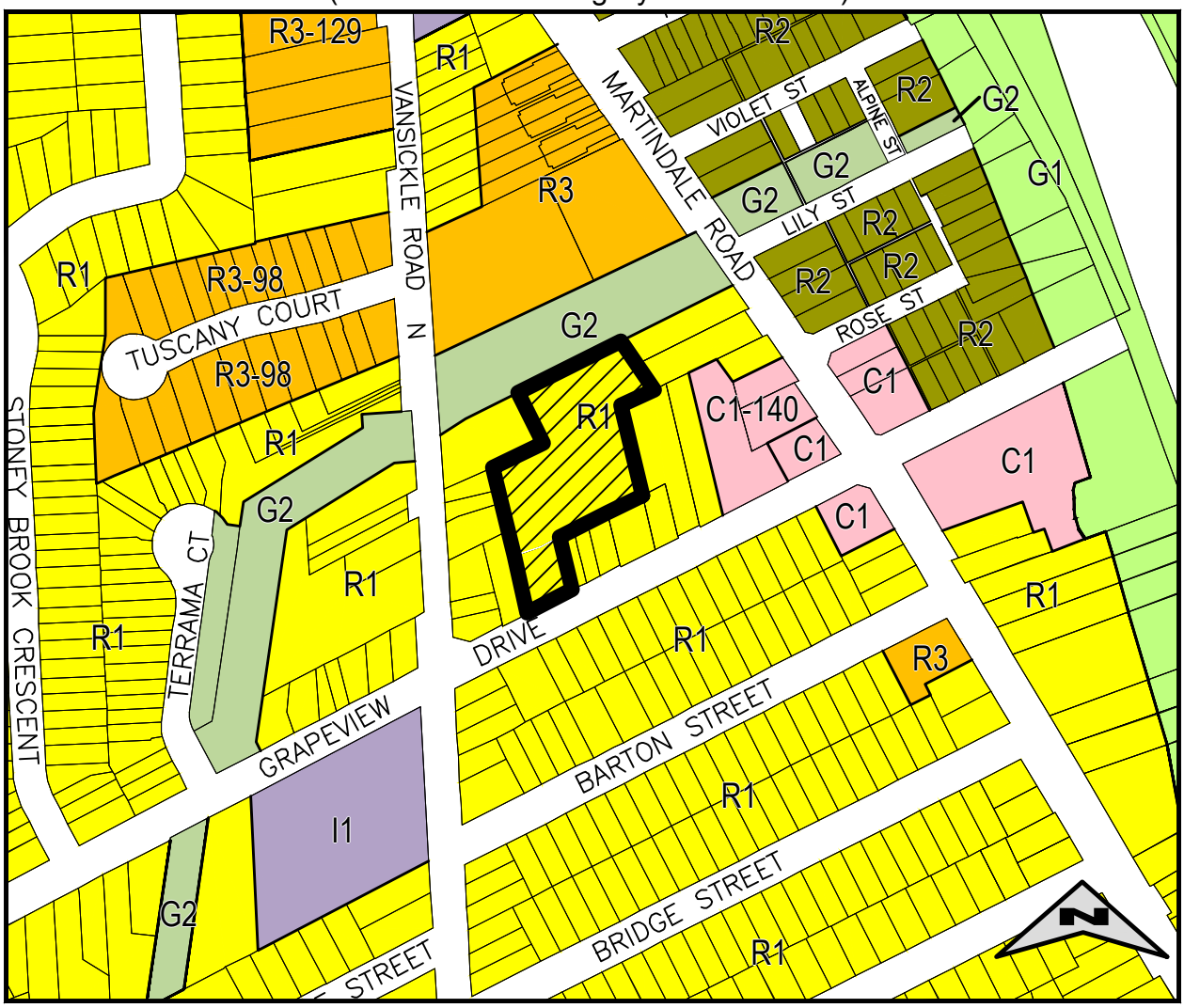
Land Use Designations

- Low Density Residential
- Medium Density Residential
- Parkland & Open Space
- Natural Areas

Files: 60.46.436 & 60.51.959

Existing Zoning

(Schedule A - Zoning By-law 2013-283)



Subject Lands

24 Grapeview Drive

Zones

- R1 Low Density Residential - Suburban Neighbourhood
- R2 Low Density Residential - Traditional Neighbourhood
- R3 Medium Density Residential
- C1 Local Convenience Commercial
- G1 Conservation / Natural Area
- G2 Minor Green Space
- I1 Local Neighbourhood Institutional

Files: 60.46.436 & 60.51.959

VANSICKLE ROAD

#1081 VANSICKLE ROAD NORTH
#1085 VANSICKLE ROAD NORTH
#1087 VANSICKLE ROAD NORTH
#1089 VANSICKLE ROAD NORTH
#1091 VANSICKLE ROAD NORTH
#1093 VANSICKLE ROAD NORTH
#1095 VANSICKLE ROAD NORTH
#26 GRAPEVIEW DRIVE
#18 GRAPEVIEW DRIVE
#16 GRAPEVIEW DRIVE
#18A GRAPEVIEW DRIVE
#22 GRAPEVIEW DRIVE
#22A GRAPEVIEW DRIVE
#22B GRAPEVIEW DRIVE

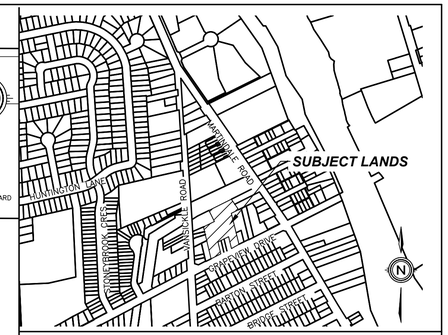
PROPOSED 1.8m HIGH BOARD ON BOARD FENCE (TYP.)
BARRIER CURB PER OPSD 600.110 TYP.
PRIVACY FENCE BETWEEN UNITS 1.5m HIGH TYP.
6.0m WIDE FIREROUTE
CONCRETE CURB PER OPSD 600.100
COLLECTION VEHICLE 11.54mx2.98m
GARBAGE COLLECTION PADS
3.0m ROAD WIDENING
EX CONC S/W
EX ASPH D/W
EX ASPH

STREET 'A'
GRAPEVIEW DRIVE

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18

DECK/PATIO
LS
HYD
HP
IB
CB
WV
MH
POST

26.90m N 63°58'7" E
3.62m N 64°11'12" E
62.73m N 63°30'18" E
20.23m N 64°5'58" E
27.39m N 63°10'20" E
21.34m N 63°10'20" E
29.57m N 63°10'20" E
49.42m N 13°23'35" W
31.84m N 13°23'35" W
30.48m N 13°34'14" W
80.82m N 13°39'55" W
N 26°29'42" W 45.91m
N 34°48'3" E 55.63m



KEY PLAN

LEGAL DESCRIPTION

PART OF LOT 22 CONCESSION 4
TOWNSHIP OF GRANTHAM,
NOW IN THE
CITY OF ST. CATHARINES
REGIONAL MUNICIPALITY OF NIAGARA

LEGEND

- WV ⊗ EX WATER VALVE
- HYD ⊕ EX HYDRANT
- CB □ EX CATCHBASIN
- MH ○ EX MANHOLE
- HP ○ EX HYDRO POLE
- SIB ■ SHORT IRON BAR
- LS ⊕ EX LIGHT STANDARD
- LS ⊕ PROPOSED LIGHT STANDARD
- PROPOSED FIRE ROUTE SIGN
- PROPOSED C.L FIRE ROUTE
- PROPOSED WOOD PRIVACY FENCE

Typ. Fire Access Route Signage

FIRE ROUTE

One steel T-bar stakes each driven securely into the ground

2.0–3.0 m

Curb

SIGNAGE NOTES:
ALL FIRE ROUTE SIGNS TO BE LOCATED ON STREET LIGHTS WHERE POSSIBLE.

ALL SIGNS SHALL BE MOUNTED AT A HEIGHT OF 2–3 METRES FROM TOP OF CURB TO BOTTOM OF SIGN.

ALL SIGNS SHALL CONFORM TO THE ONTARIO TRAFFIC MANUAL AND HIGHWAY TRAFFIC ACT.

FIRE ROUTE SIGN DETAIL

NTS

NOTE:
OPTIONAL DECK/PATIO AREA NOT TO EXCEED 0.6m ABOVE FINISHED GRADE AT HIGHEST POINT

LAND USE SCHEDULE

		m²	%
CONDO LANDS			
BUILDING		2153.35	31.95
ROADWAY/DRIVEWAY		1732.06	25.70
LANDSCAPING		2854.76	42.35
DEVELOPABLE AREA	TOTAL	6740.17	100.0
MIN PARKING SPACE PER DWELLING UNIT = 1.25 SPACES REQUIRED = 20 SPACES PROPOSED = 24 SPACES			
UNITS			16
DENSITY	(UNITS / DEVELOPABLE AREA)		10.72u/Ha

#	REVISION	DATE	INIT

NOTES:
1. THE POSITION OF POLE LINES, CONDUITS, WATERMAINS, SEWER, AND OTHER UNDERGROUND AND OVERGROUND UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THE CONTRACT DRAWINGS AND, WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.
2. PROPERTY LINES WERE PLOTTED USING REGISTERED PLANS AND BARS LOCATED IN THE FIELD. TO VERIFY THE ACCURACY OF THESE PROPERTY LINES, A LEGAL SURVEY SHOULD BE PERFORMED PRIOR TO CONSTRUCTION.
3. ALL CONSTRUCTION MUST COMPLY WITH THE NIAGARA PENINSULA STANDARD CONTRACT DOCUMENT.

DRAFTING	— —
DESIGN	— —
CHECKED BY	— —
APPROVED BY	— —

LUCCHETTA HOMES
Legendary Luxury

UPPER CANADA CONSULTANTS
ENGINEERS / PLANNERS
261 Martindale Road
Unit #1
St. Catharines, ON
L2W 1A1
Phone: (905)688-9400
Fax: (905)688-5274

GRAPEVIEW COMMON

SITE PLAN
CITY OF ST. CATHARINES

CONSULTANT FILE No.	1223
DATE	2017-11-21
PRINTED	2017-11-21
SCALE	1:250 m
REF No.	
DWG No.	1223-SP
REV	0

DRAWING FILE: F:\1223\Engineering\1223-BASE.dwg PLOTTED: Nov 21, 2017 - 1:34pm PLOTTED BY: MCook

CITY OF ST. CATHARINES

Corporate Report

Report from Planning and Building Services, Planning Services

Date of Report: April 25, 2018 **Date of Meeting:** May 23, 2018

Report Number: PBS-110-2018 **File:** 60.51.1034

Subject: *Information Report for Public Meeting*
Application to Amend Zoning By-law 2013-283; Subject Lands: 61 and 63 Lakeport Road; Owner: Port Dalhousie Harbour Club Ltd.; Agent: The Planning Partnership

Additional Subject Lands: 57A (59A) Lakeport Road; Owner: Department of Fisheries and Oceans

Recommendation

That Council receive this Information Report; and

That Council consider a Recommendation Report regarding the Application for Zoning By-law Amendment for lands municipally known as 61 and 63 Lakeport Road, and additional publicly owned lands municipally known as 57A (59A) Lakeport Road at a future meeting of Council, pursuant to the two-step process for planning applications that was approved by Council on May 8, 2017. FORTHWITH

Summary

This Information Report provides Council and the public with information concerning an Application for Zoning By-law Amendment for lands municipally known as 61 and 63 Lakeport Road, and additional publicly owned lands municipally known as 57A (59A) Lakeport Road (Appendix 1). The Application will be considered at a Public Meeting scheduled for May 23, 2018.

The Applicant is requesting a Zoning By-law Amendment in order to facilitate the redevelopment of the lands, commonly referred to as the Lincoln Fabrics property, and adjacent publicly owned lands to the north at 57A (59A) Lakeport Road for a mix of commercial and residential uses, which include 142 apartment dwelling units, 11 ground floor live / work dwelling units, and approximately 750 square metres of commercial space on the ground floor and basement / walk-out levels.

The proposed building would be located wholly within the limits of 61 and 63 Lakeport Road, while 32 of the 109 underground parking spaces, and 3 of the 53 at-grade parking spaces would extend into adjacent publicly owned lands at 57A (59A) Lakeport Road to the north. The Applicant also proposes to provide 10 new at-grade public

parking spaces on 57A (59A) Lakeport Road; these are intended to replace existing public parking in that area.

The Applicant requests that the Community Commercial (C2) zone category be retained for the subject lands and that the existing Special Provision be amended to deal with building height, permitted uses, gross leasable floor area requirements, parking numbers, and landscape buffers. The Applicant requests the same changes for 57A (59A) Lakeport Road, however it will be necessary to distinguish between the privately owned and publicly owned parcels with respect to permissions and restrictions. Further, staff have identified deficiencies related to the provision of parking on the publicly owned lands at 57A and 59A Lakeport Road, specifically the location of private residential parking spaces thereon, and the height and location of underground parking structure walls. Zoning By-law 2013-283 is silent on the latter.

A Recommendation Report containing planning analysis, addressing any outstanding concerns raised at the Public Meeting, and providing a staff recommendation will be considered by Council at a future meeting.

A concurrent Application for Site Plan Approval has been submitted for the development proposal. Further Applications for Draft Plan of Condominium Approval, Heritage Permit, and Heritage Easement Agreement will be required. Further, various easements and leases related to the use of publicly owned lands for parking and access will be necessary.

Background

On May 8, 2017, Council approved a two-step process for planning applications requiring a Public Meeting under the Planning Act. The first step is for Council to receive an Information Report together with public input at the Public Meeting. The second step is for Council to consider a Recommendation Report at a subsequent Council meeting. This Information Report will be followed by a Recommendation Report at a future date.

On May 7, 2018, Council adopted the Port Dalhousie Commercial Core and Harbour Area Conservation District Plan (HCD Plan) as well as the Port Dalhousie Commercial Core and Harbour Area Secondary Plan (PDSP) and implementing Official Plan Amendment No. 18 (OPA 18). Both the HCD Plan and PDSP are now subject to an appeal period and are, therefore, not yet in effect. Given the Zoning By-law Amendment that is the subject of this report was submitted and deemed to be complete prior to the new policy documents coming into effect, the Application must be evaluated under the existing approved policy framework. Notwithstanding, the secondary plan policies and heritage conservation district plan guidelines will inform staff’s analysis of and future recommendations on this Application.

On April 23, 2018, Council received an Information Report (PBS-092-2018) and held a statutory Public Meeting regarding an Application for Zoning By-law Amendment (60.35.1032) for the Royal Canadian Legion property at 57 Lakeport Road, and additional publicly owned lands. Those additional publicly owned lands include a portion

of 57A (59A) Lakeport Road, which is also the subject of this Application. Staff note that the two development proposals and proposed zoning changes do not conflict with one another; the Royal Canadian Legion / Rankin Construction proposes to encroach only slightly into the northern portion of 57A (59A) Lakeport Road, while Port Dalhousie Harbour Club Ltd. proposes to encroach into the southern portion.

Report

Proposed Development

The Applicant has submitted a proposal for the redevelopment of the former Lincoln Fabrics lands at 61 and 63 Lakeport Road and the adjacent publicly owned lands at 57A (59A) Lakeport Road for a mix of commercial and residential uses, private and public parking, and publicly accessible open space. The Applicant has submitted various preliminary drawings in support of this Application, many of which are attached to this report, as follows:

- Appendix 2: Perspective – view looking west
- Appendix 3: Perspective – view looking south
- Appendix 4: Perspective – view looking east
- Appendix 5: Preliminary Site Plan
- Appendix 6: Preliminary Parking Plan – Level 1
- Appendix 7: Preliminary Parking Plan – Level 2
- Appendix 8: Concept Landscape Plan
- Appendix 9: Promenade Rendering – view looking east
- Appendix 10: Preliminary Elevations – east
- Appendix 11: Preliminary Elevations – north
- Appendix 12: Preliminary Elevations – west
- Appendix 13: Preliminary Elevations – south
- Appendix 14: Preliminary Ground Floor Plan

This information was presented to the public at an Open House hosted by Planning and Building Services on February 22, 2018.

The development proposal involves the re-use and rehabilitation of the original portion of the existing four-storey (16 metre) industrial building at 63 Lakeport Road (the Lincoln Fabrics building), plus a stepped-back two storey addition on top of the original building and a nine storey addition to the northeast of the original building. The existing two-storey north wing and two-storey loading dock / office along Lakeport Road are proposed to be demolished. The existing restaurant building at 61 Lakeport Road (Pier 61 Bar and Grill) is proposed to be demolished and replaced with publicly accessible open space (see Appendices 2 through 4).

The preliminary site plan and underground parking plans (Appendices 5 through 7) show the proposed building located wholly within the limits of 61 and 63 Lakeport Road, while the northerly parking area, including underground parking, extends approximately 23 metres into 57A (59A) Lakeport Road. In all, 32 of the 109 underground parking spaces, and 3 of the 53 at-grade parking spaces are shown as encroaching either

wholly or in part into the publicly owned lands. The at-grade encroachment is labeled as “Part C” in Appendix 5, and the underground encroachment is highlighted in yellow in Appendices 6 and 7.

Access to this northerly parking area is provided by way of 57A (59A) Lakeport Road, with the underground parking garage ramp straddling the common boundary between the privately and publicly owned parcels. The preliminary site plan also shows 10 new at-grade public parking spaces on the publicly owned parcel, intended to replace the existing public parking in that area. A second parking area is provided at the south end of the development, accessed by one of two existing driveways off Lakeport Road.

The concept landscape plan (Appendix 8) provides for exterior amenity space for building residents behind the building, adjacent the harbour. This area includes a patio area, pool, and boat slips. Patio space is also provided for both commercial units at the north and south ends of the original portion of the building. A new publicly accessible open space is shown in the area where the existing restaurant building currently sits; these lands would be transferred to the City as parkland dedication. The plan also provides for a new public promenade over 57A (59A) Lakeport Road, providing a connection between the street and the new public open space and Harbour Walkway Trail (Appendix 9).

The preliminary elevations (Appendices 10 through 13) show a two-story addition and cupola atop the existing industrial building. The addition is almost entirely glass, and is stepped back from the existing façades. The ultimate height of this portion of the building is 22.75 metres measured to the top of sixth floor, and 28.98 metres measured to the top of the cupola. No rooftop mechanical equipment is proposed.

The preliminary elevation plans also show a nine-storey expansion at the northeast corner of the existing building that steps away from Lakeport Road beyond the seventh floor. The expansion includes a substantial amount of glazing, some masonry brick, and pre-cast concrete limited to the first and second floors. The ultimate height of this portion of the building is 32.30 metres measured to the top of the ninth floor, and 33.50 metres measured to the top of the elevator overrun. Again, no rooftop mechanical equipment is proposed; these elements are located in the middle of the ninth floor, surrounded by dwelling units.

The preliminary floor plans (Appendix 14) show 142 apartment dwelling units: five located on the basement / walk-out level and 137 located on floors two through nine. Ground floor uses include 11 live-work dwelling units and approximately 590 square metres of commercial floor area. A further 170 square metres of commercial floor area is proposed on the basement / walk-out level, in addition to storage and amenity space for building residents. The proposal represents a net residential density of 204 units per hectare.

Location and Site Description

The subject lands are located within the Port Dalhousie Heritage Conservation District and the City’s North Planning District. Specifically, the lands are located on the east

side of Lakeport Road (a Regional arterial road), south of Lock Street, and west of the harbour. The subject lands are served by one transit route (weekday route 301, weekend route 401). A location map is attached as Appendix 1.

The subject lands at 61 and 63 Lakeport Road are irregular in shape and have a total lot area of approximately 0.75 hectares (1.85 acres), with 176 metres of frontage along Lakeport Road. An existing one-storey restaurant building is located on 61 Lakeport Road, out of which Pier 61 Bar and Grill presently operates. Access is provided by way of an easement over part of the additional subject lands at 57A (59A) Lakeport Road. A vacant four-storey industrial building, commonly referred to as the Lincoln Fabrics building, is located on 63 Lakeport Road. Beyond the building footprints, the majority of 61 and 63 Lakeport Road are paved and demarcated for parking and access.

The additional subject lands at 57A Lakeport Road are 0.1 hectares (0.25 acres) in area, with approximately 30 metres of frontage along Lakeport Road. The property is owned by the Department of Fisheries and Oceans and leased to the City. It includes a public parking area and is encumbered by easements for access in favour of the subject lands at 61 Lakeport Road, and other privately owned lands at 57 Lakeport Road (Royal Canadian Legion).

With respect to topography, the subject lands slope in an easterly direction towards the harbour and Twelve Mile Creek; grades along the east side of Lakeport Road are approximately 79.5 metres above sea level (geodetic elevation), on average, while grades along the eastern property boundary are approximately 76.25 metres, on average.

Surrounding land uses (Appendix 15) include:

North:	Place of Assembly (Royal Canadian Legion Branch 350), Lockhart Point further north
East:	Twelve Mile Creek, Port Dalhousie Harbour
South:	Heywood Generating Station, Rennie Park
West:	Rennie Park, Mix of commercial uses

Planning Policy Context

Recent changes to Provincial planning legislation (Building Better Communities and Conserving Watersheds Act, 2017) require that an approval authority's decision on a planning application must be consistent with the Provincial Policy Statement (2014), and must conform with and not conflict with Provincial plans, upper-tier official plans and lower-tier official plans. Accordingly, planning staff will evaluate this Application for Zoning By-law Amendment against the policies of the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe (2017), the Regional Official Plan, and the Garden City Plan, all of which apply to the proposal, and staff recommendations will be formulated accordingly.

Provincial Policy Context

The subject lands are located within a Settlement Area, as defined by the Provincial Policy Statement (2014) and within the Built-up Area as identified by the Provincial Growth Plan for the Greater Golden Horseshoe (2017). These documents contain policies that support all forms of residential intensification and urban area regeneration, directing growth to Built-up Areas. Provincial policies place an emphasis on intensification and infill to foster the development of complete communities which efficiently use land, resources, infrastructure and public service facilities.

With respect to the review of this Application for Zoning By-law Amendment, staff must consider and evaluate the proposal against Provincial Policies that promote and support:

- the wise use and management of land use change;
- compact built form and transit supportive development;
- a diversity and mix of uses and opportunities;
- the efficient use of land, infrastructure and service capacities to support development, redevelopment and growth;
- land use plans and patterns that support financial sustainability and cost effective development and provision of services;
- the provision of a range of uses and opportunities through development, redevelopment, intensification and adaptive reuse to accommodate projected growth and longer term need;
- the accommodation of an appropriate range and mix of housing opportunities, as well as employment, recreation, institutional, and active and passive recreation;
- an accessible, connected and complete community;
- appropriate development standards to promote / facilitate intensification, redevelopment and compact built form;
- safe, interactive, active transportation and connected communities;
- a full range of equitable, publically accessible built and natural settings for recreation including facilities, parkland, public spaces, trails, landscapes, linkages, and water based resources;
- the provision of public access to the waterfront;
- viability for long term development and community investment;
- the maintenance, enhancement and vitality of main streets, and the conservation of neighbourhoods;
- well-designed built form and cultural planning to conserve features that help define the character, built heritage resources, and cultural heritage landscapes of the area and that lend to a sense of place;
- opportunities for sustainable tourism;
- adaption to climate change through compact and nodal development;
- the protection and preservation of natural heritage features and hazards, landform systems and functions;
- the conservation and promotion of cultural heritage to support social, economic and cultural well-being;

- high quality built form, and an attractive / vibrant public realm through site design and urban design standards;
- mitigation of and/or adaption to climate change impacts;
- multi modal transportation, including active transportation and transit;
- complete communities.

Regional Official Plan

According to the Regional Official Plan (ROP), the subject lands are located within the Urban Area for the City of St. Catharines and within a Built-up Area under Amendment 2-2009 (Niagara 2031 / conformity amendment), which will be the focus of residential and employment intensification and redevelopment within the Region over the long term.
Municipalities are encouraged to provide a full range of housing types to serve a variety of people as they age through the life cycle.

The ROP requires that municipalities achieve a minimum 40 per cent residential intensification target for Built-up Areas by 2015 and for each year thereafter. The Region's Sustainable Community Policies establish a residential intensification target of 95 per cent for the St. Catharines Built-up Area.

The Region of Niagara is currently undertaking a comprehensive review of their Official Plan to bring it into conformity with the PPS and the Provincial land use plans. Once completed, local area municipalities will be required to update their Official Plans accordingly.

Local Official Plan (Garden City Plan)

The subject lands are designated as Commercial (Appendix 16) by the City's Official Plan, The Garden City Plan (GCP). The North Planning District further identifies these lands as being Community Commercial (Appendix 17). The Community Commercial designation of the GCP permits a range of commercial uses, which are primarily intended to provide concentrations of commercial facilities to support the day-to-day and weekly shopping and service needs of the surrounding local community. Other permitted uses include institutional, civic, cultural, indoor recreation, entertainment and residential apartment dwelling units.

The North Planning District policies of the GCP (Section 15.1.1c) provide additional direction with respect to lands within the Port Dalhousie Harbour area, as follows:

i) "Notwithstanding the Community Commercial land use designation, the development or redevelopment of these lands permit an appropriate range and mix of medium and higher density residential housing, commercial, employment, institutional and indoor recreation uses to support regional based tourist facilities to enhance the economic vitality of the area.

ii) Prior to development or redevelopment of the subject lands, an urban design study shall be undertaken by the proponent(s), to the satisfaction and approval of the City, to ensure implementation of appropriate design standards to support a

connected public realm, protection for public access, vistas and views to the waterfront, and protection of cultural heritage amenities."

Key components of the Garden City Plan speak to the promotion of sustainability, and sustainable development and:

- establish a land use plan that supports the achievement of provincial, and regionally allocated population and employment growth targets, and density;
- support a diversity and mix of housing opportunities through conservative infill within established neighbourhoods and transit supportive development and intensification at nodes and along corridors;
- enhance opportunities for more compact and mixed use development;
- support and maintain opportunities for employment, accessible public service facilities, passive and active recreation uses and institutional facilities for all interests;
- promote the maintenance and enhancement of soft / hard service, land and cost efficiencies;
- promote multi modal and active transportation, complete streets, greening of the built environment and an enhanced urban tree canopy;
- support accommodation for health and safety;
- promote accessibility and barrier free development;
- provide for context sensitive building, site, streetscape, neighbourhood and community urban design standards that promote and facilitate a balance and accessibility between the old and the new, the built and natural environments, and within and between all neighbourhoods;
- support conservation and enhancement of the City's cultural heritage built form and landscapes;
- maintain and support protection of natural heritage features, lands and functions;
- support and enhance a sense of place, character, and the promotion of complete community through a connected, more interactive, integrated and mixed use environment;
- facilitate and promote interactive and engaged public processes;
- embrace a balanced consideration of all interests to support and achieve a connected built and natural environment, and long term opportunities for sustainable growth and evolution.

The Official Plan policies against which this Application will be evaluated are attached to this report as Appendix 18.

Port Dalhousie Commercial Core and Harbour Area Secondary Plan

The subject lands are located within the boundaries of the Port Dalhousie Commercial Core and Harbour Area Secondary Plan (the PDSP), which was adopted by Council on May 7, 2018. The PDSP is now subject to an appeal period and therefore not yet in effect. The new secondary plan policies are not determinative as it relates to the evaluation of this Application, rather they will inform staff's evaluation of the Application and our later recommendations.

The PDSP designates the subject lands as Community Commercial (West Harbour Area), providing for a variety of uses that contribute to and enhance the vibrancy, year round activity, tourism, and economic vitality of the area. The PDSP provides further direction for lands within the West Harbour Area (Section 3.3 ii), as follows:

> "The Community Commercial designation east of Lakeport Road (West Harbour Area) is characterized by larger properties that have traditionally been developed independent of each other. It is the intent of the PDSP to support the creation of a vibrant group of mixed use buildings, developed in a cohesive and coordinated manner, that celebrates (the) heritage of the lands, maintains and enhances key views and vistas, and establishes an expanded open space network that promotes increased public access, connectivity to the waterfront, and linkages within and to other areas of the PDSP."

Permitted uses within the Community Commercial designation of the West Harbour Area include an appropriate range and mix of commercial, institutional, entertainment, hotel, community and cultural uses, indoor recreation, and apartment dwelling units within mixed use buildings. Height of buildings will generally not exceed 28 metres (8 storeys). Other policies relate to appropriate building setbacks, placement, and massing; mitigation of shadow impacts; the maintenance and enhancement of views; the provision of direct public waterfront access; connected and accessible landscape design; and other matters. The Lincoln Fabrics building is to remain the most prominent building in the Harbour area.

Port Dalhousie Heritage Conservation District

The subject lands are located within the Port Dalhousie Heritage Conservation District; a Heritage Permit will be required for the development proposal. The purpose of the associated Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change (2001) is to "provide guidance in the care and protection of the heritgage character" of the District. Specifically, Section 3.2 identifies the following as conservation priorities:

- the protection of all remnants of the Welland Canals as significant elements of industrial archaeology in the landscape;
- encouraging the current vitality of the commercial area by promoting its unique architecture and contemporary commercial adaptive reuse as well as continuing to protect its distinctive heritage fabric;
- maintaining the low profile, compact building forms of the cottage and residential areas by encouraging any future changes to develop in depth or in width on lots rather than vertically in height;
- maintaining and enhancing existing open space, sport and recreation areas in a manner consistent with protecting distinguishing heritage features;
- ensuring that supporting and contextual landscape features such as grass boulevards, street trees, hedgerows, front yard plantings and many mature boundary plantings such as trees, mixed shrub borders and hedges are conserved and managed; and

- encouraging new development, construction and any public works where it is clearly demonstrable that such changes will have no adverse effects upon the heritage attributes of the district and will positively contribute to the character of the area."

The existing Lincoln Fabrics building is identified as a remnant industrial structure directly associated with the port environment and shipping. The Guidelines provide that demolition of existing heritage structures and the construction of new buildings will be actively discouraged, although it is not prohibited by the Ontario Heritage Act. New construction is required to be compatible with the character of adjoining properties and the streetscape, and should not copy historical buildings, rather should appear as new. The document does not include design guidelines specific to mixed use development such as the one proposed by the Applicant.

Port Dalhousie Commercial Core and Harbour Area Heritage Conservation Sub-District

The subject lands are located within the Port Dalhousie Commercial Core and Harbour Area Heritage Conservation Sub-District. The associated Port Dalhousie Commercial Core and Harbour Area Heritage Conservation District Plan (the HCD Plan) was adopted by Council on May 7, 2018; it is now subject to an appeal period and therefore not yet in effect. The HCD Plan identifies and defines the District's natural and cultural heritage attributes, which contribute to the distinct character of the area, and establishes policies and guidelines to support the retention, conservation, and enhancement of those natural and cultural heritage attributes.

The HCD Plan identifies the existing Lincoln Fabrics building (previously known as the Maple Leaf Rubber Company building) as the largest remaining structure from Port Dalhousie's past. Built sometime after a fire on the property in 1898, the building is an important landmark visible from several vantage points. Given its heritage attributes (i.e. its relationship to the former Welland Canada, Edwardian brick facades, etc.), the HCD Plan has assessed the property as "contributing" - a property with features that define the heritage character and which retain sufficient original heritage attributes to allow for preservation and restoration. It is therefore important to conserve the building whole and in situ. Modern additions to the building have been assessed as "non-contributing" and may be demolished.

The HCD Plan provides for the addition of two stories to the existing Lincoln Fabrics building, so long as the addition is clearly distinguishable from other floors. Other approaches to additions and alterations may be considered "provided they are compatible; do not confuse or overwhelm the style of the existing building, do not obscure historic elevations, and ensure they are distinguishable from the existing fabric" (Section 10.5.6).

The Applicant has submitted a Heritage Impact Assessment in support of this Application, which evaluates the impacts of both the proposed demolitions and building additions. A peer review of the document by ERA Architects is underway.

Zoning By-law

Zoning By-law 2013-283 zones the subject lands as Community Commercial, with Special Provision 10 (C2-10) (see Appendix 19). The C2 Zone permits a broad range of commercial uses, including retail stores and restaurants; non-commercial uses, including offices and places of assembly / banquet halls; and apartment dwelling units. Special Provision 10 restricts the height of buildings to 11 metres and details additional permitted uses, including hotels / motels, and administrative offices of a marina and boat slips.

The applicant requests that the Community Commercial (C2) zone category be retained for the subject lands and that the existing applicable Special Provision be amended to:

- define and permit live / work dwelling units and establish a parking requirement for the use;
- include boat slips as an additional permitted use;
- delete the requirement for apartment buildings to be located on the same property as a commercial use;
- regulate the size of specific uses and the overall gross floor area of the development;
- delete yard requirements for below-grade structures;
- increase maximum building height;
- reduce the parking requirement for non-residential uses; and
- delete landscape buffer requirements for parking areas.

The requested changes are outlined in detail in the chart attached to this report as Appendix 20. The Applicant's proposed Zoning By-law Amendment is attached to this report as Appendix 21. The proposed amendment would apply changes to all of the subject lands, including the publicly owned parcel at 57A (59A) Lakeport Road. Staff note that some of these changes (for example those which relate to the proposed building and permitted uses) should only apply to lands at 61 and 63 Lakeport Road.

In addition to the zoning changes requested by the Applicant, staff have identified deficiencies related to:

- the required minimum front yard (a road widening will reduce this yard to 1.0 metre at the northwest corner of the existing building); and
- the location of required residential parking (some required residential parking is proposed on 57A (59A) Lakeport Road - a lot held in separate ownership);

The necessary changes identified by staff are also outlined in Appendix 20.

Given the grade change between Lakeport Road and the harbour, the Applicant's development proposal will result in a total exposed parking garage wall height of 4.0 metres in certain areas (e.g. adjacent the proposed public promenade), which includes a 1.0 metre high guard atop a 3.0 metre high wall. Zoning By-law 2018-283 is largely silent with respect to underground parking structures, therefore staff believe it is necessary for the amendment to regulate the location and height of exposed parking garage walls.

Circulation of Applications

This application was circulated to all relevant departments and agencies in accordance with the Planning Act. No department or agency has objected to the proposed Zoning By-law Amendment. The following feedback has been received.

Regional Municipality of Niagara

Urban Design: Regional staff are satisfied, in principle, with the architectural design of the proposed building. It is suggested that landscaping be used to emphasize the design of the building. Regional staff are concerned that the proposed relocation of the municipal sidewalk along the east side of Lakeport Road will result in the loss of separation / boulevard space between the sidewalk and the road; this will impede walkability and pedestrian comfort.

Built Heritage Resources: The applicant has provided a Cultural Heritage Impact Assessment which concludes that there will be no negative impacts on the cultural heritage value of the site. As clear efforts are being made to preserve the heritage value of the building and adaptively reuse it to satisfy other growth priorities, Regional staff are satisfied that the proposal aligns with Regional and Provincial policy.

Archeology: The inclusion of standard warning clauses regarding deeply buried archaeological resources and/or human remains will be required as conditions of Site Plan Approval.

Wastewater: The Applicant proposes to disconnect and decommission the Snug Harbour Pumping Station located on 59A Lakeport Road, which services only the existing restaurant building at 61 Lakeport Road. As part of the redevelopment of subject lands, the Applicant proposes to connect to the Lakeside Park Sewage Pumping Station, which has been allocated growth out to 2041 as part of the Regional Master Servicing Plan (MSP). The MSP did not identify any required upgrades to the Lakeside Park SPS, but did indicate that the entire Port Dalhousie sewer shed is affected by wet weather flow. A wet weather flow reduction program has been included in the MSP and will be explored in consultation with the local municipality. Regional staff will provide further review of detailed servicing drawings through the Site Plan Approval process.

Stormwater: The Applicant proposes to reroute the existing Regional storm sewer over lands owned by the Department of Fisheries and Oceans at 57A (59A) Lakeport Road, requiring both an Environmental Compliance Approval (ECA) from the Ministry of the Environment and Climate Change (MOECC) and an easement in favour of the Region of Niagara. Regional staff note that the invert levels shown on the servicing design are incorrect and would not allow stormwater to flow to the harbour, as intended. The Applicant will be required to address these errors prior to the Region approving the stormwater management design.

Traffic: A Traffic Impact Study (TIS) was not required for this development; traffic generated from this development has been accounted for in the TIS prepared by the

developer of the Royal Canadian Legion project (57 Lakeport Road). The study concludes that traffic in the area (Lock Street intersections with Lakeport Road and Main Street, and the intersection of Lakeport Road and Ontario Street) are currently operating at acceptable levels.

The Royal Canadian Legion's TIS considers future growth, including the development proposals at 16 Lock Street (Fortress' Union Waterfront), 57 Lakeport Road (Rankin Construction Ltd. / Royal Canadian Legion Branch 350) and 61-63 Lakeport Road (Port Dalhousie Harbour Club Inc.). The study concludes that all traffic movements at the study area intersections would be slightly worse, but that most movements are forecast to continue operating reasonably well and within capacity. The study notes the intersection of Lock Street and Main Street may be an exception during the busiest summer Saturday afternoon peak hours, and recommends that the Region modify signal timings at signalized intersections, if necessary.

As part of the review of the Applications for Official Plan Amendment and Zoning By-law Amendment for 16 Lock Street, Regional staff have requested that a post-construction traffic monitoring plan be undertaken to confirm the actual impact on the intersection of Lock Street and Lakeport Road. The Region has also requested that the Applicant for 16 Lock Street evaluate the impact of converting Main Street to two-way traffic between Lock Street and Lakeside Park in order to divert traffic from Lock Street and to reduce left turn movements at the intersection of Lock Street and Lakeport Road that currently create back-ups.

Access: Given the shared function of the northerly access to this site, the adjacent Royal Canadian Legion, and Lockhart Point, the Applicant will be required to enter into a legal agreement with the Region and to post securities regarding the potential need for a new left turn lane on Lakeport Road. This need will be evaluated one year following majority occupancy of this development and the adjacent development proposal at 57 Lakeport Road. These agreements will be coordinated through the Site Plan Approval process.

On-Street Parking: The submitted Planning and Urban Design Rationale Report suggests that new on-street parking along Lakeport Road would help to offset the requested parking reduction. Regional staff are not in a position to entertain proposals for on-street parking along Lakeport Road at this time until the Streetscape Master Plan for Lock Street, Main Street, and Lakeport Road has been completed.

Mid-block Crossing: The Applicant's preliminary site plan shows a new pedestrian crossing on Lakeport Road. There is currently a pedestrian signal located 175 metres to the north at the intersection of Lock Street, Main Street, and Lakeport Road. Due to this proximity, the additional crossing will not be support by Regional staff.

Road Widening: This section of Lakeport Road (Regional Road 87) has a substandard and varying road allowance width. The Region's Official Plan provides an ultimate right-of-way width of 26.2 metres for Lakeport Road. The Applicant will be required to

dedicate a road widening of varying widths along a portion of the property's Lakeport Road frontage. The road widening must be sufficient in width to accommodate the relocation of the municipal sidewalk off the road curb, while also maintaining a minimum 1.0 metre front yard setback to the northwest corner of the existing building.

Niagara Peninsula Conservation Authority

Flooding and Wave Action Hazards: The proposed development and site alterations are located along a section of the Port Dalhousie harbour shoreline that is regulated by the NPCA in terms of flooding and wave action hazards. Staff are satisfied that all openings of the proposed expansion are located above the flood hazard limit and that wave action limit is not a concern given this section of shoreline is protected.

Patio: A patio is proposed at the south end of the existing industrial building and will encroach into or over a fish habitat and Environmental Conservation Area. Additional information has been requested with respect to the construction design of the patio to determine whether an Environmental Impact Study will be required.

Transportation and Environmental Services (TES) – Geomatics

Encroachments: In addition to the proposed encroachment into lands owned by the Department and Fisheries and Oceans and leased to the City at 57A (59A) Lakeport Road, we note that the patio proposed at the south end of the existing building also encroaches into City-owned land adjacent the harbour. Prior to issuance of a building permit for this development, all proposed encroachments will require licensing and/or lease agreements to be approved by the City and the Department of Fisheries and Oceans.

Transportation and Environmental Services (TES) – Traffic Division

Traffic: TES staff have no concerns with respect to traffic, as there is no direct impact on local streets (Lakeport Road from Lock Street to Lakeside Park, and Main Street from Lock Street to Lakeside Park).

Parking: All drive aisles must have a minimum width of 6.7 when a parking stall length of 5.2 metres is proposed. The Applicant's preliminary site plan provides for 6.0 metre wide drive aisles. Addressing this deficiency may further reduce the parking supply.

Planning and Building Services (PBS) – Development Division

Water: Development staff have requested additional information from the Applicant to confirm that the domestic and fire flow needs of the development can be accommodated by the existing 150mm diameter service. This additional information will be provided in the Planning Recommendation Report.

Wastewater: The Applicant has submitted a Functional Servicing Report, which concludes that there is sufficient capacity in the Lakeport Road sewer to service both this development and the proposed development at 57 Lakeport Road, however the last leg of the sewer may require upgrading according to the Royal Canadian Legion's civil

engineer. Development staff have asked the Applicant for additional information in this regard, to be included in the Planning Recommendation Report.

Stormwater: Development staff have requested additional information from the Applicant to confirm that post-development storm water flows can be controlled to pre-development levels. Refer also to comments above from the Region of Niagara. The Applicant will be required to enter into a servicing agreement with the City with respect to the relocation of the Region's storm sewer over lands owned by the Department of Fisheries and Oceans.

Geotechnical: A preliminary geotechnical investigation report has been prepared in support of this Application. The study concludes that the new structure will require use of caissons or piles driven into competent shale bedrock, which is approximately 19 metres below current elevations. A further detailed geotechnical report will be required through the Site Plan Approval process.

Parks, Recreation and Community Services (PRCS)

Landscaping: Any reduction in landscape buffer widths adjacent to parking areas will be contingent upon an enhanced landscape buffer provided elsewhere, or enhanced boulevard planting.

St. Catharines Heritage Advisory Committee

The Applicant has submitted a Cultural Heritage Impact Assessment in support of this Application. A peer review of the HIA is currently underway. The City's Heritage Advisory Committee will be asked to provide comment on the proposed building demolition and new development proposal following receipt of the peer review. All comments will be available in the Planning Recommendation Report.

Alectra Utilities

Alectra Utilities has advised that a minimum four-metre horizontal clearance must be maintained from the existing overhead lines and that the relocation, modification, or removal of any existing hydro facilities will be at the owner's expense. The developer will be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment. Transformer vault access and locations will require approval by Alectra Utilities.

Enbridge Gas

Enbridge Gas offers no objection to this Application.

Public Consultation

Planning and Building Services hosted an Open House related to this Application on February 22, 2018. The purpose of the Open House was to share information with the community regarding the development proposal and to gather feedback from those in attendance. The Applicant and members of their consulting team were in attendance to answer questions. The Open House was well attended, with 129 members of the public completing the sign-in sheet.

Following the City's Open House, staff have received correspondence from several members of the community in response to the Application. Copies of this correspondence are attached as Appendix 21. Issues raised at the Open House and through follow-up correspondence are summarized below, with corresponding staff responses, where available at this time.

Comment: The proposed nine-storey expansion is too large and too high; it should pay homage to and be lower than the existing Lincoln Fabrics building. As proposed, the expansion overwhelms the heritage structure.

Response: The Recommendation Report will provide an analysis of the proposed building design, including its height, massing, orientation, and façade treatments. Further, a peer review of the Applicant's Cultural Heritage Impact Assessment is underway and will specifically address the proposed height and massing of the building.

Comment: The views between this development and the adjacent Royal Canadian Legion project should be preserved. The removal of Pier 61 Bar and Grill does not appear to be an equal tradeoff in this regard, given the size of the proposed expansion.

Response: The Recommendation Report will provide an analysis of the impacts on important views and vistas. The Applicant has submitted perspectives and a Cultural Heritage Impact Assessment, which are being reviewed by City staff and a peer reviewer.

Comment: The demolition of the Pier 61 Bar and Grill building does not justify the height and unit count of the proposed nine-storey expansion.

Response: The proposed density of 202 units per hectare is permitted under the City's existing planning policies. Building height will be addressed in the Planning Recommendation Report.

Comment: The proposed building expansion appears to front onto the harbour, leaving the back end of the building to face Lakeport Road.

Response: The Applicant has submitted preliminary floor plans, which will be evaluated as part of the Planning Recommendation Report. In principal, ground floor uses facing a public street should serve to enliven that street.

Comment: The old powerhouse should be preserved, either in situ or as a park monument.

Response: The Cultural Heritage Impact Assessment identifies this drive or fly wheel, which is located in the south end of the ground floor, as having heritage attributes. The study recommends that consideration be given to salvage. Preservation and salvage will be secured through the required Heritage Easement Agreement.

Comment: The removal of any heritage portion of the existing Lincoln Fabrics building is not supported.

Response: The Cultural Heritage Impact Assessment concludes that the two-storey north wing can be demolished given its poor structural integrity. The development proposal will be subject to a Heritage Permit and Heritage Conservation Agreement to ensure important attributes are retained and preserved.

Comment: Traffic flow will be impacted.

Response: The Royal Canadian Legion's Traffic Impact Study submitted in support of the development proposal at 57 Lakeport Road found that traffic in the area is currently operating at acceptable levels. The study considers future growth, including the development proposals at 16 Lock Street, 57 Lakeport Road, and 61-63 Lakeport Road and concludes that all traffic movements at the study area intersections would be slightly worse, but that most movements are forecast to continue operating reasonably well and within capacity. The study notes the intersection of Lock Street and Main Street may be an exception during the busiest summer Saturday afternoon peak hours. The study recommends that the Region modify signal timings at signalized intersections as required in response to higher traffic volumes and changes in traffic patterns in the future. Further information about traffic is included in the summary of Regional comments provided in this report.

Comment: The parking demand generated by this and other developments is a concern. The impact will be felt by local businesses.

Response: The Zoning By-law requires a parking supply of 186 spaces for this development proposal, which is calculated based on two ratios: the residential parking component of one parking space per dwelling unit, with the first four dwelling units being exempt (149 spaces); and one parking space per 20 square metres of commercial gross leasable floor area (37 spaces). The Applicant proposes a supply of 162 spaces, based on a ratio of 1 parking space per apartment or live / work dwelling unit, and 9 parking spaces for non-commercial uses and visitor parking. The Applicant's request for a parking reduction will be evaluated as part of the Staff Recommendation Report.

Comment: This application should not be reviewed in isolation of other planning applications in the Port Dalhousie area, particularly with respect to the impacts of density on servicing capacity.

Response: The proposed density of 202 units per hectare is permitted under the City's existing planning policies. The ability of supporting infrastructure to accommodate the proposed development and others in the area will be considered in the formation of a staff recommendation. As part of the Port Dalhousie Commercial Core and Harbour Area Secondary Plan study, Transportation and Environmental Services confirmed that, based on the City's data, there is sufficient capacity in the sanitary sewer system to

accommodate all three proposed developments in the area. Further, TES have confirmed that the standard operating pressures and fire flow capacity of the City's distribution watermains will not be adversely impacted. The Director of Transportation and Environmental Services' memorandum, dated March 21, 2018, is attached as Appendix 23.

Staff also received numerous letters and notes of support for the application, which identify, among other matters:

- that the project will support regeneration in the immediate area, but will also be an asset to the City;
- that the proposal fits in with the character of the area;
- that the proposed rehabilitation and reuse of the existing Lincoln Fabrics building is desirable;
- that the proposed expansion enhances the existing Lincoln Fabrics building;
- that the proposed building height is appropriate;
- that the proposal for live / work dwelling units on the site is appropriate;
- that the proposed parking reduction is in keeping with the commercial parking exemption that applies to the west side of Lakeport Road;
- that the proposed parking supply will not infringe on beach parking;
- that the new publicly accessible open space and promenade are desirable.

Additional public consultation will be undertaken as part of the Site Plan Approval process once detailed designs are available.

Public Notice

In accordance with established procedures, notice for the public meeting has been circulated.

Financial Implications

All costs associated with this development will be borne by the developer. If approved and constructed, additional tax assessment would be generated by the development. The future operation of the new public open space and promenade may have capital and operational cost implications. These elements will require further consideration.

Relationship to Strategic Plan

The relationship of the proposal to the City's Strategic Plan will be evaluated as part of the future recommendation report on this matter.

Conclusion

In summary, this report provides the planning context and explains the Application for Zoning By-law Amendment for 57A (59A), 61, and 63 Lakeport Road. The Amendment would facilitate the redevelopment of the existing Lincoln Fabrics building for a mix of commercial and residential uses, with an ultimate building height of nine storeys (32.7 metres), and associated alterations and improvements to adjacent publicly owned

lands. A Recommendation Report will be presented to Council at a future meeting, to be scheduled.

Notification

It is in order to advise Bruce Hall, The Planning Partnership, 1255 Bay Street, Suite 500, Toronto, Ontario, M5R 2A9, the owner's agent.

Prepared by:

Amanda Knutson, Planner

Submitted by:

Judy Pihach, MCIP, RPP
Manager, Planning Services

Approved by:

James N. Riddell, M.Pl., MCIP, RPP
Director, Planning and Building Services

List of Appendices

1. Location Map
2. Rendering (view looking west)
3. Rendering (view looking south)
4. Rendering (view looking east)
5. Preliminary Site Plan
6. Preliminary Parking Level 1 Plan
7. Preliminary Parking Level 2 Plan
8. Concept Landscape Plan
9. Promenade Rendering (view looking east)
10. Preliminary Elevations (east)
11. Preliminary Elevations (north)
12. Preliminary Elevations (west)
13. Preliminary Elevations (south)
14. Preliminary Ground Floor Plan
15. Surrounding Uses
16. Official Plan – Schedule D1, General Land Use Plan Map
17. Official Plan – Schedule E1, North Planning District
18. Excerpt of Applicable Official Plan Policies
19. Zoning By-law 2013-283, Schedule A7
20. Table of Proposed Zoning Changes
21. Applicant’s Proposed Zoning By-law Amendment
22. Community Correspondence Received to April 25, 2018
23. Memo from Dan Dillon, Director, Transportation and Environmental Services, regarding servicing capacity

Aerial Photo

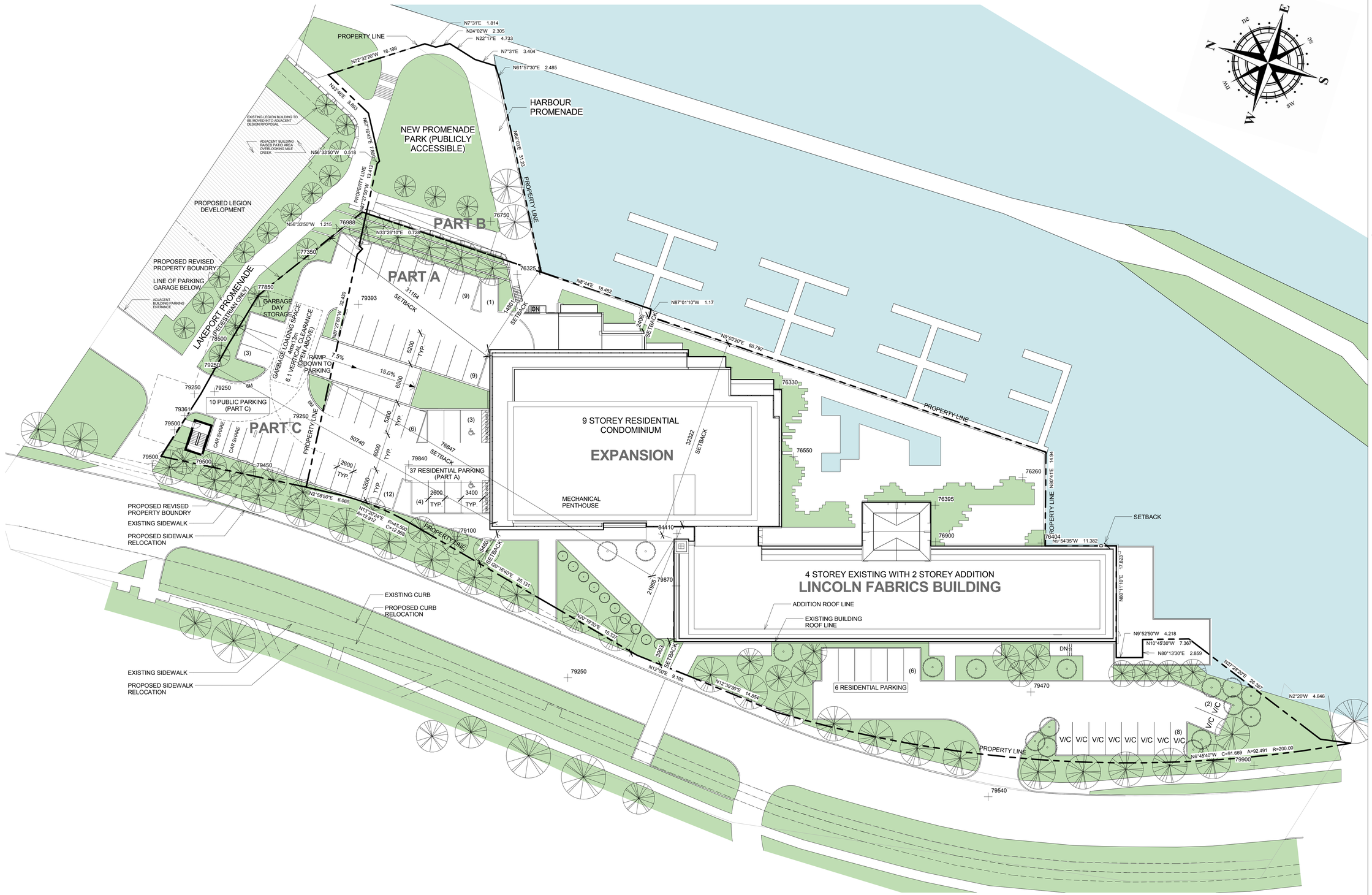
Subject Site

Subject Lands

57A, 59A, 61 & 63 Lakeport Road

File: 60.51.1034


THIS
LANE
BEGINS



onespace
one team. one vision.

onespace unlimited inc.
architecture + interior design
3700 STEELES AVE WEST, SUITE 305, VAUGHAN, ONTARIO L4L 8K8 TEL: (416) 848-1245 FAX: (416) 848-1246 WWW.ONESPACEUNLIMITED.COM

NO.	DATE	REVISIONS
V2	2018-02-21	REVISED AT-GRADE LANDSCAPE

TRUE NORTH

PROJECT NORTH

NO.	DATE	ISSUED
01	2017-11-15	ISSUED FOR ZBA/SPA SUBMISSION

PROJECT

RESTORATIONS AND ADDITIONS TO LINCOLN FABRICS BUILDING

PROJECT ADDRESS

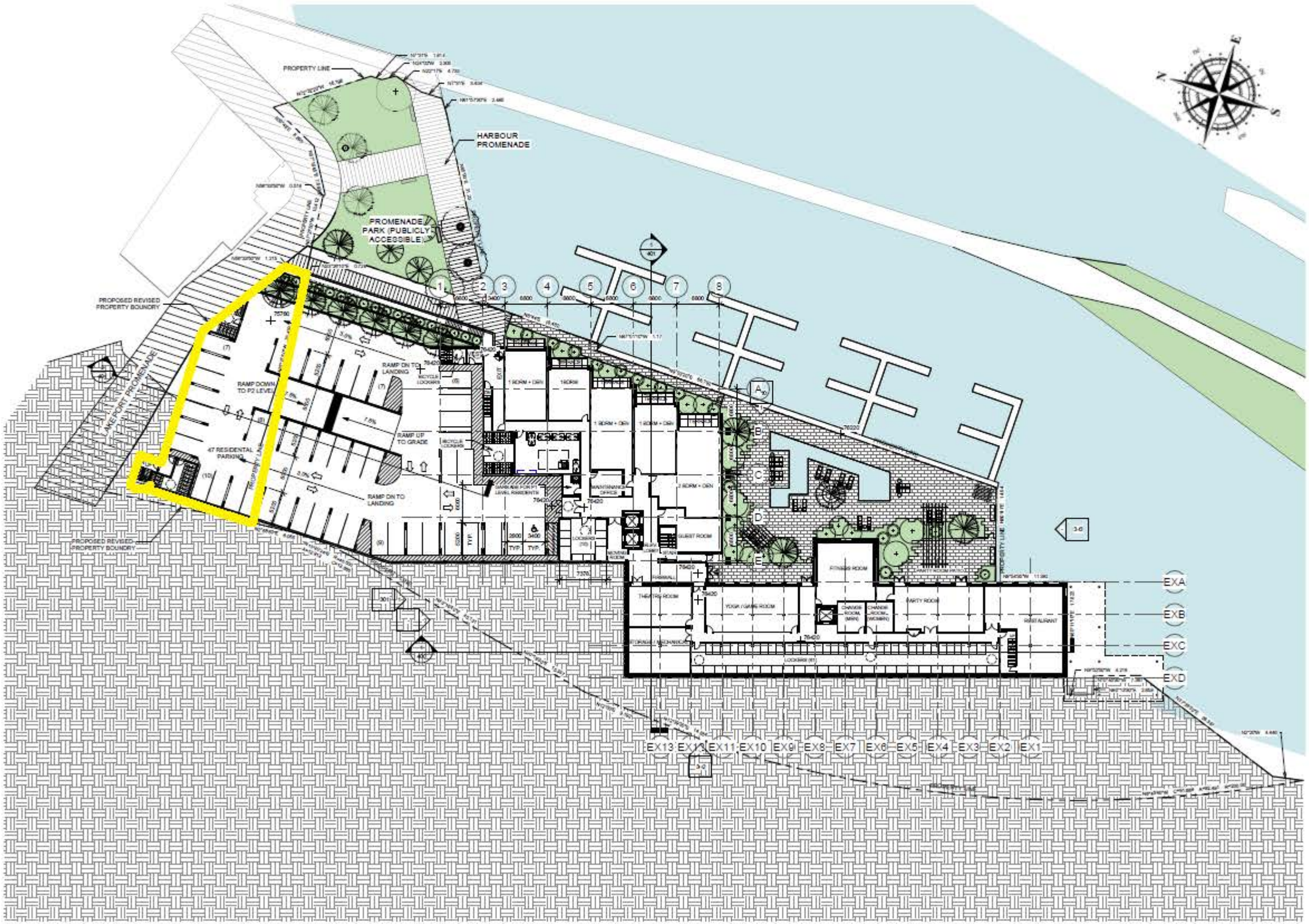
61 (63) LAKEPORT ROAD
ST. CATHERINES, ONTARIO

DRAWING

SITE PLAN

PROJECT NUMBER	DATE
17026	10/11/2017
SCALE	PLOTTED DATE
1 : 275	21/02/2018 9:41:21 AM

004



onespace
one team. one vision.

onespace unlimited inc.

NO.	DATE	REVISIONS
01	2017-11-15	ISSUED FOR ZBA/SPA SUBMISSION

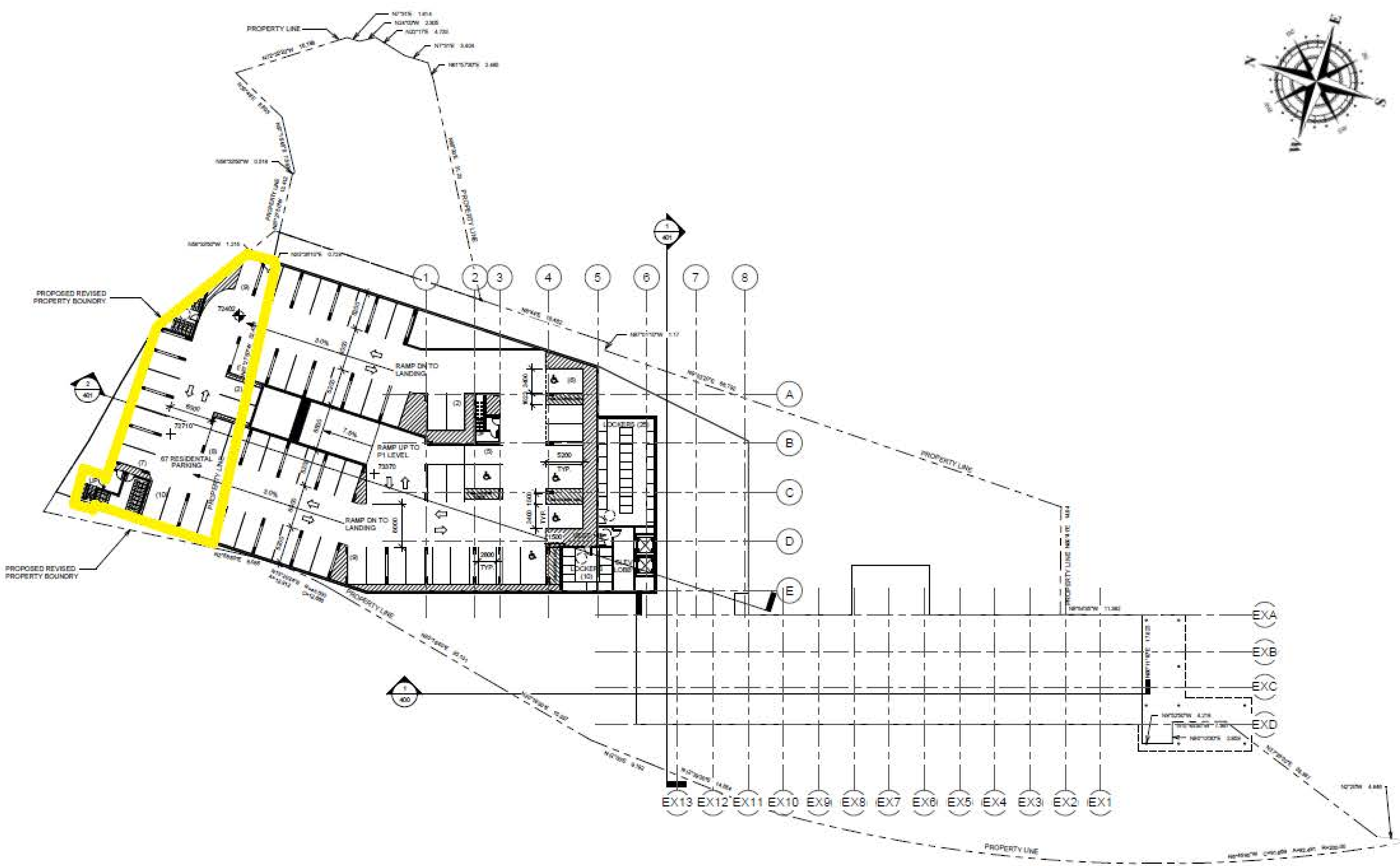
TRUE NORTH | PROJECT NORTH

PROJECT
RESTORATIONS AND ADDITIONS TO LINCOLN FABRICS BUILDING

PROJECT ADDRESS
61 (63) LAKEPORT ROAD
ST. CATHERINES, ONTARIO

DRAWING
PARKING LEVEL 1

PROJECT NUMBER	DATE
17026	
SCALE	PLOT DATE
1 : 200	



onespace unlimited inc.

NO.	DATE	REVISIONS

TRUE NORTH

PROJECT NORTH

01	2017-11-15	ISSUED FOR ZBA/SPA SUBMISSION
NO.	DATE	ISSUED

PROJECT

RESTORATIONS AND ADDITIONS TO LINCOLN FABRICS BUILDING

PROJECT ADDRESS

61 (63) LAKEPORT ROAD
ST. CATHERINES, ONTARIO

DRAWING

PARKING LEVEL 2

PROJECT NUMBER	DATE
17026	13/11/2017
SCALE	PLOTTED DATE
1 : 270	13/11/2017 PM

AGENDA ITEM #5.2

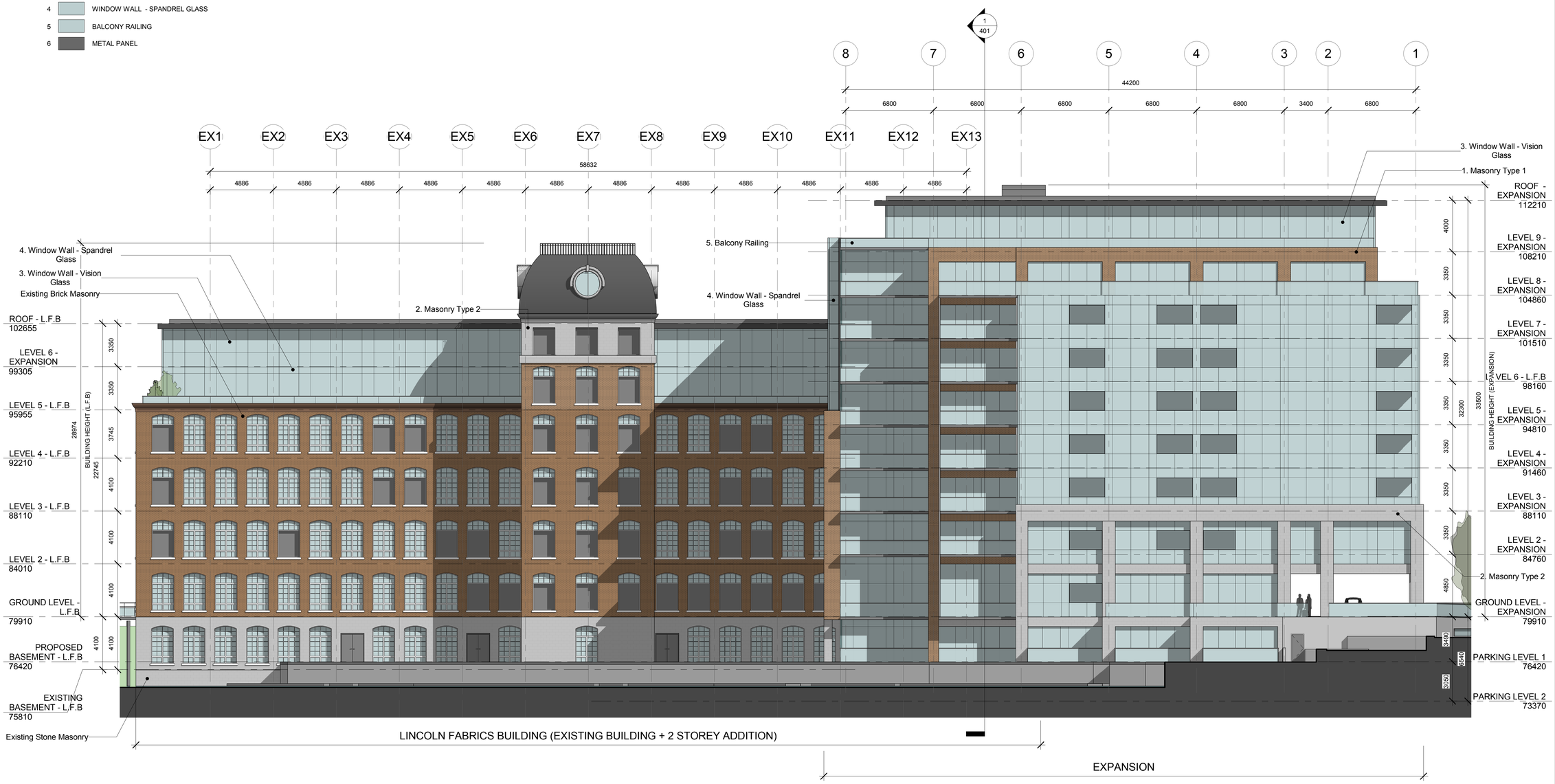
LANDSCAPE PLAN (REVISED)

The Planning Partnership

LAKEPORT PROMENADE (VIEW LOOKING EAST)

EXTERIOR ELEVATION LEGEND

- EXISTING STONE MASONRY
- EXISTING BRICK MASONRY
- 1 MASONRY TYPE 1
- 2 MASONRY TYPE 2
- 3 WINDOW WALL - VISION GLASS
- 4 WINDOW WALL - SPANDREL GLASS
- 5 BALCONY RAILING
- 6 METAL PANEL



onespace
one team. one vision.

onespace unlimited inc.
architecture + interior design
3700 STEELES AVE WEST, SUITE 305, VAUGHAN, ONTARIO L4L 8K8 TEL: (416) 840-1245 FAX: (416) 846-1246 WWW.ONESPACEUNLIMITED.COM

NO.	DATE	REVISIONS

NO.	DATE	ISSUED
01	2017-11-15	ISSUED FOR ZBA/SPA SUBMISSION

PROJECT

RESTORATIONS AND ADDITIONS TO LINCOLN FABRICS BUILDING

PROJECT ADDRESS

61 (63) LAKEPORT ROAD
ST. CATHERINES, ONTARIO

DRAWING

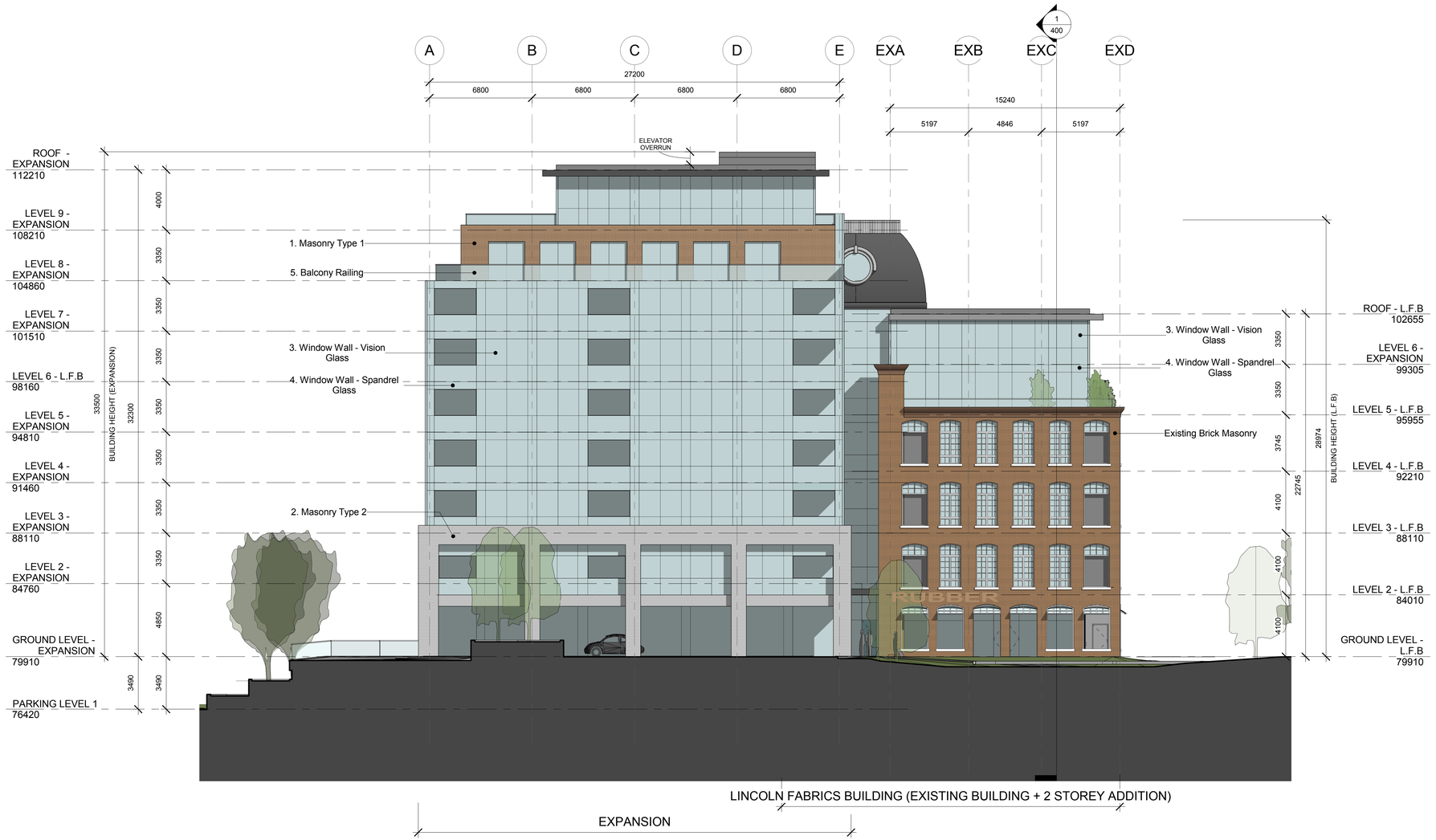
EAST ELEVATION

PROJECT NUMBER	DATE
17026	10/11/2017
SCALE	PLOTTED DATE
1 : 150	13/11/2017 5:39:15 PM

300

EXTERIOR ELEVATION LEGEND

- EXISTING STONE MASONRY
- EXISTING BRICK MASONRY
- 1 MASONRY TYPE 1
- 2 MASONRY TYPE 2
- 3 WINDOW WALL - VISION GLASS
- 4 WINDOW WALL - SPANDREL GLASS
- 5 BALCONY RAILING
- 6 METAL PANEL



onespace
one team. one vision.

onespace unlimited inc.
architecture + interior design
3700 STEELES AVE WEST, SUITE 305, VAUGHAN, ONTARIO L4L 8K8 TEL: (416) 840-1245 FAX: (416) 846-1246 WWW.ONESPACEUNLIMITED.COM

NO.	DATE	REVISIONS

TRUE NORTH

PROJECT NORTH

NO.	DATE	ISSUED
01	2017-11-15	ISSUED FOR ZBA/SPA SUBMISSION

PROJECT

RESTORATIONS AND ADDITIONS TO LINCOLN FABRICS BUILDING

PROJECT ADDRESS

61 (63) LAKEPORT ROAD
ST. CATHERINES, ONTARIO

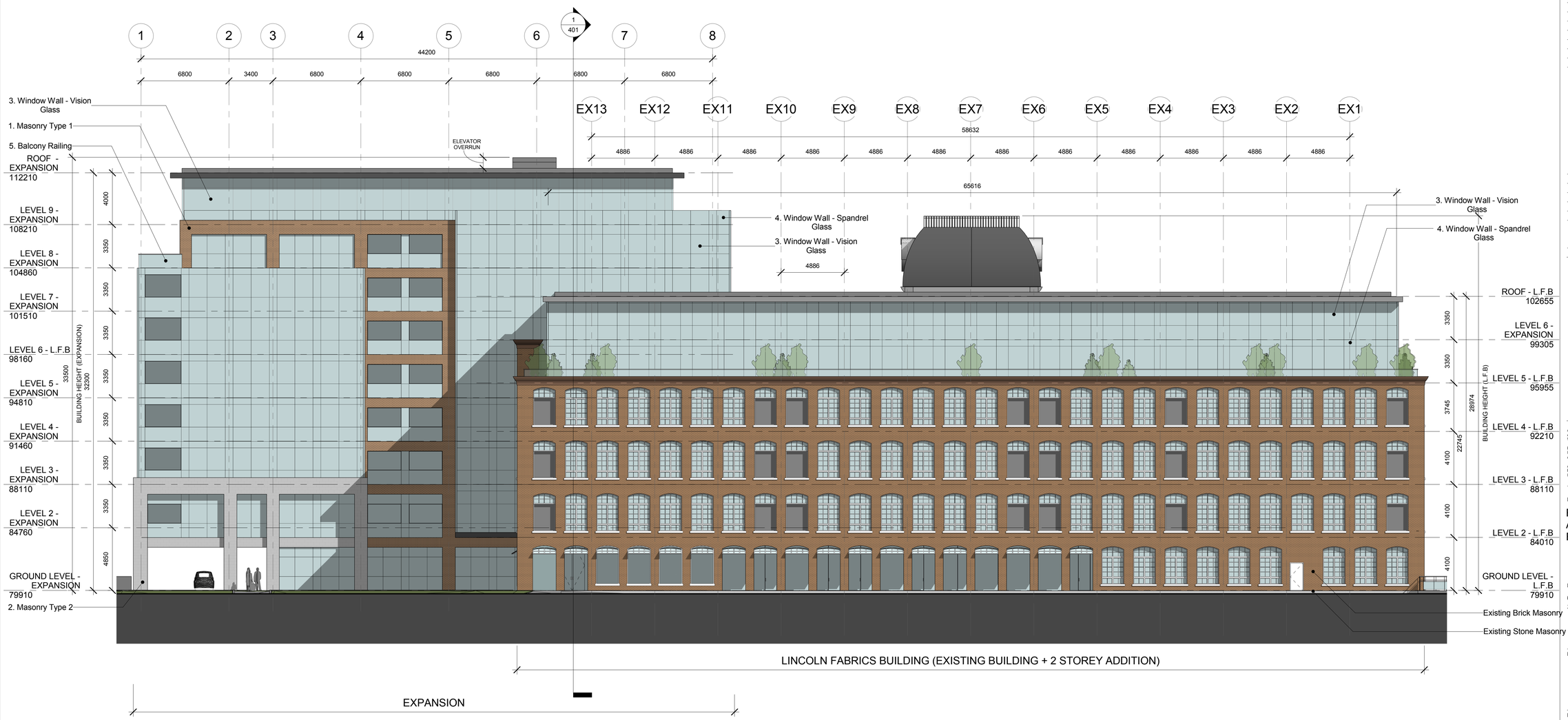
DRAWING

NORTH ELEVATION

PROJECT NUMBER	DATE
17026	10/11/2017
SCALE	PLOTTED DATE
1 : 150	13/11/2017 5:39:23 PM

EXTERIOR ELEVATION LEGEND

- EXISTING STONE MASONRY
- EXISTING BRICK MASONRY
- 1 MASONRY TYPE 1
- 2 MASONRY TYPE 2
- 3 WINDOW WALL - VISION GLASS
- 4 WINDOW WALL - SPANDREL GLASS
- 5 BALCONY RAILING
- 6 METAL PANEL



onespace
one team. one vision.

onespace unlimited inc.
architecture + interior design
3700 STEELES AVE WEST, SUITE 305, VAUGHAN, ONTARIO L4L 8K8 TEL: (416) 848-1245 FAX: (416) 848-1246 WWW.ONESPACEUNLIMITED.COM

NO.	DATE	REVISIONS

NO.	DATE	ISSUED
01	2017-11-15	ISSUED FOR ZBA/SPA SUBMISSION

PROJECT

RESTORATIONS AND ADDITIONS TO LINCOLN FABRICS BUILDING

PROJECT ADDRESS

61 (63) LAKEPORT ROAD
ST. CATHERINES, ONTARIO

DRAWING

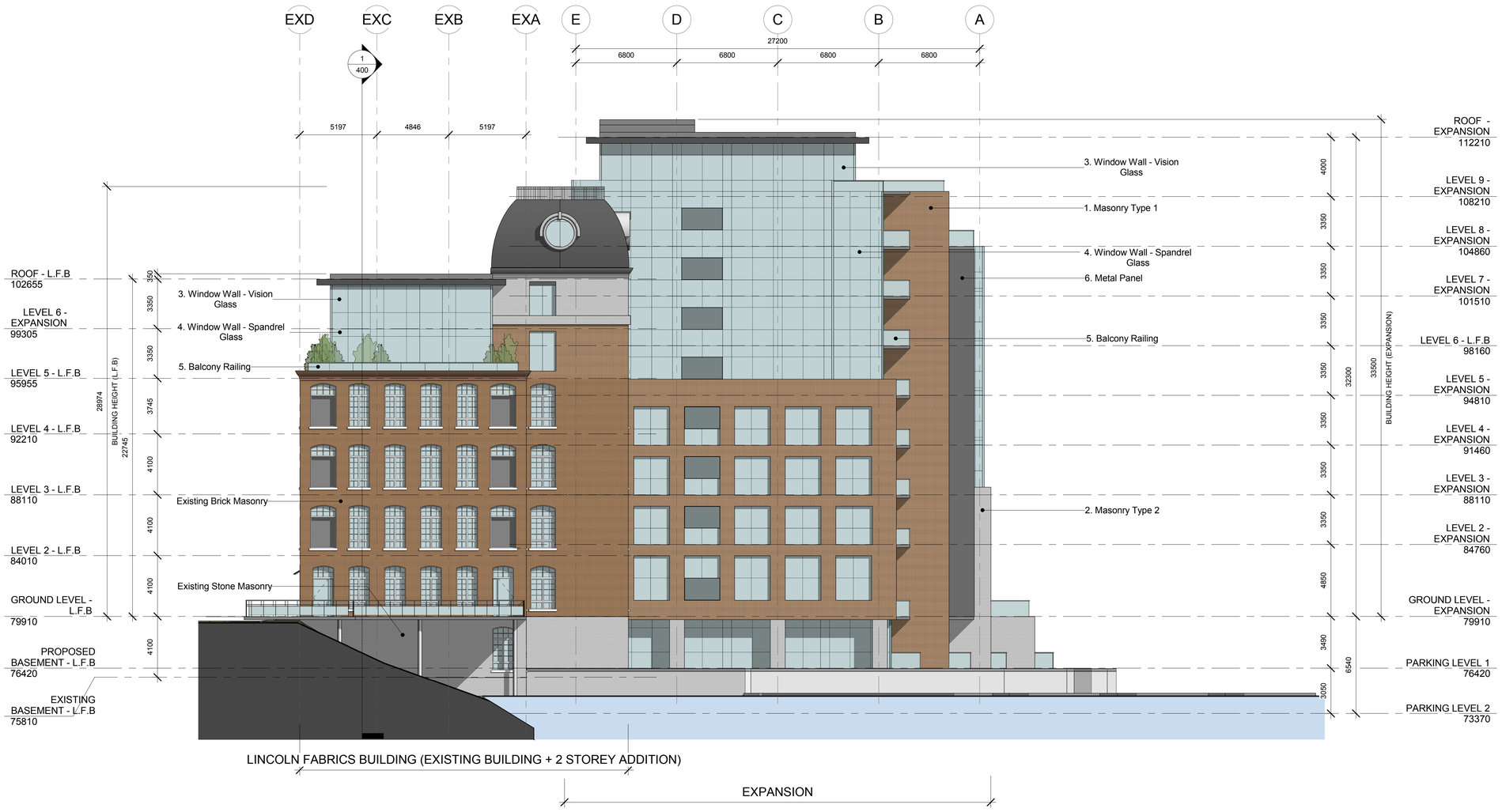
WEST ELEVATION

PROJECT NUMBER	DATE
17026	10/11/2017
SCALE	PLOTTED DATE
1 : 150	13/11/2017 5:39:31 PM

302

EXTERIOR ELEVATION LEGEND

- EXISTING STONE MASONRY
- EXISTING BRICK MASONRY
- 1 MASONRY TYPE 1
- 2 MASONRY TYPE 2
- 3 WINDOW WALL - VISION GLASS
- 4 WINDOW WALL - SPANDREL GLASS
- 5 BALCONY RAILING
- 6 METAL PANEL



onespace
one team. one vision.

onespace unlimited inc.
architecture + interior design
3700 STEELES AVE WEST, SUITE 305, VAUGHAN, ONTARIO L4L 8K8 TEL: (416) 840-1245 FAX: (416) 846-1246 WWW.ONESPACEUNLIMITED.COM

NO.	DATE	REVISIONS

NO.	DATE	ISSUED
01	2017-11-15	ISSUED FOR ZBA/SPA SUBMISSION

PROJECT

RESTORATIONS AND ADDITIONS TO LINCOLN FABRICS BUILDING

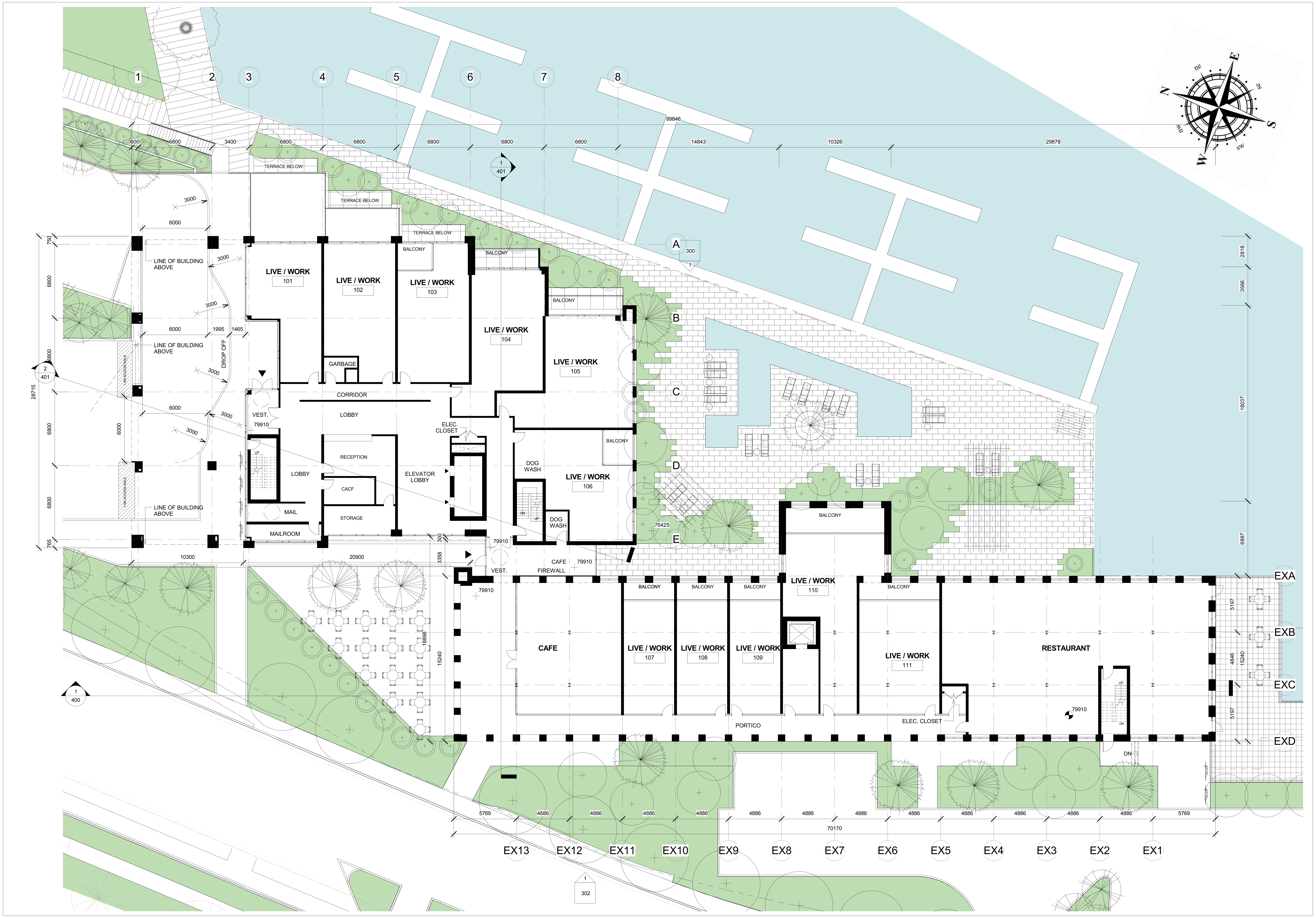
PROJECT ADDRESS

61 (63) LAKEPORT ROAD
ST. CATHERINES, ONTARIO

DRAWING

SOUTH ELEVATION

PROJECT NUMBER	DATE
17026	10/11/2017
SCALE	PLOTTED DATE
1 : 150	13/11/2017 5:39:37 PM



onespace
one team. one vision.

onespace unlimited inc.
architecture + interior design
3700 STEELES AVE WEST. SUITE 305. VAUGHAN, ONTARIO L4L 8K8 TEL: (416) 848-1245 FAX: (416) 848-1246 WWW.ONESPACEUNLIMITED.COM

NO.	DATE	REVISIONS

TRUE NORTH | PROJECT NORTH

NO.	DATE	ISSUED
01	2017-11-15	ISSUED FOR ZBA/SPA SUBMISSION

DRAWINGS ARE INTENDED TO CONVEY SCOPE OF WORK AND INDICATE GENERAL AND APPROXIMATE LOCATION, ARRANGEMENT AND SIZES OF MATERIALS AND PRODUCTS.

ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON PRACTICE AND CONFORM TO THE ONTARIO BUILDING CODE IN EFFECT AT THE TIME.

PROJECT
RESTORATIONS AND ADDITIONS TO LINCOLN FABRICS BUILDING

PROJECT ADDRESS
61 (63) LAKEPORT ROAD
ST. CATHERINES, ONTARIO

DRAWING
GROUND FLOOR

PROJECT NUMBER	DATE
17026	10/11/2017
SCALE	PLOTTED DATE
1 : 150	13/11/2017 5:39:01 PM

103

Aerial Photo

Surrounding Area

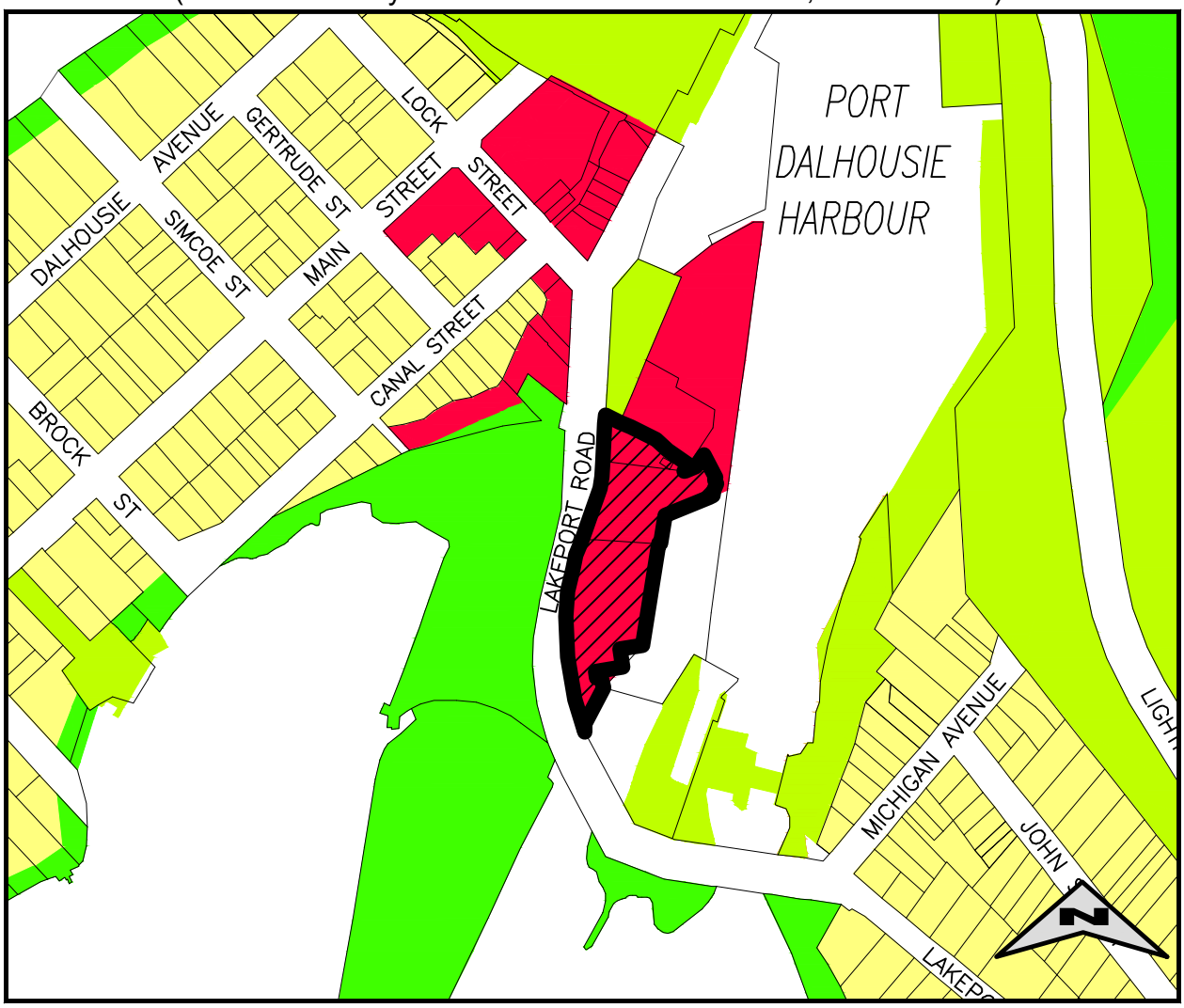
Subject Lands

57A, 59A, 61 & 63 Lakeport Road

File: 60.51.1034

Existing Land Use Designation

(The Garden City Plan - General Land Use Plan, Schedule D1)



Subject Lands

57A, 59A, 61 & 63 Lakeport Road

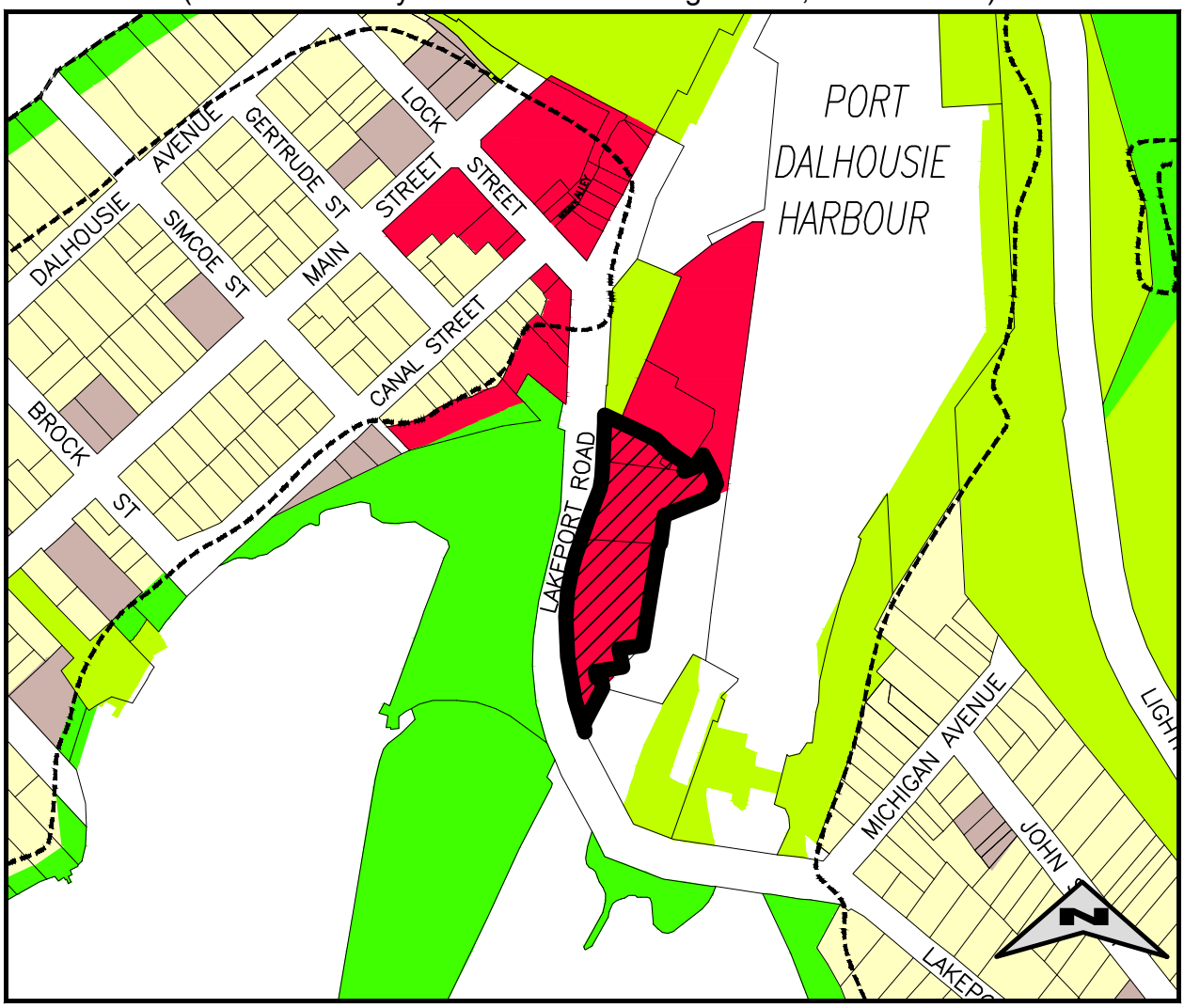
Land Use Designations

- Neighbourhood Residential
- Commercial
- Natural Areas
- Parkland & Open Space

File: 60.51.1034

Existing Land Use Designation

(The Garden City Plan - North Planning District, Schedule E1)



Subject Lands

57A, 59A, 61 & 63 Lakeport Road

Land Use Designations

- Low Density Residential
- Medium Density Residential
- Community Commercial
- Parkland & Open Space
- Natural Areas
- Natural Area Extent Line

File: 60.51.1034

Applicable Official Plan Policies
City of St. Catharines Garden City Plan

Policies
Part B: Vision and Guiding Principles
2.3.3. Accommodation of Growth 3. Growth will be accommodated by: i. the efficient usability of vacant and occupied lands; ii. more compact built form and density of development; iii. the reuse, rehabilitation, regeneration, intensification and enhancement of the built environment; iv. redevelopment and build out of underutilized properties v. a more integrated, interactive mix of uses, activity and functions; vi. service, infrastructure, energy, transportation sustainable, accessible**,** efficient and supportive development; vii. design initiatives to support**:** • compatible, innovative, efficient and sustainable building and site design; • enhanced natural and cultural heritage protection, preservation and conservation; • greening; • an accessible, integrated, interactive, usable and connected public realm within and between different use and activity areas, functions, landscapes and identities; 5. Housing ii. This Plan emphasizes the provision of new housing through the efficient use of vacant and occupied lands; higher density of development; small lot infill; intensification; mixed use development; and reuse, rehabilitation and redevelopment of the built form, including brownfield and greyfield sites. iii. All types of new housing will be provided in a manner not to compromise, but to accentuate and enhance the character, structure, function and accessibility of established residential neighbourhoods and other activity areas; cultural and heritage landscapes, buildings and identities; and the City's network of parks, open space and natural areas, and public realm opportunities. v. This Plan establishes higher housing density standards and opportunities for a greater mix of housing types than has traditionally been directed by the municipality. While it is recognized that new housing development and intensification may ccur in all residential neighbourhoods, the primary emphasis for housing intensification is directed towards the Urban Growth Centre and Intensification Areas as set out on

Schedule D 'Municipal Structure', along major road corridors, at commercial centres and mixed use areas.

6. Employment

iv. Population serving commercial, institutional, recreation, and cultural uses generate significant employment opportunities outside the Urban Grown Centre and Employment Lands.

i) Commercial centres are intended to primarily support a concentration of retail and service commercial facilities, functions and structure to serve a regional and/or local and community commercial marketplace.

Growth of commercial centres to maintain and attract new employment opportunities is promoted through reuse, redevelopment, and rehabilitation.

Part C: General Policies

3. Cultural Heritage

3.1. General Policies

1. The City shall identify cultural heritage resources through a continuing process of inventory, survey, and evaluation.

2. The City shall foster awareness and appreciation of the city's cultural heritage and encourage public and private stewardship.

3. The City shall support the continuing use, reuse, care, and conservation of cultural heritage resources and properties.

4. All development/redevelopment shall have regard for identified cultural heritage resources and shall wherever feasible, incorporate these resources into any development plan.

5. The City may require a cultural heritage impact assessment where a proposed development/redevelopment or site alteration of lands, or on adjacent lands, has the potential to adversely affect cultural heritage resources.

6. Development/redevelopment and site alteration may be permitted on adjacent lands to protected heritage property pursuant to Part IV and V of the Ontario Heritage Act, where the proposed development or site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected.

7. All new development/redevelopment in established areas of cultural heritage value or interest shall also be subject to the City's Urban Design Guidelines to ensure development is in keeping with the overall character of these areas.

10. The City shall encourage the adaptive reuse of heritage properties. Any permitted redevelopment shall ensure, where possible, that the original building fabric and architectural features are retained and restored and that any new additions will complement the existing building.

3.2. Heritage Designation

2. In reviewing proposals to alter individual property or structures designated under the Ontario Heritage Act, the City will be guided by the general principles contained in Section 3 of this Plan, in addition to the reason for designation.

3. To ensure a greater degree of protection to designated resources, the City may enter into agreements with property owners, or may attempt to secure conservation easements, in order to protect those features of a building or structure deemed to have cultural heritage value or interest.

6. Within a designated district, it is the intent of the City to conserve and enhance its unique heritage character. The City, in consultation with the district committee will encourage property owners to maintain, repair and restore heritage buildings and seek government grants, loans and other incentive programs for eligible conservation work.

7. In reviewing proposals for the construction, demolition, or removal of buildings and structures or the alteration of existing buildings, the City shall be guided by the applicable heritage district plan and the following general principles where there is potential to impact any cultural heritage resources:

a) Heritage buildings, associated landscape features and archaeological sites including their surroundings shall be protected from any adverse effects of change;
b) Original building fabric and architectural features should be retained, repaired, or restored rather than replaced wherever possible;
c) New additions and features should generally be no higher than the existing building and wherever possible be placed to the rear of the building or set back substantially from the principle façade;
d) New construction and/or infilling should be compatible with surrounding buildings and streetscapes by being generally of the same height, width and orientation as adjacent buildings; being of similar setback; and using similarly proportioned windows, doors, and roof shape;
e) Design, style, materials and colours for new construction will be considered on an individual basis on the premise that contemporary styles can be more

appropriate in certain cases than using design styles and motifs from previous periods;

f) Public works and landscaping within a designated district should ensure that existing roads and streetscapes are maintained or enhanced and that proposed changes respect and are complementary to the identified heritage character of the district;
g) The City shall have regard for cultural heritage resources in undertaking public works. When necessary, the City will require measures to mitigate any negative impacts on significant cultural heritage resources;
h) The City shall encourage local utility providers to place equipment and devices in locations which do not detract from the visual character of cultural resources and which do not have a negative impact on the architectural integrity of those resources, where feasible;

8. The City may accept easements on real property designated under the Ontario Heritage Act.

3.4. Archaeological Resources

2. Until an Archaeological Management Plan is adopted, a development proposal on or adjacent to a property with a known archaeological feature or with archaeological potential will require an assessment by an archaeologist licensed under the Ontario Heritage Act. The archaeological assessment must be carried out in compliance with Provincial standards and guidelines.

3. Development and site alteration shall only be permitted on lands containing archaeological resources or areas exhibiting archaeological potential if the significant archaeological resources have been conserved by removal and documentation, or by preservation on site.

4. Where significant archaeological resources must be preserved in-situ, only development and site alteration which maintain the heritage integrity of the site will be permitted.

5. The City recognizes that, within the boundaries of the municipality and including the Lake Ontario waterfront, there may be marine archaeological remains and resources from the pre-historic period through the modern era, including the remains of ships, boats, vessels, artifacts from the contents of boats and belongings of crew or passengers, weaponry, parts of ship construction, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value. The remains may currently be underwater or were, at one time, underwater but no longer submerged.

The City may, prior to approving a development proposal or site alteration, require a marine archaeological survey to be conducted by a licensed marine archaeologist to the satisfaction of the City and the Provincial Ministry of

Tourism and Culture, or successor thereto, pursuant to the Ontario Heritage Act. Any marine archaeologist resource that is identified must be reported immediately to the Ministry of Tourism and Culture or successor thereto, and the Ministry shall then determine whether the resource shall be left in-situ or may be removed, through excavation, by licensed marine archaeologists under the direction of the Ministry.

6. The City has special regard for the Welland Canals system. Any proponent for development, redevelopment or site alteration on lands within or adjacent to the Welland Canals first, second and third Canal system as generally illustrated on Part G, Appendix 1 of this Plan, will require an archaeological assessment. Significant archaeological resources shall be conserved by removal and documentation, or by preservation on site or in-situ, and other measures may be required to ensure that the heritage integrity of the Canals systems is preserved and promoted.

3.6. Cultural Heritage Impact Assessments

1. A cultural heritage impact assessment may be required by the City and submitted prior to or at the time of any application submission pursuant to the Planning Act where the proposed development, site alteration, or redevelopment of lands (private and public) has the potential to adversely affect cultural heritage resources through displacement or disruption, and including:

- destruction, removal or restoration of any, or part of any, heritage attributes or feature;
- alteration, including restoration, renovation, repair or disturbance; shadows created that alter the appearance of a heritage attribute or change the exposure or visibility of a natural feature or plantings;
- isolation of a heritage attribute from its surrounding environment, context or a significant relationship;
- direct or indirect obstruction of significant views or vistas from, within, or to a built or natural heritage feature;
- a change in land use allowing new development or site alteration to fill in formerly open spaces;
- soil disturbance including a change in grade, alteration of the drainage pattern, or excavation.

2. Cultural heritage impact assessments may be required in the following instances:

a) Properties designated under any part of the Ontario Heritage Act or properties adjacent to properties designated under the Ontario Heritage Act;
b) Properties that are included in the City's Register of Property of Cultural Heritage Value or Interest or adjacent to properties included in the City's Register of Property of Cultural Heritage Value or Interest;
c) A registered or known archaeological site or areas of archaeological potential;

4. Where cultural heritage resources are to be affected, the City may impose conditions of approval on any planning application to ensure their continued protection.

3.7. Implementation

The City may encourage the conservation and enhancement of cultural heritage resources through the following methods:

a) Participation in the programs of senior levels of government intended for the protection and restoration of cultural heritage resources;
b) The consideration of funding programs to aid in the protection and restoration of heritage resources;
c) Support the engagement of the arts community and others in the promotion and development of cultural heritage programs and activities;
d) Creation of partnerships with heritage foundations and other groups and organizations;
e) The use of preferred or beneficial zoning in exchange for the preservation of on-site buildings, landscapes, or streetscapes of cultural heritage value or interest, as provided for in Part F, Section 16.8 of the Plan.
f) The consideration of the preservation and enhancement of cultural heritage resources as a condition of planning approvals.

4. Urban Design

4.1. Urban Design Principles

The development of St. Catharines will be based on the following sustainable design principles:

a) a strong sense of identity and place as the “Garden City”;
b) innovative and sustainable design;
c) a stimulating, attractive, and safe public realm;
d) compatibility of new development with established areas;
e) universal access to public areas;
f) conservation of heritage buildings and structures;
g) protection of the natural environment and processes;
h) a compact, walkable, bikeable and well connected community;
i) a range of choices for housing and transportation;
j) mixed-use nodes and corridors;
k) complete streets for all users;
l) building design to support street life.

4.2. Community Identity – The “Garden City”

4. Urban design concept plans shall be required for major development proposals in the Downtown, intensification areas, heritage conservation districts, and other high profile areas. Such plans will establish the contextual relationship of the proposed development to adjacent buildings, streets, and surroundings.

5. The City's Urban Design Guidelines will ensure design objectives established in Heritage Conservation District Plans, or through individual heritage property designations, are maintained.

4.3. The Natural Environment

1. The natural features and areas of the City will be connected to the surrounding environment by improving physical and visual access from adjacent public spaces and by designing these to create connectivity and enhance a comprehensive, interconnected and safe open space network.

3. Development and redevelopment activities will be designed to be compatible in scale and character with natural features and areas, and enhance the visual qualities and public enjoyment of those features and areas.

7. In all public works, trees should be retained and when trees must be lost to accommodate the works, they will be replaced as soon as possible by other trees of sufficient maturity and in sufficient numbers to enhance the appearance of the public works.

4.4. The Public Realm

1. Urban design opportunities to enhance the quality of the public realm shall be encouraged as part of the design of all municipal undertakings, including public parks and buildings, public streets, natural areas, and all municipal engineering projects related to public spaces. The design of such projects will consider:

a) the introduction or improvement of linkages where existing areas are inadequately connected to each other or between public places;
b) improvements to streetscapes, including pedestrian-scale lighting, bicycle facilities, street furniture, signage, landscaping, and enhanced active transportation wherever road improvements occur;
c) naturalization opportunities including the use of native species of trees in development of open spaces;
d) the placement of a broad range of art works in publicly accessible and visible locations;
e) roadway design to maximize the preservation and maintenance of natural features and the development of complete streets;
f) the protection and enhancement of major vistas, gateways, and scenic routes;
g) measures to mitigate light trespass and glare to minimize the effects of sky

glow.

3. Where feasible, major public and private development projects will be required to incorporate public spaces, bicycle facilities and sidewalks to support connections to the City's pedestrian, bike and transit network.

4. Wherever feasible, utilities will be placed underground and/or designed to minimize negative impacts, maintain existing area character, and enable further aesthetic improvements such as boulevard trees planting.

Consideration shall be given to the location of utilities within the public rights of way as well as on private property. Utilities shall be clustered or grouped where possible to minimize visual impact. The City encourages utility providers to consider innovative methods of containing utility services on or within streetscape features such as gateways, lamp posts, transit shelters, etc. when determining appropriate locations for large utility equipment and utility cluster sites.

4.5. Built Form

1. As a basis for evaluating compatibility and for achieving design excellence, development/redevelopment will be designed in a manner that reflects the principles established in Part C, Section 4.1 of this Plan and that maximizes compatibility with the surrounding area in terms of the following matters:

a) Building scale, height, gradation of height, and massing.
b) Spacing of buildings.
c) The level and visibility of the ground floor relative to exterior grade
d) Roof form and pitch, together with any other structures on the roof.
e) The placement, number, type and proportion of doors and windows.
f) Use of materials, textures, and colours.
g) Continuity in the provision, location, and linkage of amenity, open space, and green corridors.
h) Preservation and enhancement of significant views and vistas.
i) Retention of natural vegetation and other distinctive landscape or streetscape features.
j) The overall scale of the development as it relates to the surrounding area. In this regard, factors contributing to compatibility include avoiding long unbroken expanses of walls; creating relief in walls; the use of varied colours, textures, types, qualities and patterns of finish materials; roofline articulation.
k) Mitigating light trespass and glare and to minimize the effects of sky glow.
l) Mitigating wind, sun shadow impacts.

2. Development/redevelopment will locate parking, service areas, and utilities to minimize the impact on the property, surrounding area, and the environment by:

a) Consolidating and minimizing the width of driveways and curb cuts.

b) Providing underground parking or parking structures where possible.
c) Limiting surface parking between the front and flanking face of a building and the public street.
d) Providing perimeter landscaping as well as landscaped interior islands.
e) Using permeable pavement systems or other low impact development practices.
f) Connecting parking areas to the street through safe, landscaped pedestrian walkways.
g) Integrating utilities as part of the building and site design, where feasible.
h) Ensuring safety for active transportation.

3. Development/Redevelopment may be required to provide amenities for adjacent streets and open spaces such as street furniture, bicycle parking facilities, trees, signage, and lighting to ensure they are fully integrated into the surrounding neighbourhood.

4. Major development/redevelopment proposals shall be required to prepare an urban design scheme (site plans, building elevations, context plans, and other studies) to determine impacts on the physical compatibility of the surrounding area and on the long term development or redevelopment potential of the area.

4.6. Universal Access

1. New buildings, the retrofitting of existing municipal buildings and public spaces shall be designed to foster and support accessibility by all citizens. The full range of abilities of all ages and users shall be considered in the design of the built environment.

2. The travelled portion of pedestrian and bicycle routes shall be kept free from obstructions or projections of street furniture, fixtures, or buildings.

3. Barrier-free features shall be well-integrated within the functional and aesthetic design composition, including but not limited to:

i. ensuring appropriate driveway and sidewalk height to length ratios to support safe accessibility and travel for all;
ii. requiring sidewalk curb cuts at all intersections;
iii. requiring paving changes be incorporated at grade changes and intersections;
iv. requirements for accessibility parking spaces;
v. encouraging other features appropriate to ensure that barrier free design is provided.

4.7. Personal Safety

1. Publicly accessible spaces shall be located near public roads, transit stops, or other public spaces in order to allow public surveillance.

2. Adequate lighting shall be provided in concealed areas or those areas where visibility may be poor.

3. Views shall be provided into, out of, and through publicly accessible spaces.

4. Access points from public and public accessible spaces shall be clearly identified.

5. Public spaces shall be designed to encourage a variety of activities on a daily, weekly, and seasonal basis.

4.8. Landscaping

1. Landscaping design shall:

i. enhance the visual appeal of development.
ii. buffer unsightly areas or uses that are incompatible.
iii. promote the use of native species.
iv. provide seasonal variation in form, colour, texture, and representation.
v. promote human scale and create an attractive environment for pedestrian movement.
vi. assist in energy conservation.
vii. mitigate the effects of inclement weather.
viii. preserve and compliment existing natural landscape.

2. Appropriate buffering will be required between all uses of land where there may be a conflict and where one use may detract from the enjoyment.

5. Transportation

5.1. General Policies

3. To facilitate a greater multi-modal split, with less emphasis on the automobile, the City will balance the provision of a safe, functional, and attractive pedestrian and cycling oriented environment with an acceptable level of vehicular traffic. The City may accept a level of automobile service which is less than optimum in return for a more pedestrian and cycling oriented environment, transit supportive development, and a vibrant public realm.

4. The City will encourage and facilitate alternative forms of transportation that promote energy conservation and a healthy lifestyle.

5. A Transportation Impact Study may be required for new development or redevelopment to assess transportation demands, impacts, and opportunities.

6. To implement the findings of the Transportation Impact Study, the City will include conditions of approval that support safe and functional pedestrian and

cyclist movement, including:

a) The acquisition of easements and dedication of land for sidewalks, bicycle trails, transit stops, or other facilities;
b) The provision of associated amenities such as transit shelters, bicycle parking facilities, and lighting;
c) Site, building, and road designs that meet the needs of pedestrians, cyclists, and transit users.

7. The City shall consider various traffic calming and transportation demand management measures to reduce the negative impacts of traffic, and to promote safer streets and the concept of complete streets.

5.3. Alternative Forms of Transportation

1. Transit

2. The City shall provide transit at a level of service to enhance its use as a viable alternative to the automobile, and should include facilities to support multi-modal transportation such as bike racks.

3. Transit service levels shall be increased incrementally to improve the viability of transit. Service level increases shall be directed to:

a) Downtown and the Urban Growth Centre.
b) Major Activity Centres, mixed use areas, nodes and intensification areas.
c) Designated employment areas.
d) Major Transit Station Areas.

4. Major new or redeveloped activity nodes or corridors shall incorporate transit and pedestrian systems that reduce reliance on the automobile.

6. The City will encourage the integration of cycling and transit modes by providing bicycle parking facilities at major transit stops and in conjunction with development within nodes and intensification corridors, employment areas, and the Downtown.

7. The City shall encourage the provision of convenient, safe pedestrian access and a maximum walking distance of 400 metres to transit facilities through its planning approvals.

8. The City shall ensure that other policy objectives (e.g. parking) do not undermine transit policies.

2. Cycling

1. The City shall require, provide, and maintain a continuous, well signed, clearly visible, and attractively landscaped network of cycling trails and facilities.

3. The City shall provide bicycle parking at public facilities and shall require such facilities as a condition of approval for all major private development, where feasible.

3. Pedestrians

1. The City shall ensure that the transportation system will be designed to provide continuous and direct access by sidewalks and walkways to schools, recreation and cultural destinations, community services, major activity centres, and other high volume pedestrian centres.

3. The City shall encourage weather protection for pedestrians in the Downtown, commercial centers, and other activity areas.

4. Pedestrian safety will be enhanced on sidewalks and walkways through the provision of lighting and/or public visibility, where feasible.

5. Sidewalks are to be built to a standard that facilitates the mobility of persons with disabilities.

5.4. Parking

1. Vehicle parking standards will be established for all land uses in the implementing zoning by-law, and adequate off-street parking shall be provided for development/redevelopment in accordance with these standards. Zoning bylaws may establish maximum as well as minimum parking requirements for both vehicles and bicycles.

2. The City may consider the reduction or the elimination of vehicular parking requirements where:

i. shared parking is possible;
ii. transit is readily available or where transit facilities are provided;
iii. bicycle parking and facilities, or community facilities, are provided;
iv. land, beyond minimum requirements, is dedicated for safe active transportation facilities and connectivity;
v. land, beyond minimum requirements, is dedicated for greening and landscaping initiatives.

The applicant must demonstrate that reduced vehicular parking standards will not aggravate the parking supply, and not result in unacceptable levels of spill-over parking in adjacent areas to cause negative impact to travel, traffic and parking management.

3. To support the minimization of large tracts of asphalt for parking, the City encourages the use of compatible and context sensitive underground and structured parking for development or redevelopment within the Downtown Urban Growth Centre, mixed use areas and commercial centres, for medium and high density residential development, and large scale developments.

6. The negative impacts of vehicular parking on the urban environment, cycling and pedestrian activity shall be minimized through:

a) locating parking and loading areas at the rear of buildings where feasible;
b) use of alternative paving materials such as permeable pavement systems;
c) alternative surface water management such as swales and ditches;
d) landscape treatments and pedestrian walkways in accordance with the Urban Design Guidelines;
e) Buffering sidewalk users from through traffic, where feasible.

6. Achieving a Sustainable City

6.1. General Policies

2. The City shall support sustainable development through land use and development patterns that:

a) Promote compact form and a structure of nodes and corridors, and which direct development, redevelopment and intensification primarily to the Downtown Urban Growth Centre and Intensification Areas as set out on Schedule D ‘Municipal Structure’.
b) Promote the use of public transit and other alternative transportation modes among residential, employment and commercial areas, and other activity centres;
c) Promote development/redevelopment throughout the City’s Urban Area on sites that are or will be well served by public transit, with particular emphasis on the Downtown Urban Growth Centre and Intensification Areas as set on Schedule D ‘Municipal Structure’.
d) Promote design and orientation that maximizes the use of alternative or renewable energy sources, such as solar and wind, and the mitigating effects of vegetation.

3. All of the City’s sustainable development principles shall be considered when reviewing applications for development, public works, and capital expenditures.

6. In making decisions about planning, development, and conservation, within the sustainability framework, the City shall employ an ecosystem approach addressing:

a) The interrelationships among air, land, water, plant and animal life, and human activities;
b) The health and integrity of the broader landscape, including impacts on the natural environment in neighbouring jurisdictions;
c) The long term and cumulative impacts on the ecosystem.

7. Development should maintain, enhance, or restore ecosystem health and integrity.

6.3. Energy Efficiency/Generation

1. The City shall encourage and support energy conservation, district heating and combined heat and power, and alternative and renewable energy sources developed in accordance with Provincial and Federal legislation, policies and regulations.

3. The City shall promote innovative subdivision and site plan design that minimizes energy consumption through road design and lot layouts which maximize passive solar energy opportunities and other alternative energy sources.

4. The City shall establish urban design guidelines that promote energy efficiency.

5. Site plan control shall be used to incorporate energy conservation measures into the final design. Such measures may include orientation and design of new buildings to maximize solar gain and to minimize energy loss through appropriate construction standards and landscaping designed to moderate seasonal climatic variation.

6. The City will encourage and facilitate the application of energy conservation measures in the design and construction of new buildings and in the rehabilitation and upgrading of existing buildings and structures. Standard municipal requirements for building orientation, landscaping design, lot coverage, and other site or building characteristics may be varied to provide for increased energy efficiency.

7. Regard shall be had for solar rights and carbon footprint in the evaluation of all development and redevelopment opportunities.

6.4. Air Quality

4. The City shall give emphasis to transit, walking, and cycling over the private vehicle.

5. The City shall promote green space, tree planting, and natural heritage conservation.

6.5. Water Resources

1. Development and site alteration shall only be permitted if it will not have negative

impacts, including cross-jurisdictional and cross-watershed impacts on:

a) The quantity and quality of surface and ground water;
b) The functions of ground water recharge and discharge areas, aquifers and headwaters;
c) The natural hydrologic characteristics of water courses such as base flow;
d) The natural drainage systems, streams, forms and shorelines;
e) Flooding or erosion;
f) Surface or ground water resources adversely impacting on the ecological function of natural hazards and heritage as set on Schedule F2 'Natural Hazard Lands' and Schedules F3 and F4 'Natural Heritage' of this Plan.

2. Development and site alteration shall be restricted in the vicinity of vulnerable surface and ground water features of importance to water supplies so that the safety and quality of drinking water will be protected and improved.

3. Efficient and sustainable use of water resources shall be promoted, including practices to conserve water and protect or enhance water quality.

4. A Stormwater Management Plan prepared by a qualified engineer, and based on sediment and erosion control guidelines from the Niagara Peninsula Conservation Authority (NPCA), as amended from time to time, may be required with an application for development, redevelopment or site alteration depending on:

i. The scale and nature of the proposal.
ii. Site specific environmental conditions.

The City, in conjunction with the Region, the Niagara Peninsula Conservation Authority (NPCA) and other authorities will determine the need for such a plan as part of the complete application process. Stormwater Management Plans will be required to consider alternative approaches to traditional stormwater management such as Low Impact Development practices as noted in Part D, Section 7.1 g) of this Plan.

6. Development and site alteration shall not have significant adverse impacts on ground and surface water quality or quantity. In areas where development and site alteration could significantly affect ground or surface water quality or quantity the City shall require that an assessment of potential groundwater impacts be submitted with the development application, and mitigating measures and/or alternative development approaches may be required.

6.6. The Urban Forest

4. Planning applications shall integrate natural features and natural vegetation, including the planting of native species, into development plans.

6.9 Infrastructure and Public Service Facilities

4. The use of existing infrastructure and public service facilities should be optimized, wherever feasible, before consideration is given to developing new infrastructure and public service facilities.

PART D: Land Use Policies

9. Commercial

9.2. Commercial Use Designations

2. **Community Commercial**

Community Commercial Centres are to be spatially dispersed throughout the Urban Area, primarily intended to provide concentrations of commercial facilities to support day to day and weekly shopping and service needs for the local surrounding community population.

a) Permitted Uses
A range of commercial uses are permitted, excluding auto dealerships, adult oriented uses and hotels. Other uses permitted include institutional, civic, cultural, indoor recreation, entertainment and residential apartment dwelling units.

b) Community Commercial Centres:
   i. are to be located at the intersection of arterial roads and well served by public transit service;
   ii. are subject to Section 9.2.1 b) ii), iii) and v);
   iii. shall generally not exceed a total gross leaseable floor area of 30,000 square metres for all uses except residential, and non retail/service commercial uses should be limited in size and scale to protect the primary function of the Centre for the provision of shopping and service commercial facilities;
   iv. shall limit the size of individual uses in a manner to support a diversity and mix of uses within the Centre;
   v. residential uses shall be located in freestanding buildings or in upper storeys of commercial buildings, and will provide adequate exclusive outdoor amenity space for residents;

c) In recognizing the diversity in size of established and designated Community Commercial Centres, the permitted size of centres shall generally range between 2 hectares and 12 hectares of land.

The full range and scale of uses permitted in Community Commercial Centres may not be allowed on all properties so designated. The precise range and scale of uses permitted on properties designated Community Commercial may

be stipulated in District Plans or the implementing zoning by-law, and may be subject to studies as set out in Part F, Section 16.16 of this Plan including, but not limited to, use compatibility, traffic, parking, market analysis, and building and site design.

d) Any application to establish a new centre or to expand an established centre beyond existing property limits will require an amendment to this Plan, and may be subject to studies as set out in Part F, Section 16.16 of this Plan including, but not limited to, market analysis, land use compatibility and traffic.

Part E: District Plans

15.1 North District

The following specific or special policies apply to lands located on the following schedules:

1. Schedule E1

c) Lands located on the east side of Lakeport Road, west of Port Dalhousie Harbour, the following applies:

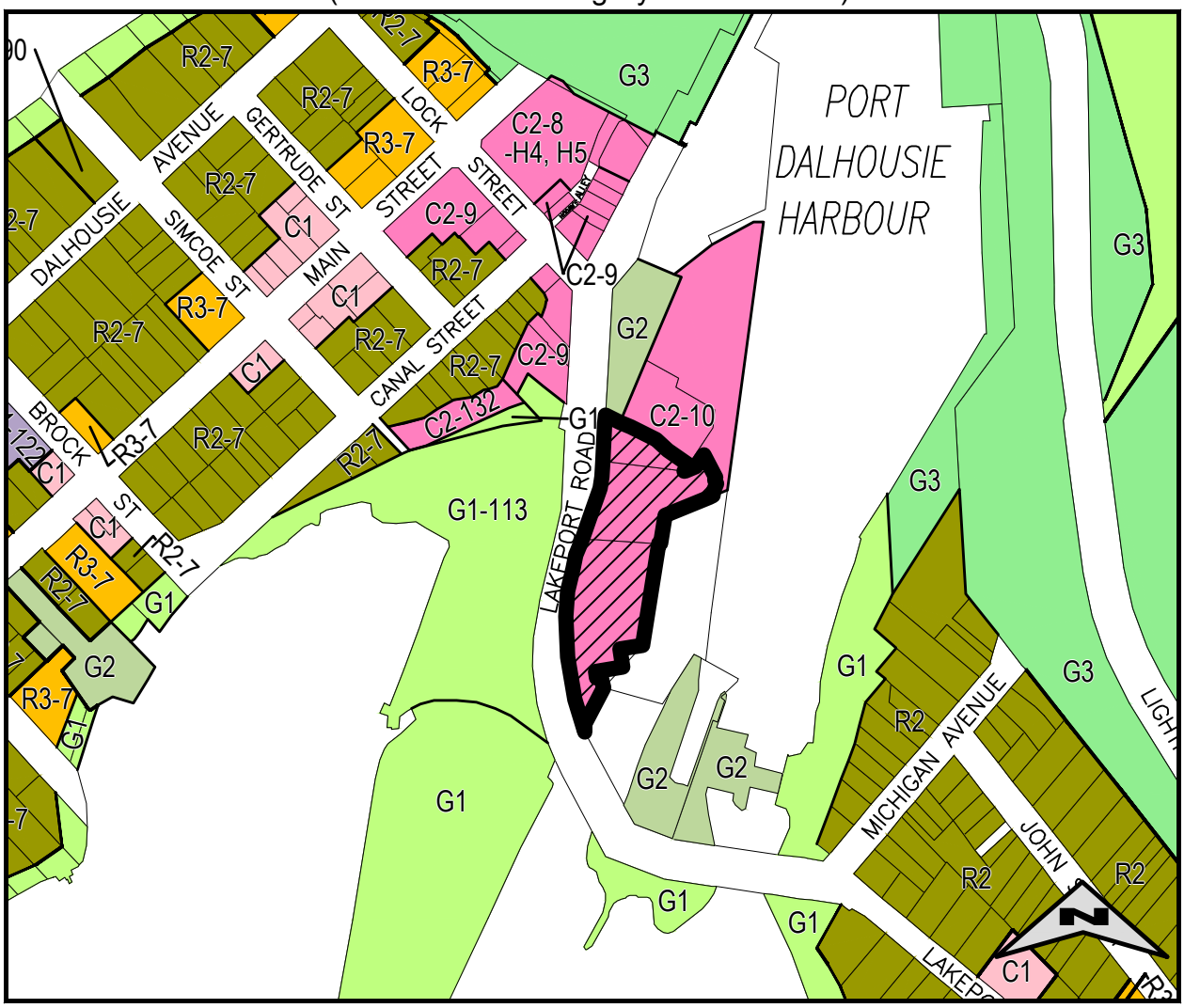
i. Notwithstanding the Community Commercial land use designation, the development or redevelopment of these lands permit an appropriate range and mix of medium and higher density residential housing, commercial, Employment, institutional and indoor recreation uses to support regional based tourist facilities to enhance the economic vitality of the area.

ii. Prior to development or redevelopment of the subject lands, an urban design study shall be undertaken by the proponent(s), to the satisfaction and approval of the City, to ensure implementation of appropriate design standards to support a connected public realm, protection for public access, vistas and views to the waterfront, and protection of cultural heritage amenities.

e) Harbour industrial marine uses, excepting boat slips and administrative office, shall not be permitted on the west side of Port Dalhousie Harbour.

Existing Zoning

(Schedule A - Zoning By-law 2013-283)



Subject Lands

57A, 59A, 61 & 63 Lakeport Road

Zones

- R1 Low Density Residential - Suburban Neighbourhood
- R2 Low Density Residential - Traditional Neighbourhood
- R3 Medium Density Residential
- C1 Local Convenience Commercial
- C2 Community Commercial
- G1 Conservation / Natural Area
- G2 Minor Green Space
- G3 Major Green Space
- I1 Local Neighbourhood Institutional

File: 60.51.1034

Proposed Zoning Changes

Application for Zoning By-law Amendment
57A (59A), 61, and 63 Lakeport Road

Zoning Provision	Current Requirement	Requested Change	Comment
Definition of a Live/Work Dwelling Unit	Does not exist	"Dwelling Unit, Live/Work: means a premise that is comprised of a dwelling unit as well as dedicated space for the operation of a permitted non-residential use."	
Additional Permitted Uses (per Special Provision 10)	Administrative offices of a marina and boat slips, and hotel/motel	Live/work dwelling units, boat slips, administrative offices of a marina and boat slips, and hotel/motel	Requested change should not apply to 57A (59A) Lakeport Road
Footnote b) for Section 6.2 Permitted Uses	Apartment buildings must be located on the same lot as commercial uses, to a maximum of 15% lot coverage	n/a	Requested change should not apply to 57A (59A) Lakeport Road
Maximum Percentage of Total GLFA for Non-commercial Uses	40%	n/a	Requested change should not apply to 57A (59A) Lakeport Road
Minimum Non-residential GLFA	Does not exist	500 m^2	Requested change should not apply to 57A (59A) Lakeport Road
Minimum GFA for Live/Work Dweling Units	Does not exist		Requested change should not apply to 57A (59A) Lakeport Road

Maximum Total GLA of all Permitted Uses	Does not exist	22,000 m^2	Requested change should not apply to 57A (59A) Lakeport Road
Minimum Front Yard	3.0 metres	1.0 metre	Additional deficiency identified by staff as a result of requested road widening. Requested change should not apply to 57A (59A) Lakeport Road.
Section 6.4 Provisions for Commercial (C1) to (C4) Zones	Minimum Front Yard: 3.0 metres Maximum Front Yard: 24.0 metres	Shall not apply to those portions of buildings or structures that are located below grade	
Maximum Building Height	11.0 metres (measured from grade at the principal entrance of the building)	34.0 metres (measured from established grade elevation of 79.91 metres)	Requested change would not apply to 57A (59A) Lakeport Road
Parking Location for Residential Uses	Required parking shall be provided on the same lot as the residential use requiring the parking	Required parking shall be provided on the same lot as the residential use requiring the parking or on an abutting property	Additional deficiency identified by staff
Required Parking for Live/Work Dwelling Units	Does not exist	Minimum 1 parking space per live/work dwelling unit	
Total Required Parking for Non-residential Uses and Visitors of Residential Uses	Does not exist	9	Parking requirement for non-residential uses proposed by the Applicant would normally be 1 space per 20 m^2 of gross leasable floor area for the restaurant and café. Parking for

			visitors of residential uses is included in the 1:1 parking ratio for apartment dwelling units in mixed use buildings
Minimum width of Landscape Buffer between a Parking Area (more than 20 spaces, but fewer than 100) and a lot line abutting a Public Road	3.0 metres	n/a	Would normally apply to the entire Lakeport Road frontage of the property
Minimum width of Landscape Buffer between a Parking Area (more than 20 spaces, but fewer than 100) and a lot line not abutting a public road	3.0 metres	n/a	Would normally apply to either side of the common lot line between 57A (59A) Lakeport Road and 61 Lakeport Road

CITY OF ST. CATHARINES

BY-LAW NO.2018- _____

A By-law to amend By-law No. 2013-283 entitled "A By-law to regulate the use of land, the bulk, height, location, erection and use of buildings and structures, the provision of parking spaces and other associated matters in the City of St.Catharines."

THE COUNCIL OF THE CORPORATION OF THE CITY OF ST. CATHARINES enacts as follows:

That By-law No.2013-283, as amended, is further amended as follows:

1) Schedule A7 is amended by re-zoning the subject lands delineated on Schedule "A" attached hereto and forming part of this By-law from the "Community Commercial" with Special Provision No. 10 (C2-10) zone to the "Community Commercial" with Special Provision No. XX (C2-XX) zone.

2) Section 13.1, List of Special Provisions, is amended by adding the following new Special Provision:

Special Provision	Zone	Schedule A	Schedule B	Location	By-law
XX	C2	7		59A, 61 & 63 Lakeport Road	2018-_____
The following provisions apply to the subject lands:					
1.	Live/Work Dwelling Units and boat slips shall be permitted in addition to those uses permitted in Section 6.2 of the By-law.				
2.	Footnote b) in Section 6.2.1 of the By-law shall not apply.				
3.	Maximum Percentage of Total glfa for Non-commercial uses:			N/A	

4.	Minimum Total gfa for Live/Work Dwelling Units:	500 m^2
5.	Minimum Total gfa for Non-Residential Uses:	500 m^2
6.	Maximum Total gfa of all permitted uses, excluding parking areas:	22,000 m^2
7.	Maximum Building Height (measured from the established grade elevation of 79.91 metres):	34 m
8.	Minimum Parking Spaces per Live/Work Dwelling Unit:	1
9.	Minimum Total Combined Parking Spaces for Non-Residential Uses and Visitors of Residential Uses:	9
10.	The Minimum and Maximum Yard provisions in Section 6.4 of the By-law shall not apply to those portions of buildings or structures that are located below grade.	
11.	The Landscape Provisions for Parking Areas in Section 3.13 of the By-law shall not apply.	

3) Section 12, Definitions, is amended by adding a definition for "Dwelling Unit, Live/Work" as follows:

"**Dwelling Unit, Live/Work:** means a premises that is comprised of a dwelling unit as well as dedicated space for the operation of a permitted non-residential use".

4) This By-law shall come into force and effect on the date of passing by Council, subject to the provisions of the Planning Act, R.S.O. 1990, c.P.13, as amended.

Read a first time this day of 2018.

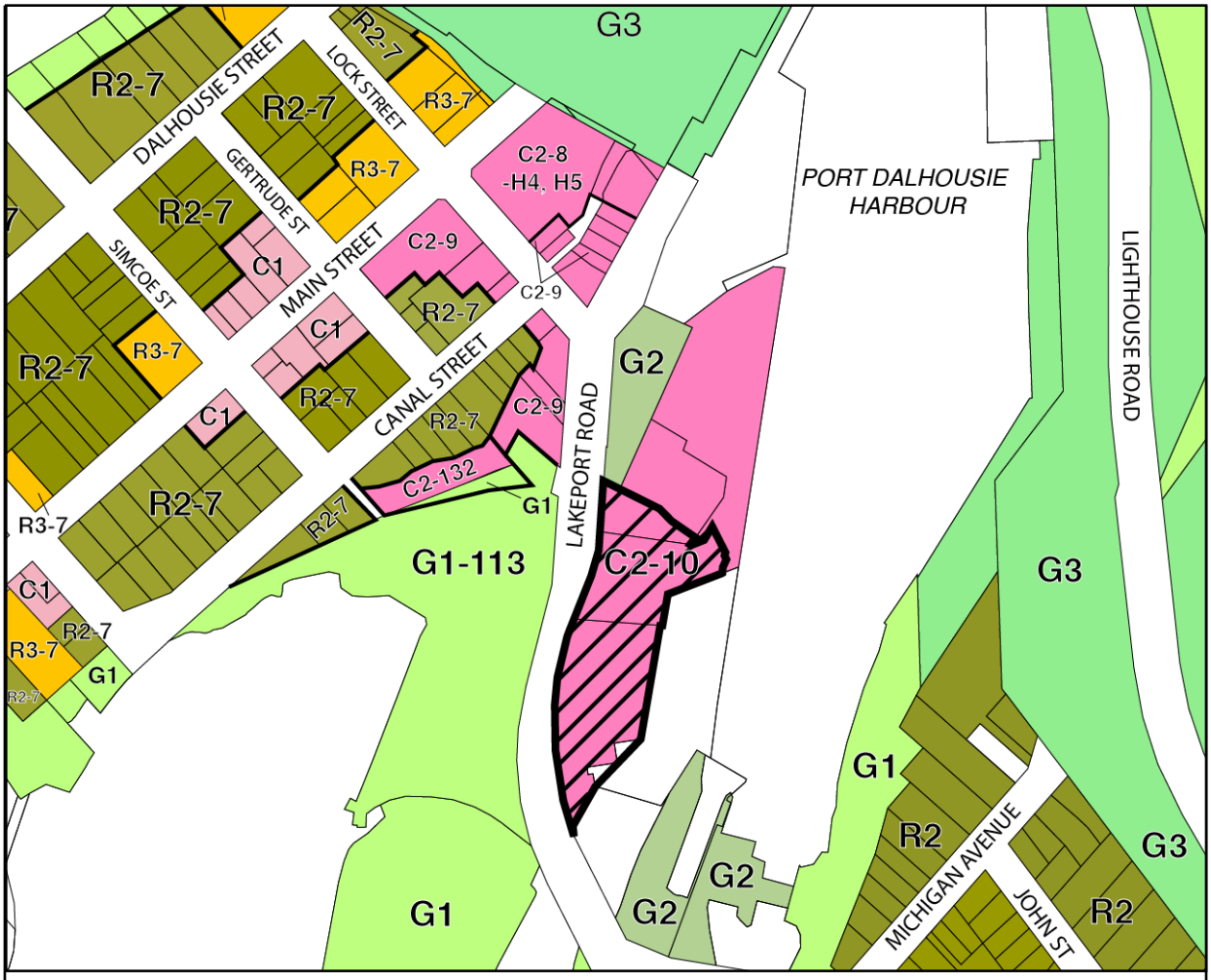
Read a second time this day of 2018.

Read a third time and passed this day of 2018.

_____ _____

HEATHER SALTER, DEPUTY CLERK WALTER SENDZIK, MAYOR

DRAFT
SCHEDULE "A"
By-law 2018- _____



59A, 61 & 63 Lakeport Road

Lands to be re-zoned from
Community Commercial with Special Provision No.10 (C2-10)
to
Community Commercial with Special Provision No. XXXX (C2-XXXX)

ZONES

R2	Low Density Residential - Traditional Neighbourhood	G1	Conservation/Natural Area
R3	Medium Density Residential	G2	Minor Green Space
C1	Local Convenience Commercial	G3	Medium/High Density Mixed Use
C2	Community Commercial		

Memo to: Amanda Knutson- City Planner

From: Port Dalhousie Conservancy

RE: Response to: Lincoln Fabrics Proposal.

Dear Ms Knutson:

The adaptive reuse of Heritage Buildings is something that the Conservancy is very much in favour of. We are also pleased with the fact that the architect for the proposal proposes to reuse the Lincoln Fabrics building and incorporate the building into their development plans. We have previously had the opportunity to tour the building with Sheldon Rosen and have a fair understanding of what they are attempting to do, as well as the strengths and weaknesses of the building site.

However our concerns with respect to the Secondary plan also apply to this particular plan, as we don't believe that it reflects the discussions with the consultants at the Secondary Plan Open Houses nor the current planning regime. We await the requested comprehensive analysis on infrastructure and services which are needed for the entire secondary plan and we hope that this proposal can be made to fit within an approved secondary plan so that we can support it.

We also have a number of direct concerns about the proposal;

A) The size and volume is inconsistent with appropriate homage that new construction ought to pay to the Heritage building itself. During our tour we were clearly told by the builder that they were shooting for 90-110 units. We are disappointed that the final plan as drafted, indicates 153 units. We do question what has caused this radical change.
B) We know that city planners are attempting to preserve the views between the two projects currently planned for the harbour area. That goal is something we can support, however it appears that the price requested to be paid for this swap is totally out of proportion to what has been requested by the city.
C) The tearing down of Pier 61 and the integration of it into the Heritage building is an interesting concept, however it does not require an addition of what appears to be almost 10 stories and approximately 50 additional units from what was previously proffered in the original design. The tearing down and rehabilitation of the Pier 61 site is a relatively small job which could be completed in a few days according to a local contractor we consulted. The fifty additional units simply produces another 20 million in value and raises additional infrastructure concerns.
D) The new higher and larger addition proposed to be added to the existing building, completely overwhelms the Heritage structure, (even if you were to accept adding two stories to the historic building) to the extent that the historical nature of the building is lost. In our view the addition should be more subordinate to the historical structure and definitely lower in height.
E) The plan as proposed also reorients the "front "of the new building to the water and the "back" to the community and Lakeport road. In fact the newly restored cupola, which we support, cannot even be seen from the park over the additional stories added to structure.
F) We reiterate that 8 stories (much less 10) has no support from the public consultations nor from the professional recommendations that came about out of those consultations. In addition the 2012 Brooks MacIroy report only suggests 8 stories in 1 out 1 of 3 options presented and only in context of a declining height towards the water at Lockhart point.

G) The public consultations clearly established the maximum height of the existing Lincoln Fabrics building as the community's desired height, so we have no idea how the recent draft report comes up with 8 stories. We can surmise that the swap of square footage for views is responsible for this additional height, but if that is so, then the price being paid is way too high.

H) We would also like to make you aware that we would like you to consider the preservation of the old powerhouse either in situ or as a park monument which would be an interesting artifact for the city. The power house was used to power the entire village of Port Dalhousie and we understand that some individuals even went door to door to collect payment for their power consumption. This is an interesting part of Port History that should not be lost. Perhaps Pier 61 could be rebranded as the "Powerhouse Grill" ☺ since that is the location of its replacement next to weir.

It may be instructive to consider our previous comments with respect to underground parking on site and under public land, for the Legion to assist you in reducing the height.

Thank-you for allowing us to comment on this proposal. We remain ready and willing to meet and discuss these issues further.

Hank Beekhuis, President

On behalf of the Port Dalhousie Conservancy

CITY OF ST. CATHARINES

Comment Sheet
Open House – February 22, 2018
Application to Amend Zoning By-law 2013-283 for lands located at 57A, 59A, 61 & 63 Lakeport Road
City File No.: 60.35.1034 & 60.51.958

We'd like to hear your comments on this application. Completed comment sheets can be submitted to City staff at the Open House. Following the Open House, comment sheets can be submitted to the attention of:

Planning & Building Services
City of St. Catharines
PO Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

RPT | RECOMM | INFO | P.D.S
REFERRED TO: A Kouttsen | INIT.
DATE REC'D → MAR – 5 2018 SCAN ☐
FILE NO

Date: 27 Feb 2018

Your Name: BARBARA MAISONNEUVE

Your Contact Information: [redacted]
Port Dalhousie
L2N5H7

Your Comments:

This is a good project - good for our town + good for the future.
Although the building is not "subordinate" it enhances the original; it does not

detract! Area is an eyesore now - if we reject this one - which is the alternative?

Obviously the project has to be profitable to the developer as well - we need to compromise & apply some common sense to the "subordinate" concept.

Sincerely

Barbara Mansonney

Knutson, Amanda

From: Rod <[redacted]>
Sent: Thursday, March 01, 2018 5:15 PM
To: Knutson, Amanda
Subject: 57A, 59A, 61 & 63 Lakeport Road

Follow Up Flag: Follow up
Flag Status: Flagged

Ms Knutson:
Thank-you for taking the time to walk me through several questions pertaining to the Application to Amend the Zoning By-law as it pertains to the above-noted municipal addresses. I would like to offer the following comments...

I am a multi-decade resident of St. Catharines, living the entire time in Port Dalhousie Ward. My family is and has been a frequent visitor to 'Old Port', including Lakeside Park, the commercial core, Rennie Park, Lockhart Point and the marina that preceded the restaurant development on the subject site. Indeed, we have attended events at the Legion and the former restaurants prior to the razing the buildings in the maligned and delayed condo project proposed for those lands, as well as to more recent dining establishments.

I understand that this development requires an amendment to increase the maximum height of buildings, and I have no objection whatsoever to this amendment. Indeed, I see it as fair and reasonable and one that will have no meaningful negative impact on the area, and offer my support for this change.

I also understand that there is a need to define a live/work dwelling unit. Again, I support this proposal. I also support the deletion of the 40% cap on non-commercial ground floor uses.

The reduction in commercial parking spaces is in keeping with the spirit and intent of commercial parking in Old Port, as a prior city council permitted commercial uses to utilize the parking spaces provided in Lakeside Park as opposed to providing their own. If it is good enough for current developments, then it should apply to this one as well. After all, land is limited in this area and it seems impractical to waste it on more surface parking spaces.

Boat slips were provided on this site when the Snug Harbour Marina operated where the current restaurant now stands. The size of boats using that marina is limited by the low overhead of the harbour walkway bridge. Subsequently this small marina 'reopening' should not cause any issues.

Since this development will be under Site Plan Control, the deletion of yard provisions for under ground parking structures and deleting landscape buffer requirements on this self-contained site should not be an issue.

The development, as proposed, will add to the attractiveness of this entry in Old Port.

Ridiculous opposition to the stalled initial condo development in the core has created an eyesore that detracts from the area. Please do not let similar hysteria derail development of these lands.

I would be pleased to provide additional information if required.

Thank you for the opportunity to provide input.

Thomas R. (Rod) Hollick
[redacted]

St. Catharines, ON
L2N6G3

Click here to report this email as spam.

CITY OF
ST. CATHARINES

Comment Sheet
Open House – February 22, 2018
Application to Amend Zoning By-law 2013-283 for lands located at 57A, 59A, 61 & 63 Lakeport Road
City File No.: 60.35.1034 & 60.51.958

We'd like to hear your comments on this application. Completed comment sheets can be submitted to City staff at the Open House. Following the Open House, comment sheets can be submitted to the attention of:

Planning & Building Services
City of St. Catharines
PO Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Date: Feb 22 2018

Your Name: [redacted] Uwe Na[redacted]

Your Contact Information: [redacted]

Your Comments:

I fully support this project.
It will fit into the area.
It compliments the condo currently being built at the far end of the south.

It re-uses an existing structure & enhances the look & feel of the area.

It does not infringe on the beach parking.

I support the plan!!

Marie-Ruth Nattle

CITY OF
ST. CATHARINES

Comment Sheet
Open House – February 22, 2018
Application to Amend Zoning By-law 2013-283 for lands located at 57A, 59A, 61 & 63 Lakeport Road
City File No.: 60.35.1034 & 60.51.958

We'd like to hear your comments on this application. Completed comment sheets can be submitted to City staff at the Open House. Following the Open House, comment sheets can be submitted to the attention of:

Planning & Building Services
City of St. Catharines
PO Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Date: 22 Feb. 2018

Your Name: Lesley Hunt

Your Contact Information: [redacted]

Your Comments:

PLAN A IS TOO HIGH – BUT BETTER THAN OTHER PROPOSALS
CONCERNED ABOUT THE OVERALL IMPACT
OF THE 3 PROJECTS. TRAFFIC ETC.
WOULD LIKE TO SEE THIS AS ONLY
ONE OF THE 3 PROPOSALS TO PROCEED.

PARTICULARLY DILUTE THE LEGION PLAN.
THE WATERFRONT VIEW WILL BE
RUINED FOREVER.

① SCALE BACK SLIGHTLY LINCOLN
② STOP LEGION PLAN
③ REDUCE UNITS SIGNIFICANTLY

WE NEED DEVELOPMENT BUT NOT
TOO MUCH

- TRAFFIC FLOW WILL BE AFFECTED
  HISTORICAL FEEL WILL BE LOST
  WERE NOT MISSISSAUGA.

I SUPPORT SENSITIVE LOW DEVELOPMENT

THANK YOU.

CITY OF ST. CATHARINES

Comment Sheet
Open House – February 22, 2018
Application to Amend Zoning By-law 2013-283 for lands located at 57A, 59A, 61 & 63 Lakeport Road
City File No.: 60.35.1034 & 60.51.958

We'd like to hear your comments on this application. Completed comment sheets can be submitted to City staff at the Open House. Following the Open House, comment sheets can be submitted to the attention of:

Planning & Building Services
City of St. Catharines
PO Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Date: Feb 22, 2018

Your Name: Tom Namestnik

Your Contact Information: [redacted]

Your Comments:

Nice looking plans,
Hope the infrastructure is not planned too tightly and the capacity is expanded with

enough buffer for error and expansion.

And as everyone I hear, parking and foot access from close by parking is a concern, local businesses could be negatively impacted if not carefully taken into consideration

Best of luck, looking forward to the project moving forward.

CITY OF
ST. CATHARINES

Comment Sheet
Open House – February 22, 2018
Application to Amend Zoning By-law 2013-283 for lands located at 57A, 59A, 61 & 63 Lakeport Road
City File No.: 60.35.1034 & 60.51.958

We'd like to hear your comments on this application. Completed comment sheets can be submitted to City staff at the Open House. Following the Open House, comment sheets can be submitted to the attention of:

Planning & Building Services
City of St. Catharines
PO Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Date: FEB 22/18

Your Name: WOLFGANG GUEMBEL

Your Contact Information: [redacted]

[redacted] **Comments:**

PLEASE START BUILDING IN 2018

CITY OF
ST. CATHARINES

Comment Sheet
Open House – February 22, 2018
Application to Amend Zoning By-law 2013-283 for lands located at 57A, 59A, 61 & 63 Lakeport Road
City File No.: 60.35.1034 & 60.51.958

We'd like to hear your comments on this application. Completed comment sheets can be submitted to City staff at the Open House. Following the Open House, comment sheets can be submitted to the attention of:

Planning & Building Services
City of St. Catharines
PO Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Date: Feb 22, 2018

Your Name: Paul Molnar

Your Contact Information: [redacted]

Your Comments:

Paul Molnar [redacted]

Couple points please:

* the add-on (9 story) block should be lower than the level of current Lincoln Fabrics building. This development doesn't respect current or traditional heritage commitments. *

* Spoke to Scott Ritchie – very informative.

- I like the green space additions/ considerations. ✓

- I don't like removing any heritage portion of Lincoln to incorporate the block addition.

Please contact if any ??

Paul

[redacted]

I would like to see a library as part of the proposal. Thank you.

← they can't do it for free → has to be profitable. Looks amazing. Maintains + enhances the original Bldg.

Absolutely Count/Stand!
Adaptive reuse
is the way to go!!

Fabulous!
Certainly an improvement to what is there!
Hope it passes!

I like this proposal.
Lets approve it!
M. Miller

Knutson, Amanda

From: Riddell, Jim
Sent: Monday, December 18, 2017 2:51 PM
To: Knutson, Amanda; Ritchie, Scott
Cc: Pihach, Judy
Subject: FW: Port Dalhousie proposed constructions.

fyi

Jim Riddell M.PL., M.C.I.P., R.P.P.
Director of Planning & Building Services
Email: jriddell@stcatharines.ca
Tel: 905.688.5601 x1713

From: Salter, Heather
Sent: Monday, December 18, 2017 2:21 PM
To: Riddell, Jim <jriddell@stcatharines.ca>; Ritchie, Scott <sritchie@stcatharines.ca>; Dillon, Dan <ddillon@stcatharines.ca>
Subject: FW: Port Dalhousie proposed constructions.

Please add this to your submissions.

H.

Heather Salter B.E.S., LL.B., M.P.A.
Director of Legal and Clerks Services/City Solicitor
Email: hsalter@stcatharines.ca
Tel: 905.688.5601 x1528

From: Garcia, Carlos
Sent: Monday, December 18, 2017 1:58 PM
To: ANTHONY MARLOW [redacted]>; Mayor & Council <mayorcouncil@stcatharines.ca>
Cc: Salter, Heather <hsalter@stcatharines.ca>
Subject: Re: Port Dalhousie proposed constructions.

Mr. Marlow,

Thank you for your email to the Mayor and Council.

Since you raise a legal issue I am copying our City Solicitor.

Carlos

N. Carlos Garcia
Councillor, Port Dalhousie Ward

From: ANTHONY MARLOW <[redacted]>
Sent: Saturday, December 16, 2017 8:14 PM
To: Mayor & Council
Subject: Port Dalhousie proposed constructions.

In your deliberations regarding the three developments being proposed for Port Dalousie by Fortress, Lincoln Fabrics and the Legion you should consider the possibility of legal action by residents if traffic congestion impedes or delays reasonable access to their properties. Remember that Port is served by only two roads which already on occasion become clogged with QE highway accident diversion traffic.

Anthony Marlow
[redacted]
Port Dalhousie St.C

CITY OF ST. CATHARINES

Memorandum

To: Jim Riddell, Director Planning and Building Services

Cc: Bruce Bellow, Planner II, PBS
Christine Adams, Manager of Engineering and Construction, TES
Brian Applebee, Manager of Transportation Services, TES

From: Dan Dillon, Director Transportation and Environmental Services

Date: March 21, 2018

Subject: Port Dalhousie Secondary Plan - Infrastructure Servicing Review

At its meeting of January 29, 2018, Council requested "That staff be directed to prepare a comprehensive report on sewer, water, road and other infrastructure capacity in Port Dalhousie now and in the future, taking into consideration all current potential developments as well as the residential area and a full complement of businesses and, that this report be provided with the staff recommendation report on the Port Dalhousie Secondary Plan on March 5, 2018."

Council was subsequently informed verbally that this report would form part of the Port Dalhousie Secondary Plan report being prepared by Planning and Building Services (PBS) which is being submitted to Council at its April 9, 2018 meeting. This memo addresses that request.

Background

At its meeting of January 15, 2018, staff presented Report PBS 015-2018 - *Planning Act and Ontario Heritage Act Public Meeting – Information Report* - Port Dalhousie Secondary Plan and Heritage Conservation District. The Port Dalhousie Secondary Plan area and proposed Land Use Designations as presented in that report are attached as Appendix 1 to this memo.

As part of their Niagara 2041 initiative, the Region has recently completed three major studies related to future growth and servicing requirements across the Region to the horizon year of 2041:

- How We Grow – Municipal Comprehensive Review for future planning growth
- How We Flow – Water & Wastewater Master Servicing Plan
- How We Go – Transportation Master Plan

A link to the relevant studies on the Region's website is provided here.

At its meeting of March 6, 2018, the Region of Niagara's (RMN) Public Works Committee (PWC) received an information memo from Public Works staff regarding a request for servicing information in the Port Dalhousie area – that memo (PWC-C 6-2018) is attached as Appendix 2.

City Infrastructure
The City's linear infrastructure within the study area consists of local roads, sidewalks on local and Regional roads, sanitary sewers, storm sewers and watermains. The study area also includes other City infrastructure not discussed in this memo, including City park amenities and facilities, shoreline protection and one City owned pedestrian bridge.

Roads
Regional Roads
Niagara Region has jurisdiction for all arterial roads within the Plan area, namely Regional Road 87:

a) Lakeport Road from the east study limits to Lock Street,
b) Lock Street from Lakeport Road to Main Street
c) Main Street from Lock Street to Martindale Road

Please refer to Appendix 2 (RMN PWC memo PWC-C 6-2018) for Regional staff comments regarding the suitability of the Regional roads in the study area.

City Roads
The roadways within the study area which are under the City's jurisdiction are able to accommodate the proposed secondary plan. No additional new road allowances are required.

Where existing road allowances are less than current City standard of 20m, it is recommended that road widenings be obtained to suit a minimum 18m road allowance width.

Minor improvements could be undertaken as developments proceed as identified by the Traffic Impact Studies for those developments. As indicated in Appendix 2, consideration is being given to the conversion of Main Street between Lock Street and Lakeside Park to two-way traffic operation.

Sidewalks
The City has jurisdiction for sidewalks on both City and Regional roads.

Sidewalks exist on both sides of every street in the Port Dalhousie Secondary Plan area with the following exceptions:

- Main Street (North side): Lock Street to Lakeside Park
- Lighthouse Road (East side): Lakeport Road to the north limit

Consideration should be given to the construction of a new sidewalk on the north side of Main Street from Lock Street to Lakeside Park to improve pedestrian connectivity to the park and the neighbourhood to the west. The construction of a new sidewalk on the east side of Lighthouse Road is not considered a priority at this time.

Existing sidewalk widths vary. The Port Dalhousie Heritage Conservation District Guideline for Conservation and Change (Heritage Guidelines) recommends existing sidewalk widths be maintained to retain the neighhourhood character. This is somewhat at odds with the City's desire to make accessibility related improvements (wider sidewalks, improved grading) when replacing sidewalks. Consideration will need to be given when replacing sidewalks to balance the spirit of the Heritage Guidelines with the accessibility needs of the community.

Sanitary and Storm Sewers
Please refer to Appendix 2 (RMN PWC memo PWC-C 6-2018) for Regional staff comments regarding the capacity of Regional sewage facilities in the study area.

Existing capacity in the local sanitary collection sewers is not exceeded by the proposed secondary plan.

The majority of Port Dalhousie (pre 1960's development) is serviced by a combined sewer system. Supplementary storm sewers exist in limited areas, such as along Main Street, to provide localized capacity. All sewers west of Twelve Mile Creek ultimately drain to the Region's Lakeside Sewage Pumping Station (SPS) located in Lakeside Park.

As part of the Region's 2016 "How We Flow – Water & Wastewater Master Servicing Plan", consideration was given to servicing capacity for existing and future growth out to 2041. Attached as an excerpt from that report is Appendix 3 - *Table 4.B.12 – System Sewage Pumping Station Performance*. This table provides a summary of the performance of various sewage pumping stations in the Port Dalhousie Wastewater System. The Lakeside SPS is highlighted and demonstrates a capacity surplus for the projected 2041 design peak wet weather flows.

Lakeport Road between Twelve Mile Creek and Lock Street has a separated sanitary sewer and storm sewer system. Niagara Region has jurisdiction for this section of the Lakeport Road storm sewer.

The study area east of Port Dalhousie Harbour has a separated storm and sanitary sewer system except Michigan Avenue which is a partial separated combined sewer system. The City has completed upgrades to substantially reduce combined sewer overflows from a Michigan Avenue combined sewer overflow.

Watermains
Please refer to Appendix 2 (RMN PWC memo PWC-C 6-2018) for Regional staff comments regarding the capacity of Regional water facilities in the study area.

All streets within the proposed secondary plan have a City distribution watermain. The standard operating pressures and fire flow capacity of the distribution watermains are not adversely impacted by the proposed secondary plan.

Replacement of metallic watermains and non-standard diameter watermains will be undertaken, as necessary, as part of the City's ongoing Watermain Replacement Program and in coordination with other City and Regional construction. It is not anticipated that any municipal works will need to be accelerated as a result of the proposed Port Dalhousie Secondary Plan.

Dan Dillon, P.Eng
Director – Transportation and Environmental Services

Port Dalhousie Secondary Plan

and Heritage Conservation District Studies

Schedule E4

Land Use Designations

- Low Density Residential (20 to 32 units / ha)
- Medium Density Residential (25 to 99 units / ha)
- High Density Residential (85 units / ha or greater)
- Major Commercial
- Community Commercial
- Arterial Commercial
- Special Study Area
- Mixed Use
- General Employment
- Business Commercial Employment
- Parkland & Open Space
- Natural Areas
- Natural Area Extent Line
- Secondary Plan Boundary

December 2017

CITY OF ST. CATHARINES

Corporate Report

Report from Planning and Building Services, Planning Services

Date of Report: May 14, 2018 **Date of Meeting:** May 23, 2018

Report Number: PBS-090-2018 **File:** 60.46.437

Subject: *Recommendation Report*
Application for Draft Plan of Subdivision; 41 Moffatt Street; Owner: 1473941 Ontario Ltd.; Agent: Anthony Continelli

Recommendations

That Council approve a Draft Plan of Subdivision for the lands described as Part of Lot 13, Concession 8, Grantham, and Part of Lot 879 Corporation Plan No. 6 in the City of St. Catharines, Regional Municipality of Niagara, municipally known as 41 Moffatt Street, prepared by Upper Canada Consultants, dated January 15, 2018, showing Blocks 1, 2 and 3 (townhouse dwellings), Block 4 (detached dwelling), Block 5 (future development), Block 6 (road widening) and the extension of a public road (Corbin Street), as outlined in Appendix 1, subject to the conditions outlined in Appendix 2; and

That Draft Plan of Subdivision approval shall lapse after 3 years from the date of Council approval, unless a request for extension has been submitted, reviewed and approved prior to the lapsing date; and

That Site Plan Control for Blocks 1 and 2 be limited in scope to address architectural elevations only; and

That the Notice of Decision required by the Planning Act, R.S.O. 1990, c.P. 13, as amended, be processed by staff; and

That upon expiration of the appeal period, staff be directed to forward any appeals to the Local Planning Appeal Tribunal (LPAT) (formerly the Ontario Municipal Board) for consideration and final approval; and

That Council authorize the City Solicitor or designate and City staff, as appropriate, to attend any LPAT hearing in support of Council's decision in the event of an appeal; and

That Council direct Transportation and Engineering Services to provide snow removal and maintenance over the emergency access linking the south end of Moffatt Street to Glendale Avenue; and

That consideration for construction of a second access road between Oakdale Avenue and Moffatt Street be referred to the Budget Standing Committee as part of future capital budget works; and

Further, that the Clerk be directed to make all necessary notifications. FORTHWITH

Summary

The applicant is proposing a plan of subdivision consisting of a number of lots and blocks totaling 38 dwelling units and a new public road being the southerly extension of Corbin Street. Staff are recommending approval of the proposed Draft Plan of Subdivision (Appendix 1), subject to conditions (Appendix 2).

Background

On May 8, 2017, Council approved procedural changes for planning applications requiring a Public Meeting whereby they are now subject to a two-step process. The first step is to receive an Information Report together with public input at the Public Meeting under the Planning Act. The second step is to consider a Recommendation Report at a subsequent Council Meeting.

On March 26, 2018, a Public Meeting was held pursuant to the Planning Act. Council received an Information Report (available upon request) providing an overview of the proposed draft plan, location and site description, planning context and policies, circulation comments, and concerns that arose from the Open House. Neighbourhood residents attended the public meeting and provided their comments on a number of concerns in the surrounding area. The speakers did not oppose the development.

This Recommendation Report is to provide Council with a planning analysis, address outstanding concerns from the Public Meeting, and provide a staff recommendation on the application.

Report

Proposal

The Draft Plan of Subdivision application proposes 6 blocks, and the extension of a public road (Corbin Street) which currently terminates with a temporary turning circle to the north. The blocks are proposed for the following:

- Block 1 – twelve (12) townhouse dwellings fronting the new public road
- Block 2 – eight (8) townhouses fronting onto Marshall Lane
- Block 3 – seventeen (17) townhouse dwellings in a private road development
- Block 4 – one (1) detached dwelling fronting onto the new public road
- Block 5 – to be retained for future development
- Block 6 – to be conveyed as a road widening along Moffatt Street

The proposed public road allowance is 18.0 m wide to match the existing right-of-way width of Corbin Street to the north. The Draft Plan is attached as Appendix 1.

Planning Analysis

Planning Policy Context

Recent changes to Provincial planning legislation (Building Better Communities and Conserving Watersheds Act, 2017) require more in depth discussion regarding consistency with the Provincial Policy Statement (2014), and conformity with Provincial plans, upper-tier official plans and lower-tier official plans. Accordingly, planning staff has evaluated this Application for Subdivision Approval against the policies of the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe (2017), the Regional Official Plan, and the Garden City Plan, all of which apply to the proposal, and staff recommendations have been formulated accordingly.

Provincial Policy

The approval of this application is consistent with Provincial Policy and conforms to Provincial Plans. The subject lands are within a settlement area as defined by the Provincial Policy Statement, 2014 (PPS) and within the Built-Up Area for St. Catharines as delineated by the Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan). The PPS and Growth Plan contain policies that direct growth and development to settlement areas, encourage the development of complete communities, support intensification, and require the provision of an appropriate range of housing types and densities to meet the social, health and well-being requirements of current and future residents.

Guiding principles in the Growth Plan emphasize compact and well-designed development which prioritizes intensification. The Growth Plan supports the achievement of complete communities that “ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards.” It includes polices to ensure a range and mix of housing options.

The following provides an overview of the PPS and Growth Plan policies as they apply to the proposed subdivision.

- promote compact built form and transit supportive development, a diversity and mix of uses and opportunities, and the efficient use of land, infrastructure and service capacities to support development, redevelopment and growth;
- establish a land use plan and pattern that supports financial sustainability and cost effective development and provision of services;
- provide for a range of uses and opportunities through development, redevelopment, intensification and adaptive reuse to accommodate projected growth and longer term need;
- accommodate an appropriate range and mix of housing opportunities;
- support an accessible, connected and complete community;
- establish appropriate development standards to promote/facilitate intensification, redevelopment and compact built form;
- foster safe, interactive, active transportation and connected communities;

- ensure viability for long term development and community investment;
- maintain, enhance vitality of main streets, and conservation of neighbourhoods;
- encourage sense of place by promoting well designed built form and cultural planning to conserve features that help define the character, built heritage resources and cultural heritage landscapes of the area;
- conserve, promote cultural heritage to support social, economic and cultural well-being;
- promote high quality built form, attractive/vibrant public realm through site design and urban design standards;
- support complete communities;

The proposed subdivision is in conformity with the PPS, 2014, and Places to Grow, 2017. The proposal incorporates a mixture of housing options permitted within the low density area, including street townhouses (Blocks 1 & 2), a private road development of townhouses (Block 3), and a detached dwelling (Block 4), along with the opportunity for future development (Block 5). The proposed density is appropriate and desirable for the lands which are currently underutilized. The development is an efficient use of the existing land and infrastructure. The development pattern is efficient and cost-effective for the city, as the owner will be contributing to the public street network of the neighbourhood, and will be using existing services together with new services. Internal neighbourhood connectivity is improved for both vehicles and pedestrians through the continuation of Corbin Street and the continuation/construction of sidewalks along one side of the extension of Corbin Avenue and along one side of Marshall Lane. The proposed development is consistent with the Provincial Policy Statement (2014), and conforms with the Provincial Growth Plan (2017).

Regional Official Plan
The approval of this application conforms to the Regional Official Plan. The subject lands are within the Urban Area Boundary of the City of St. Catharines, as identified on the Regional Structure Plan of the Niagara Region Official Plan (ROP). The lands are identified as Built-Up Area, which is to be the focus of residential and employment intensification and redevelopment within the Region over the long term. Municipalities are encouraged to provide a full range of housing types to serve a variety of people of all ages and stages of life.

The ROP reiterates the land use pattern policies and objectives of the Provincial Policy Statement for residential intensification and sustainable communities outlined above. The ROP sets out that 95% of residential growth in St. Catharines will occur in the Built-Up Area, with intensification being encouraged throughout the entire Built-Up Area. This subdivision contributes to the growth targets within St. Catharines. The development is an appropriate use of the land and contributes to overall growth and intensification in St. Catharines. The subject application conforms with the policies of the Regional Official Plan.

Local Official Plan (Garden City Plan)

The approval of this application conforms to the City's Official Plan. The St. Catharines Official Plan (Garden City Plan) came into force and effect in July 2012. The goal of the

Official Plan is to create a sustainable community that makes efficient use of its infrastructure by facilitating compact, mixed use, walkable, bikeable and connected developments. Provincial interests, policies and the land use planning framework inherent in the PPS, Growth Plan and ROP are entrenched within the City's Official Plan.

The Garden City Plan (GCP) designates the lands as Neighbourhood Residential, providing for a range of housing opportunities, types, forms and densities. Schedule E3 of the GCP provides additional direction for the East Planning District and designates the lands as Low Density Residential.

Key components of the Official Plan, which are supported and advanced by the proposed subdivision development are as follows:

- accommodate growth through more compact built form and density of development;
- provide a balance of housing and employment opportunities in the City;
- provide new housing through the efficient usability of vacant and occupied lands; higher density of development; small lot infill; intensification; mixed use development; and reuse, rehabilitation and redevelopment of the built form

The proposal conforms with the Growth and Housing policies of the Official Plan as the development will provide new housing stock into the area on currently vacant lands. The proposed detached dwelling and townhouse dwellings contribute to the well-balanced stock of dwelling types in this neighbourhood (i.e., detached, semi-detached and townhouse dwellings). The lands are currently vacant, and represent just over a hectare of significantly underutilized property. The proposed 38 dwelling development has a net density of 31.48 units per hectare, within the density range (20-32 units per hectare) permitted in the Low Density Residential designation. The development proposal provides acceptable density for the site, representing desirable and appropriate growth.

Zoning By-law

Zoning By-law 2013-283 zones the lands as Low Density Residential – Traditional Neighbourhood (R2). Uses permitted in the R2 Zone include detached, semi-detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings, as well as private road developments.

The proposed dwelling types are permitted by the Zoning By-law. As proposed, some units may require variances for lot area per unit. These variances must be obtained prior to final approval of the subdivision (included as Condition 2 in Appendix 2). The development, as demonstrated, conforms with all other provisions of the Zoning By-law.

Draft Plan of Subdivision

Section 51(24) of the Planning Act directs the matters to be considered in recommending approval for a Draft Plan of Subdivision. Appendix 3 provides a detailed outline of how this Plan of Subdivision is evaluated against these criteria. The matters were outlined in the Information Report of March 26, 2018 (available upon request), and conformity with

key clauses related to matters of Provincial interest and road adequacy are discussed below. Appropriate conditions of Draft Plan of Subdivision approval, addressing various agency and departmental comments, have been included in Appendix 2.

1) The development does not have a detrimental effect on matters of provincial interest.

As stated earlier in this report, the proposed subdivision is consistent with Provincial policy and conforms with the Provincial Growth Plan. Section 2 of the Planning Act lists matters of Provincial Interest including the following:

a) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

Condition 5 (Appendix 2) states that the applicant shall submit an archaeological assessment of the lands to be reviewed and approved by the Ministry of Tourism, Culture and Sport to ensure there are no adverse impacts to any significant archaeological resources found on the site.

b) the protection of public health and safety;

Due to the location of the subdivision in proximity to an active rail line and adjacent to Highway 406, there is potential for nuisance caused by transportation noise. As per Condition 8 (Appendix 2) noise feasibility study shall be submitted and appropriate measures taken to reduce noise levels within the development in accordance with the criteria set by the Ministry of Environment and Climate Change (MOECC).

c) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;

As required by Conditions 20, 22 and 27 (Appendix 2), the developer is required to complete and convey a public road complete with sidewalk connections within the neighbourhood. Approval of the development would facilitate the continuation of Corbin Street to Marshall Lane and the extension of sidewalk connections along the north side of Marshall Lane, and from Corbin Street to Marshall Lane along the east side of Corbin Street continuing the existing sidewalk. In this way the development would improve connectivity in the neighbourhood.

Staff is satisfied that, subject to the conditions outline in Appendix 2, the development will not have any detrimental impact on matters of Provincial interest.

2) Adequacy of Roads.

Section 51 (24) (e) of the Planning Act requires that, when considering subdivision proposals, the decision must take into consideration the adequacy of

proposed roads, and the adequacy of the linkages between the road in the proposed subdivision with the established highway system in the vicinity.

The proposed street within the development helps to complete the Corbin Street connection through the neighbourhood. Corbin Street currently ends in a temporary turning circle that was installed at the time the abutting subdivision to the north was constructed. It was the intention that the street would continue in the future, and that a portion of the land occupied by the turning circle would become a residential lot when the need for the turnaround circle was abandoned. The proposed subdivision provides the ideal opportunity to complete the intended street network for the area.

Staff recognize that the neighbourhood has one vehicular access in and out at the Disher Street Bridge. A single access is not ideal, but can be adequate if two main considerations are made. The first is the consideration of traffic volume in and out of the neighbourhood. Based on both the current and projected traffic volumes, a second access is not required to address any traffic capacity constraints. The current roadway configuration can more than adequately accommodate the existing volume of traffic and additional traffic generated by the proposed development.

The second main consideration is access in and out of the neighbourhood in the case of an emergency. Should the single Disher Street access become blocked, there is concern that emergency response would be hindered in the case of a fire, or an emergency requiring medial or police response. Council should be aware that the probability of these two events happening at the same time is minimal. Staff note that this is not the only area in the City where a dead end street exists with no secondary vehicular exit. The neighbourhood south of Glendale Avenue on Tremont Drive is in a similar situation, as is Towering Heights Boulevard on Glen Morris Drive just north of Dennis Morris High School.

Emergency Access – Background

There is a former emergency access route connecting the south end of Moffatt Street to Glendale Road (Appendix 4 and 5); however, it is not routinely maintained. The access was constructed in 1991 by the developers of the existing church (Jehovah's Witness) at 93 Moffatt Street, as a requirement of the registered site plan agreement. In 2006, the subdivision immediately to the south of 41 Moffat (Bluegrass Crescent) was approved with the acknowledgement that the emergency access was not fully adequate to accommodate Fire Services vehicles and that the requirement of sprinklers would suffice to address Fire Services concerns.

In 2010, the subdivision immediately to the north of 41 Moffatt was approved. Conditions of Draft Approval included a requirement that the developer make updates to a portion of the emergency access (between CN tracks and Moffatt Street) to improve the access for vehicles *other* than fire trucks (including police

and ambulance) by removing vegetation, and updating the surface treatment. The subdivision was approved with a requirement to sprinkler all units which was satisfactory to Fire Services.

In 2011 a subdivision was approved at 143-149 Moffatt, at the north end of Moffatt Street. It was noted that sprinklers alone would satisfy Fire Services and that access to the south may be used in extreme emergencies for evacuation. The subdivision was approved with a requirement to sprinkler all units.

With regards to the current subdivision application, Fire Services have indicated that the existing access is not adequate to use as an emergency access for fire trucks due to the limited width and steep grade of the access at the railway tracks and the lack of winter maintenance. In the case of a fire, the possibility of a delayed fire response is mitigated by Condition 23 (Appendix 2) required by Fire Services that all of the proposed units must be sprinklered, which will help to slow down the spread of a fire and will give more time for occupant evacuation in the event of a delayed response by Fire Services.

While residential sprinkler systems will help to slow down the spread of a fire in the event of a delayed response by Fire Services, they do not help for medical emergencies and any police related responses. It is staff's recommendation that the emergency access that was established in 1991 be maintained year-round to ensure adequate emergency access for vehicles other than fire trucks.

In 2019, Moffatt Street is scheduled for road upgrades. Transportation and Environmental Services staff have confirmed that the proposed upgrades to Moffatt Street include improvement and re-grading of the northerly portion of the emergency access (between the railway tracks and the end of Moffatt Street) to bring it up to current accessibility standards, which will remedy the steep grade concerns. The planned upgrade should improve the emergency access for ambulance and police vehicles in the unlikely event that there is a need to enter the neighbourhood through a secondary access. Fire vehicles are not necessarily accommodated by the improvements (the width of the access if less than the standard 6.0 metres), but the required sprinklers are sufficient to mitigate the impact of a delayed fire response. Staff are satisfied that the proposed subdivision development does not significantly impact the access and roadway needs of the neighbourhood, and that the planned upgrades will improve emergency services access to the neighbourhood.

Emergency Access/Second Access Options

Council should be aware that, historically, consideration was given to constructing a second access or new emergency access to Oakdale Avenue via a second bridge over the valley to connect to Lincoln Street or Abbot Street (Appendix 6 and 7). At the time, the cost was considered prohibitive. TES has provided a new cost estimate for information purposes. The preliminary estimated cost for a new bridge and access road crossing from Moffatt Street to

Oakdale Avenue (located in the vicinity of Abbott Street) is approximately $6.5 Million. This would not include any land acquisition costs.

As part of the Transportation Master Plan staff is reviewing a number of options to remedy the limited access to this neighbourhood. In the meantime the year round maintenance of the existing emergency access at the south end of Moffatt Street, providing access to Glendale Avenue, is an interim measure until such time as more direct and proximate emergency access is established. Staff is satisfied the commitment to year round maintenance to the existing emergency access is an improvement to the current condition and will satisfy the request of FEMS and provide assurance to residents of this area that in the event on an emergency there is an alternate route, other than Disher Street.

Construction of a second road access between Moffatt Street and Oakdale Avenue can be considered as part of a future capital budget submission, however the estimated amount of approximately $6.5 Million is equivalent to the amount typically spent on the Annual and Capital Road and Drainage Improvement Program for the entire city.

Staff recommends approval of the Draft Plan of Subdivision, subject to the conditions outlined in Appendix 2.

Public Meeting

In accordance with the Planning Act, a Public Meeting was held by Council on March 26, 2018. Staff from Planning and Building Services presented an Information Report (Appendix 8). The applicant was in attendance. Three members of the public spoke at the public meeting. No concerns were expressed with regards to the proposed Draft Plan of Subdivision, and the public expressed support for the project. The primary concerns raised were:

1. The Disher Street Bridge is not structurally capable of supporting the construction traffic to the neighbourhood.
2. Drainage concerns and flooding in the area.
3. Increase in traffic.
4. Inadequate access to the neighbourhood since there is only one way in/out of the neighbourhood by vehicle. Emergency response is compromised accordingly.

Disher Street Bridge

The Transportation and Environmental Services Department has confirmed that a structural report was completed dated October, 2016, which identifies the general overall condition of the bridge as “Good.” The structure is not identified as an immediate priority for maintenance. The assessments happen regularly and appropriate action would be taken if any changes were found in the safety and condition of the bridge.

Area Drainage and Flooding
Staff recognize that this area does have an existing issue with water and basement flooding. It is a recommended condition of approval that the applicant provide a Functional Servicing Report expressly addressing how these concerns will be handled in the subject development (Condition 13, Appendix 2). Additionally, as per Conditions 11-19 (Appendix 2) of approval the applicant shall be required to have their servicing, drainage and grading plans reviewed and approved by the City, which will ensure there is no adverse impact on surrounding properties with respect to drainage.

Potential Traffic Impacts
Traffic staff have reviewed the proposed development application and have determined that the additional traffic generated by this development would not warrant any operational improvements. The proposed 38 unit development is anticipated to generate approximately 38 trips during the P.M. peak hour. Staff aren't aware of any capacity issues currently being experienced in the neighbourhood. The impact of 38 additional trips in the peak hour would be negligible. If there were any capacity issues, they would occur at the intersection of Oakdale Avenue and Disher Street. The issue would be that excessive traffic volumes on Disher Street would cause significant vehicle queues and delays to access Oakdale Avenue. The remedy for this is to install traffic controls, such as an all-way stop. In 2017, an all-way stop was installed at the intersection of Oakdale Avenue/Disher Street. The reasons for installing the all-way stop were not related to the traffic volumes on Disher Street, but it does generally improve the operational efficiency of Disher Street. The proposed development does not create concerns with regards to traffic volumes on Disher Street.

Neighbourhood Access
A concern has been raised with the development of this neighbourhood as a whole, that Disher Street provides the only vehicular route to and from the neighbourhood. The concern relates to the possibility of an emergency situation requiring evacuation, or requiring emergency services to access the neighbourhood. Should Disher Street be blocked for any reason, there would be no access to the neighbourhood. Staff have addressed this concern in the Adequacy of Roads section of this report

Staff recommend approval of the draft plan of subdivision as it has been proposed, subject to the conditions attached in Appendix 2.

Second Planning Opinion Advisory

Should Council consider not supporting the staff Recommendation provided in this report, Council is advised to defer its decision until such time as a second planning opinion from an outside consultant can be obtained. In the event the second planning opinion is supported by Council, and Council makes a decision based on that second planning opinion, and if and when the matter should be heard before the Ontario Municipal Board, then the planner who has provided the second opinion shall be retained for the purpose of a hearing before the Ontario Municipal Board.

Financial Implications

There are no financial implications to the City. The maintenance of the southerly access to the neighbourhood is a cost to the City whether or not this development is approved. Should Council consider approving a second emergency access or new bridge to this neighbourhood, those costs should be allocated in future budgets.

Economic Sustainability

The approval of this Official Plan Amendment and Zoning By-law Amendment will support the goals of economic sustainability by:

- Facilitating private investment through development in the city (Goal 1)

Potential Appeals

Effective April 3, 2018, certain land use appeals in Ontario are subject to new legislation. For draft plan of subdivision applications, the appeal process has not been significantly revised and largely reflects the process in effect prior to Aprils 3, 2018. Appeals made regarding draft plans of subdivision are submitted to the Local Planning Appeal Tribunal (LPAT) which replaces the Ontario Municipal Board (OMB).

Conclusion

In summary, staff recommends approval of the Draft Plan of Subdivision. The subject application would facilitate an appropriate development of the subject lands, consisting of 1 detached unit and 38 townhouse dwellings, and the continuation of a public road. The proposal makes efficient use of vacant lands and will be compatible with the surrounding uses. The proposed units will add to the City's housing stock. The application is consistent with the Provincial Policy Statement (2014), and in conformity with the Provincial Growth Plan, Regional Official Plan and City Official Plan.

Notification

It is in order to advise PBG Group, Attention: Anthony Continelli, 275 Fourth Avenue, Box 30087, St. Catharines ON, L2S 4A1, the owner's agent.

Prepared by:

Charlotte McEwan, Planner I

Submitted by:

Judy Pihach, MCIP, RPP, Manager, Planning Services

Approved by:

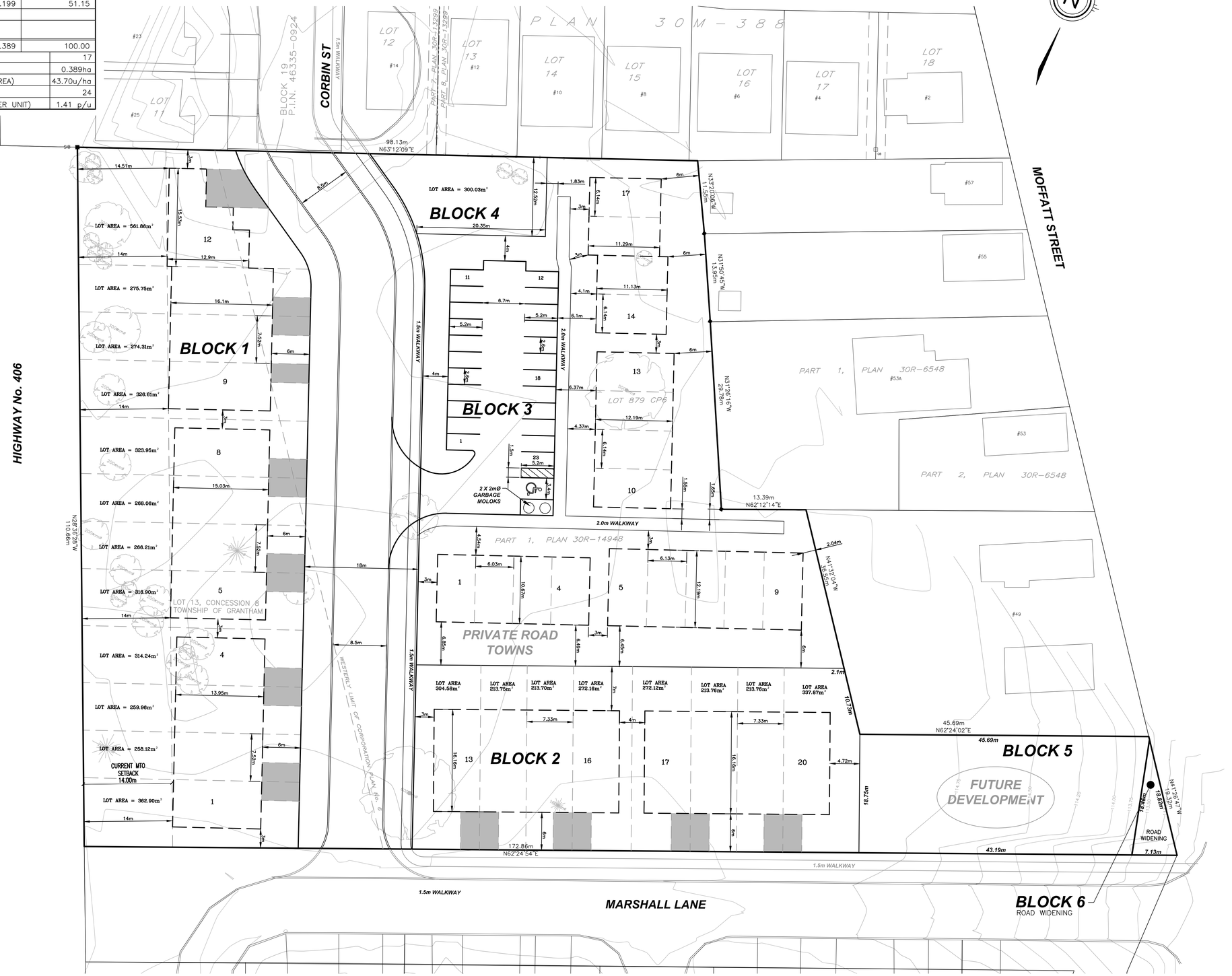
James N. Riddell, M.PL., MCIP, RPP, Director, Planning and Building Services

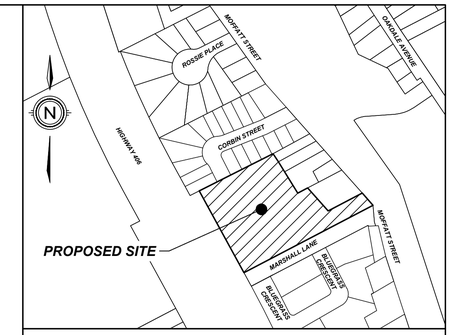
MARSHALL ESTATES
ST. CATHARINES

SITE STATISTICS
UNITS 1-17 BLOCK 3

AREA	ha	% COVERAGE
BUILDING	0.121	31.11
ROAD/DRIVEWAY/PARKING	0.069	17.74
LANDSCAPING	0.199	51.15
TOTAL	0.389	100.00

UNITS	17
DEVELOPABLE AREA	0.389ha
DENSITY (UNITS/DEVELOPABLE AREA)	43.70u/ha
PARKING SPACES	24
PARKING SPACES – DENSITY (PER UNIT)	1.41 p/u





KEY PLAN
N.T.S.

DRAFT PLAN OF SUBDIVISION

LEGAL DESCRIPTION

PART OF LOT 13, CONCESSION 8
GEOGRAPHIC TOWNSHIP OF GRANTHAM, &
PART OF LOT 879 CORPORATION PLAN No. 6
IN THE CITY OF ST. CATHARINES
REGIONAL MUNICIPALITY OF NIAGARA

OWNER'S CERTIFICATE

BEING THE REGISTERED OWNER, I HEREBY AUTHORIZE UPPER CANADA CONSULTANTS TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE CITY OF ST. CATHARINES FOR APPROVAL.

OWNER'S NAME — JANUARY 15, 2018 DATE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED ARE CORRECTLY SHOWN.

SUDA & MALESZYK SURVEYING INC. — DATE

REQUIREMENTS OF SECTION 51(17) OF THE PLANNING ACT

a) SEE PLAN
b) SEE PLAN
c) SEE PLAN
d) SEE PLAN
e) SEE PLAN
f) SEE PLAN
g) SEE PLAN
h) MUNICIPAL WATER
j) SEE PLAN
k) FULL SERVICE
l) SEE PLAN

LAND USE SCHEDULE

LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
STREET TOWNS RESIDENTIAL	1–2	20	0.585	45.07
MULTIPLE FAMILY RESIDENTIAL	3	17	0.389	29.97
SINGLE FAMILY RESIDENTIAL	4	1	0.030	2.31
FUTURE DEVELOPMENT	5		0.084	6.47
ROAD WIDENING	6		0.007	0.54
ROADWAY			0.203	15.64
TOTAL		38	1.298	100.00

DEVELOPABLE AREA = 1.004ha (EXCL. FUTURE DEVELOPMENT, ROADWAY, RD WIDENING)
DEVELOPABLE DENSITY = 37.85 units/ha

#	REVISION	DATE	INIT
0	ISSUED FOR REVIEW	2018–01–15	TA

UPPER CANADA CONSULTANTS
ENGINEERS / PLANNERS
261 Martindale Road
Unit #1
St. Catharines, ON
L2W 1A1
Phone: (905)688–9400
Fax: (905)688–5274

DRAWING TITLE
DRAFT PLAN OF SUBDIVISION

DRAFTING	TA
DATE	JANUARY 15, 2018
PRINTED	JANUARY 19, 2018
SCALE	1:1000
DWG No.	1674-DP
REV	0

Conditions of Draft Approval
41 Moffatt Street
File No. 60.46.437

General Approval

1. That this approval applies to the Draft Plan of Subdivision of the lands described as Part of Lot 13, Concession 8, Grantham, and Part of Lot 879 Corporation Plan No. 6 in the City of St. Catharines, Regional Municipality of Niagara, municipally known as 41 Moffatt Street, prepared by Upper Canada Consultants, dated January 15, 2018, showing Blocks 1, 2 and 3 (townhouse dwellings), Block 4 (detached dwelling), Block 5 (future development), Block 6 (road widening) and the extension of a public road (Street 'A'), as outlined in Appendix 1, subject to the conditions outlined in Appendix 2; and

Zoning

2. That prior to approval of the final plan, any necessary minor variances be approved and finalized by the Committee of Adjustment.

(City of St. Catharines)

Trees

3. That the owner pay for the City to supply, plant and warranty the trees identified in the approved Streetscape Plan in accordance with the Schedule of Rates and Fees at the time the Subdivision Agreement is registered.

(City of St. Catharines)

4. The Owner shall submit to the City the cash-in-lieu payment for boulevard tree plantings in accordance with the City of St. Catharines' current Schedule of Rates & Fees.

(City of St. Catharines)

Archaeology

5. That the owner submits an archaeological assessment of the subject lands by a licensed archaeologist to the Ministry of Tourism, Culture and Sport for review and approval with a copy provided to the Niagara Region Planning and Development Services Department and that adverse impacts to any significant archaeological resources found on the site be mitigated through preservation or resource removal and documentation. No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from the Ministry of Tourism, Culture and Sport through the Niagara Region Planning and Development Services Department, confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

(Niagara Region)

6. That the owner receive acceptance from the Ministry of Tourism, Culture and Sport for the archaeological assessments. No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from the Ministry of Tourism, Culture and Sport through the Niagara Region Planning and Development Services Department, confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

   (Niagara Region)

7. That the following clauses be included in the Subdivision Agreement:

   "Should deeply buried archaeological remains/resources be found on the property during construction activities, all activities impacting archaeological resources must cease immediately, notify the Archaeology Programs Unit of the Ontario Ministry of Tourism, Culture and Sport (416-212-8886) and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists."; and,

   "In the event that human remains are encountered during construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services in Toronto (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MTCS should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act."

   (Niagara Region)

Nuisance

8. That a detailed noise feasibility study prepared and endorsed by a qualified professional engineer or acoustical consultant be submitted to the Niagara Region Planning and Development Services Department for review and approval assessing the impact of transportation noise on the subdivision and recommending appropriate measures to reduce noise levels within the development in accordance with the Ministry of the Environment and Climate Change's noise criteria.

   (Niagara Region)

9. That the subdivision agreement between the owner and the City contain provisions whereby the owner agrees to implement the recommended noise control measures required in accordance with Condition 8.

   (Niagara Region)

Geotechnical Report

10. That the owner submit a Geotechnical Report with a hydrogeological component included, prepared by a qualified soil engineering consultant to the City for review and acceptance, to the satisfaction of the City Engineer

(City of St. Catharines)

Servicing, Grading, and Stormwater Management

11. That the water distribution system be designed by a Professional Engineer in accordance with the City of St. Catharines Engineering Standards Manual, as amended, and constructed to the satisfaction of the City Engineer.

(City of St. Catharines)

12. That the sanitary sewer system be designed by a Professional Civil Engineer in accordance with the City of St. Catharines Engineering Standards Manual, as amended, and constructed to the satisfaction of the City Engineer.

(City of St. Catharines, Niagara Region)

13. That the Owner submit to the City for review and comment a Functional Servicing Report prepared by a licensed Professional Civil Engineer to provide comment and justification of the existing area basement flooding issues with respect to the development proposal, to the satisfaction of the City Engineer.

(City of St. Catharines)

14. A Stormwater Management Report shall be prepared for this development by a Professional Engineer in accordance with the City of St. Catharines Engineering Standards Manual, as amended, to the satisfaction of the City Engineer.

(City of St. Catharines, Niagara Region)

15. The owner shall submit to the Ministry of Transportation for their review and approval, a storm-water management report indicating the intended treatment of the calculated runoff and the impacts of the site drainage on the Highway 406 right-of-way.

(Ministry of Transportation)

16. The storm system servicing the development shall be designed by a Professional Engineer constructed in accordance with the City of St. Catharines Engineering Manual, as amended, and constructed to the satisfaction of the City Engineer.

(City of St. Catharines, Niagara Region)

17. An overland flow route shall be incorporated into the design of the stormwater management for the site identifying a suitable outlet for the major storm event (> 5-year event) and constructed to Municipal standards.

(City of St. Catharines)

18. The storm system shall be designed to accommodate residential foundation weeping tile drainage via sump pump to be discharged to the storm sewer via storm sewer laterals.

(City of St. Catharines)

19. A Master Grading Control Plan shall be prepared by a Professional Civil Engineer to Municipal Standards and in accordance with the City of St. Catharines Engineering Standards Manual, as amended, to the satisfaction of the City Engineer

(City of St. Catharines)

Roads

20. That the design for the road within the development be prepared by a Professional Engineer to Municipal Standards (18.0 metres) in accordance with the City's current Engineering Standards Manual, as amended to the satisfaction of the City Engineer, and be submitted for review and approval by the City of St. Catharines.

(City of St. Catharines)

21. That the Owner shall be responsible to remove the asphalt turnaround over Lot 12 Plan 30M-388 and restore the vacant lot with 100mm topsoil and sod, and provide proper curb, gutter, road and sidewalk along the Corbin Street frontage with the construction of Street 'A'.

(City of St. Catharines)

22. That the proposed Street 'A' be dedicated as a public road and named to the satisfaction of the City of St. Catharines.

(City of St. Catharines)

Fire Services

23. That the Subdivision Agreement include a clause that all dwelling units will be equipped with residential sprinklers in accordance with NFPA 13R Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height.

(City of St. Catharines)

24. The following clause shall be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit:

    "Purchases/tenant are hereby advised that routine maintenance of the required sprinkler system must be completed in compliance with the Ontario Fire Code to the satisfaction of the Fire Service. Any repairs or alteration to the dwelling unit will be completed to ensure the sprinkler system is maintained in compliance with NFPA 13R"

    (City of St. Catharines)

Street Cleaning

25. That the owner agrees in the subdivision agreement to make a cash deposit to the City for road cleaning.

    (City of St. Catharines)

Subdivision Design

26. That the final design of the internal public rights-of-way, including on street parking, lighting, road width, parking restrictions, among other matters, be to the satisfaction of the City of St. Catharines.

    (City of St. Catharines)

Streetscape Plan

27. That the owner submit a Streetscape Plan for both Corbin Street and Marshall Lane that identifies, among items identified by other departments and agencies, the location of boulevard trees, utilities, streetlights, sidewalks, driveways, curbs, and hydrants.

    (City of St. Catharines)

28. That the subdivision agreement include a clause requiring the owner to communicate the approved streetscape plan to the prospective purchasers by both including the plan on the subdivision sign to be posted on site and by attaching a copy of the plan to each agreement of purchase and sale.

    (City of St. Catharines)

Sidewalks

29. That 1.50m wide sidewalks shall be constructed along Street ‘A’ and in accordance with the road cross-sections in the City of St. Catharines Engineering Standards Manual, as amended, to the satisfaction of the City Engineer.

(City of St. Catharines)

Street Lighting

30. That the owner submit to the City a street lighting concept prepared by a Professional Electrical Engineer, in accordance with the City’s Engineering Standards Manual, as amended, for review and acceptance to the satisfaction of the City Engineer.

(City of St. Catharines)

31. The owner shall pay for and construct the proposed street lighting in accordance with the Electrical Safety Authority’s standards, and to the satisfaction of the City Engineer.

(City of St. Catharines)

Parkland

32. The Owner shall pay an amount equal to 5% of the value of the subject lands in lieu of parkland dedication, in accordance with the Planning Act, and the owner shall submit a report prepared by a qualified real estate appraiser to establish this amount.

(City of St. Catharines)

Land Dedication and Easements

33. The Owner shall grant to the appropriate authority all easements as required for Municipal, Utility and private needs.

(City of St. Catharines)

34. The Owner shall dedicate Block 6 as a road widening.

(City of St. Catharines)

Rail

35. The following clause shall be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way:

"Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."

(Canadian National Railway)

Utilities

36. That the owner satisfy all utility companies with respect to the feasibility of and design for providing wire-line communication/telecommunication service, natural gas and electrical distribution services, street lighting, etc., and that the owner enter into any necessary agreements with those private utility companies for the provision of their respective services.

    (Bell Canada or comparable utility, Enbridge Gas Distribution, Horizon Utilities)

37. That the owner grants any easements necessary for the provision of services to the development by private utility companies.

    (Bell Canada or comparable utility, Enbridge Gas Distribution, Horizon Utilities)

38. That the owner confirm that sufficient wire-line communication/telecommunication infrastructure is currently or will be available within the development to provide, at a minimum, communication/telecommunication service for emergency management services (ie: 911 emergency services).

    (Bell Canada or comparable utility)

Canada Post

39. That the owner shall work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.

    (Canada Post)

40. The owner shall identify on the engineering servicing drawings a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes. Said pads are to be

poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.

(Canada Post)

41. That the owner shall include on all offers of purchase and sale, a statement that advises the prospective purchaser that the home/business mail delivery will be from a designated Centralized Mail Box and that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.

(Canada Post and the City of St. Catharines)

Administration

42. That the owner submit to the City Engineering Inspection and Administration fees to the satisfaction of the City Engineer.

(City of St. Catharines)

43. That the owner submit to the City the digital data and contract documentation in accordance with the Niagara Peninsula Standard Contract Document and City of St. Catharines CAD standards, to the satisfaction of the City Engineer.

(City of St. Catharines)

44. That the owner enter into one or more agreements with the City of St. Catharines agreeing to satisfy all requirements, financial or otherwise, as the City of St. Catharines may consider necessary, including the provision of municipal services, roads, sidewalks, landscaping, grading, drainage, fencing, and all other matters pertaining to the development of the site.

(City of St. Catharines)

45. That the subdivision agreement between the owner and the City of St. Catharines be registered by the municipality against the lands to which it applies as provided for under the Planning Act.

(City of St. Catharines)

46. If final approval is not given within three years of the approval date, and no extension has been granted, draft approval shall lapse. If the owner wishes to request an extension to the draft approval period, a written explanation with reasons why the extension is required must be received by the City prior to the lapsing date. An updated review and revisions to the conditions of approval may be necessary at that time.

(City of St. Catharines)

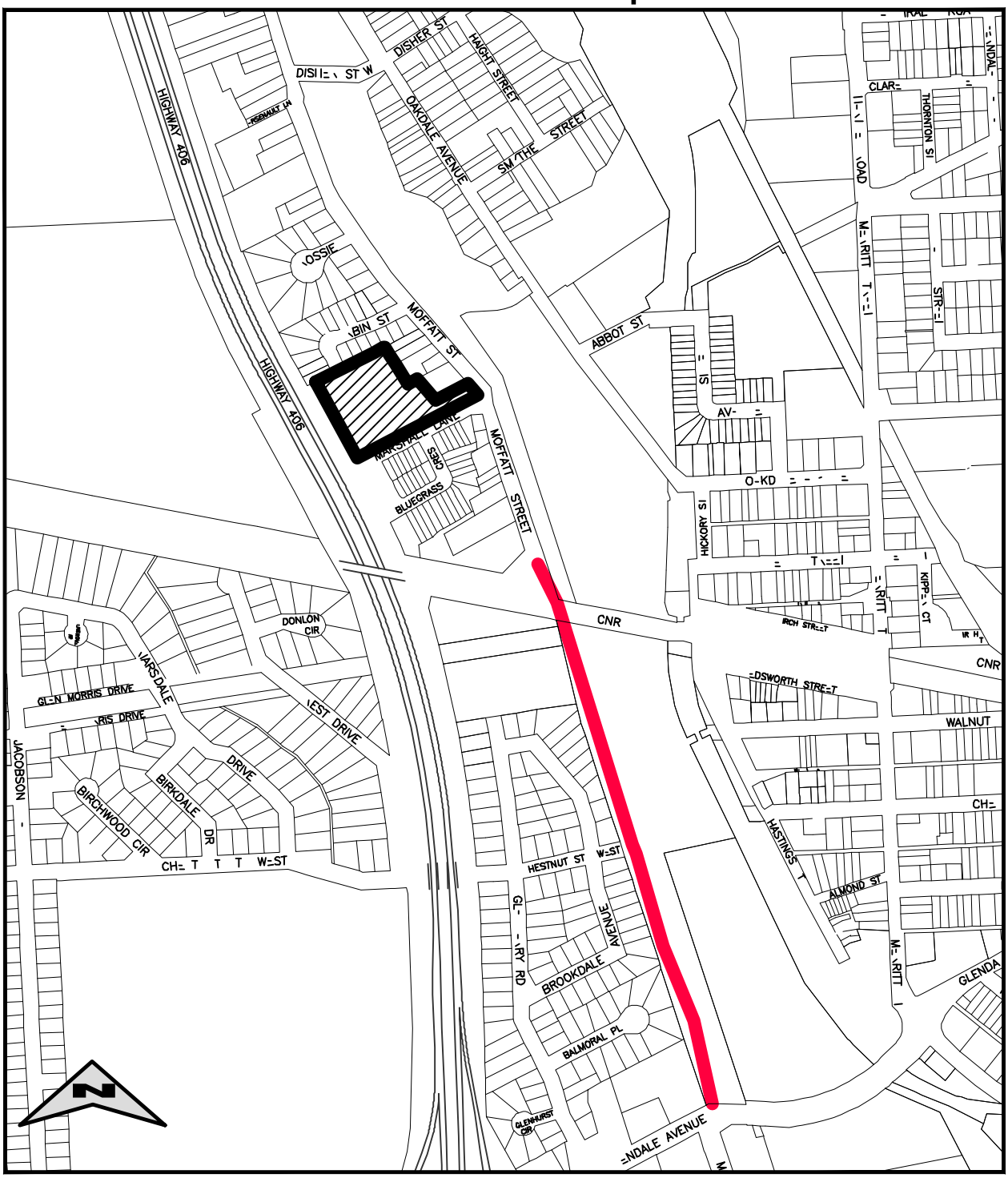
Conformity to Section 51(24) – Ontario Planning Act

Regard shall be had to:	Subject Development
(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in Section 2 of the Planning Act	These matters are discussed in the body of the report. Several conditions, outlined in the report and in Appendix 2, are included to ensure that relevant matters of provincial interest are not negatively impacted by the development.
(b) whether the proposed subdivision is premature or in the public interest;	The development is not considered premature since this is the logical progression of residential development in this neighbourhood. There is sufficient servicing and infrastructure to accommodate the development with its proposed form and density.
(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any	The property is suitable for the density, layout, and land uses proposed within the subdivision. The development is in keeping with the density permissions for low density residential lands within St. Catharines, in conformity with the GCP. The proposed plan provides increased connectivity for vehicles and pedestrians through the site and surrounding neighbourhood. The lands have adequate access and infrastructure available to accommodate the proposed subdivision.
(d) the suitability of the land for the purposes for which it is to be subdivided;	The subject lands are sufficient and appropriate for the subject development. They have access to existing services, and are currently underutilized as a vacant parcel. The land allows for a development that has an appropriate density and logical, efficient layout. Additionally, the lands have been intended to be developed for some time in order to complete Corbin Street which currently ends in a temporary turnaround.
(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them	As per Condition 20 (Appendix 2), the detailed design of the public road must be provided as a condition of final approval of the subdivision. The proposed 18 metre right-of-way is considered adequate to accommodate a public road, and is a continuation of the existing right-of-way width of Corbin Street. This is acceptable to staff. As a condition of approval, a detailed Streetscape Plan shall be submitted for review and approval by staff prior to final subdivision approval. The highway system in the vicinity is considered adequate for anticipated traffic and emergency services, as discussed within the body of the report.

(f) the dimensions and shapes of the proposed lots	As proposed, the blocks are considered an appropriate shape for the proposed uses. Blocks 2 and 3 are slightly below the minimum lot area to accommodate the proposed number of units per block. Prior to final approval, the applicant must obtain approval of the necessary minor variances to permit the number of units proposed, or alternatively comply with the minimum lot area for each block by reducing the number of units. If minimum lot area is met, the proposal would retain an acceptable density. Staff are satisfied that the block sizes and shapes, as proposed, are acceptable.
(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land	There is a required 14 metres setback from the Highway 406 right-of-way. This setback has been incorporated into the design of the subdivision.
(h) conservation of natural resources and flood control	There are no protected resources on the subject land. Grading and drainage in the area is known to be challenging, and basement flooding is a known concern. Conditions 13 and 14 (Appendix 2) contain requirements to ensure appropriate measures are taken to prevent flooding and manage stormwater. The master grading and stormwater management plans are to be submitted for review and approval by the City's engineering staff prior to final approval of the development along with a Functional Servicing Report which must demonstrate that the development includes measures to prevent basement flooding in the proposed dwellings, and not exacerbate the existing drainage issues in the surrounding area.
(i) the adequacy of utilities and municipal services	The land has access to adequate services and utility connections for the proposed development. As per Conditions 11 – 19 (Appendix 2), detailed design of the servicing of the site must be submitted, reviewed and approved prior to final approval of the subdivision.
(j) the adequacy of school sites	There are adequate school sites in proximity to the proposed development.
(k) the area of land, if any, within the proposed subdivision that, exclusive of	No land is to be conveyed for public purposes other than public highway.

highways, is to be conveyed or dedicated for public purposes	
(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy	The plan demonstrates an efficient design.
(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land	The City's Site Plan Control By-law requires that residential developments of four units or more will be subject to site plan control. Under this by-law both street townhouse blocks (Blocks 1 and 2) and the private road development (Block 3) would be subject to Site Plan Control. The subdivision agreement will address grading, drainage, servicing and streetscape design of the development as a whole, which are matters typically addressed through site plan. The Block 3 private road development has a significant interface with existing residential properties to the east and will benefit from the site plan review process to address building and parking design and landscaping within the site. Blocks 1 and 2, which are proposed to contain street-facing townhouse units, are of a size and shape that limits the form and type that development can take. The units, as proposed, are appropriate and typical street-facing units. There would be little to gain from a full site plan review process in terms of building location, parking areas, or additional landscaping beyond that regulated through the subdivision agreement. The look of the buildings is still of interest to the City, but that alone does not necessitate a full Site Plan review. As such, staff recommend that, if this application is approved, Site Plan Approval for Blocks 1 and 2 be limited in scope to the review and approval of architectural elevations.

Location Map



File: 60.46.437

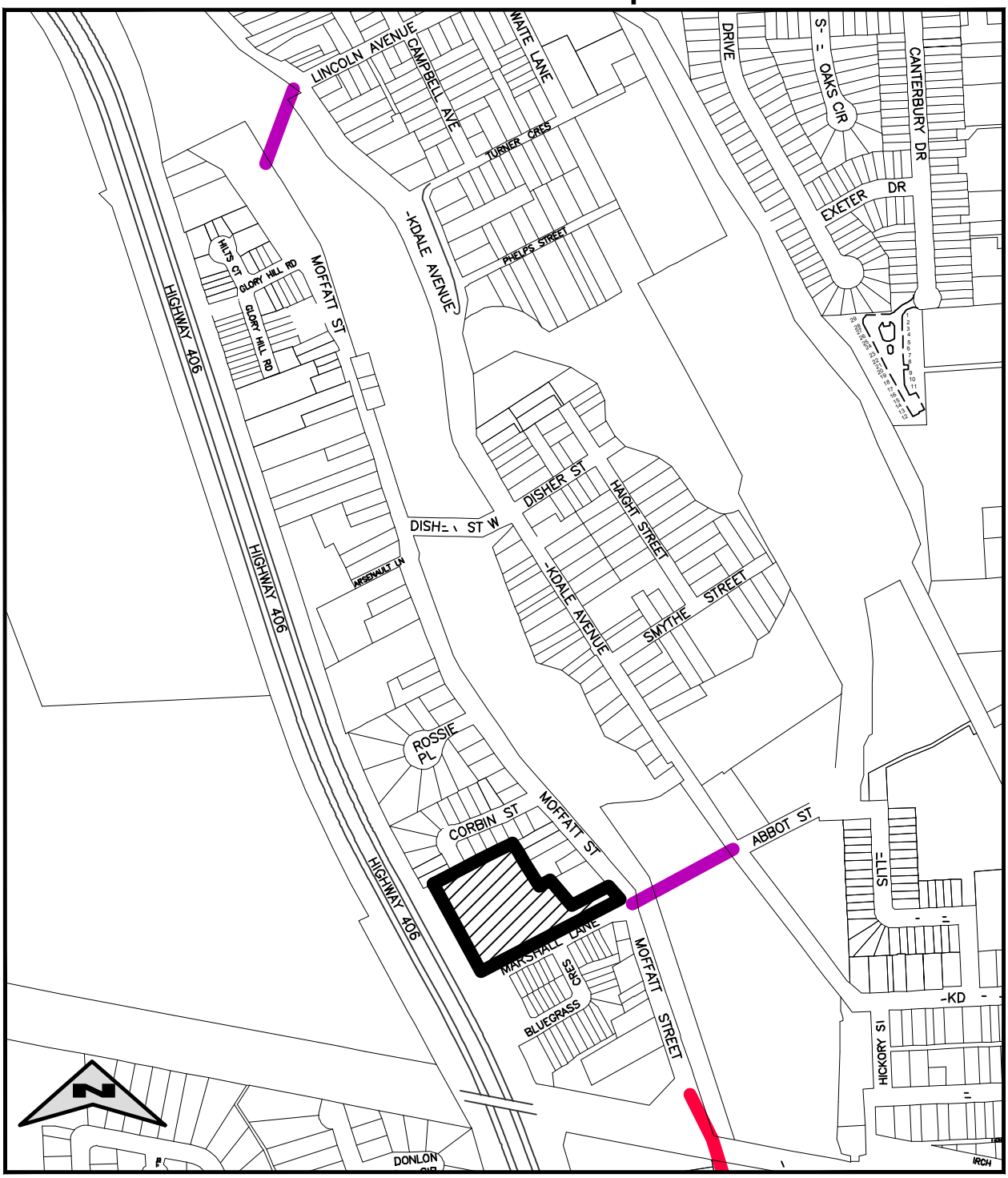
Location Map

Subject Lands (41 Moffatt Street)

Emergency Access

File: 60.46.437

Location Map



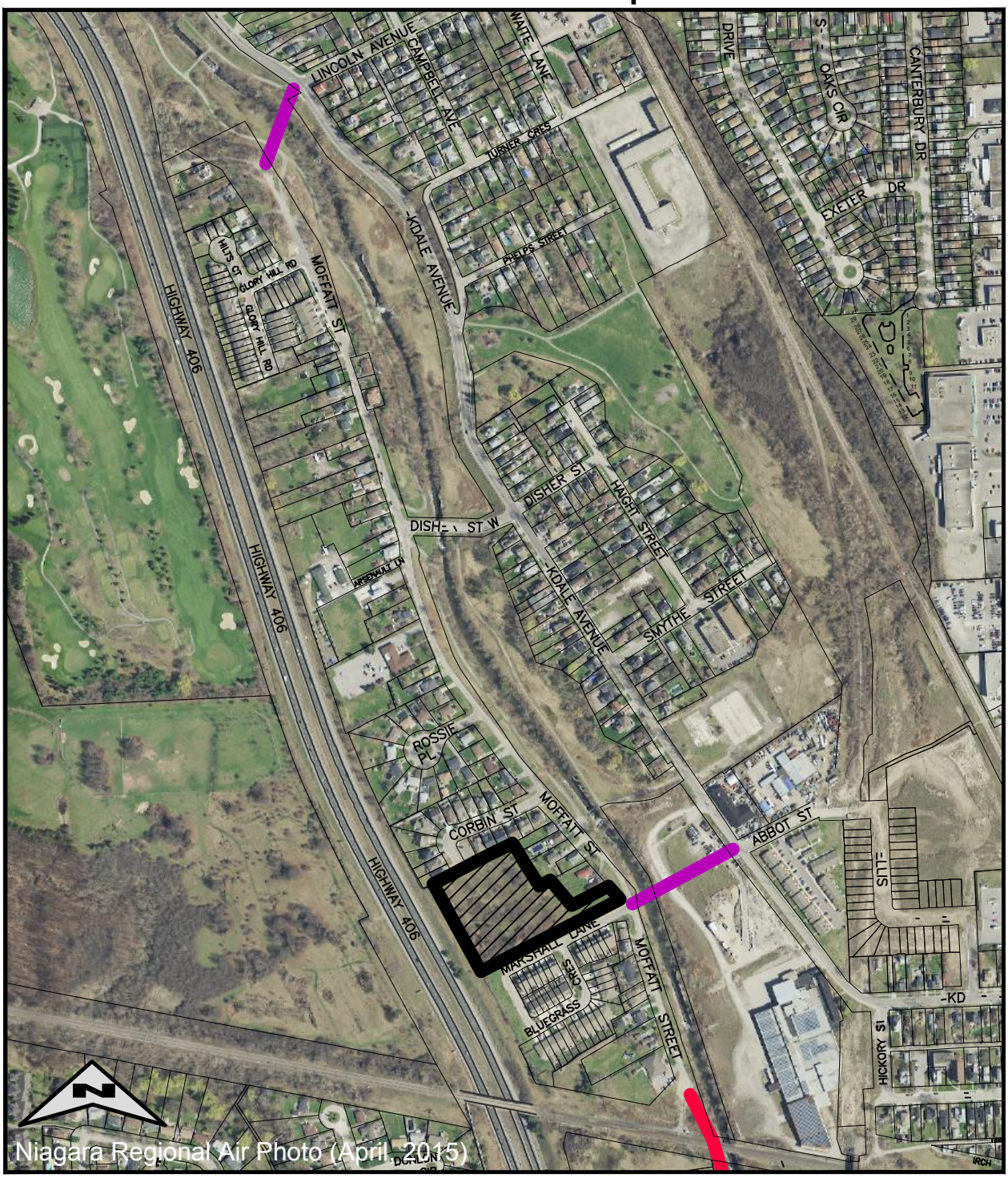
Subject Lands (41 Moffatt Street)

Potential Bridge Connections

Emergency Access

File: 60.46.437

Location Map



Subject Lands (41 Moffatt Street)

Potential Bridge Connections

Emergency Access

File: 60.46.437

CITY OF ST. CATHARINES

Corporate Report

Report from Planning and Building Services, Planning Services

Date of Report: April 19, 2018 **Date of Meeting:** May 23, 2018

Report Number: PBS-111-2018 **File:** 10.64.187

Subject: Designation of 109 St. Paul Crescent (Rodman Hall) under Part IV of *Ontario Heritage Act*

Recommendation

That Council designate the interior and exterior of the building located at 109 St. Paul Crescent (Rodman Hall) and grounds to be of cultural heritage value or interest pursuant to Part IV of the *Ontario Heritage Act*, for reasons (see Appendix 7) set forth in the report from Planning and Building Services, dated April 19, 2018; and

That the City Clerk be directed to give notice of Council's intent pursuant to the *Ontario Heritage Act*; and

That the City Solicitor be directed to prepare the necessary by-laws to give effect to Council's decision if no appeals are submitted; and

That upon expiration of the appeal period, the Clerk be directed to forward any appeals to the Conservation Review Board; and

Further, that the Clerk be directed to make the necessary notifications. FORTHWITH

Summary

The St. Catharines Heritage Advisory Committee (SCHAC) is recommending that the building (interior and exterior) and grounds at 109 St. Paul Crescent, be designated under Part IV of the *Ontario Heritage Act*. Staff concur with its recommendation under the *Ontario Heritage Act*. This report summarizes the background, conclusions of the heritage research, consultation, and Provincial and Official Plan policies that support heritage conservation in St. Catharines.

The *Ontario Heritage Act* enables the council of a municipality to designate a property within the municipality to be of cultural heritage or value or interest if the property meets prescribed criteria. Elements of the building and grounds at 109 St. Paul Crescent meet these criteria and it is being recommended for designation pursuant to the Act. Appendices 6 and 7 detail those criteria and the heritage attributes.

The owner (Brock University) is supportive of the designation.

Background

On November 21, 2016, Council passed the following motion:

> WHEREAS the Board of the Historical Society of St. Catharines has submitted a letter to Council urging that the property known as Rodman Hall (109 St. Paul Crescent) be designated under the Ontario Heritage Act (OHA), and listed the reasons for designation; and
>
> WHEREAS Rodman Hall is already included in the St. Catharines Registry of Non-Designated Cultural Heritage Properties that could be considered for designation; and
>
> WHEREAS at its November 10, 2016 meeting, the St. Catharines Heritage Advisory Committee passed a motion to conduct detailed research on Rodman Hall;
>
> THEREFORE BE IT RESOLVED that Council requests the St. Catharines Heritage Advisory Committee consider the potential designation of the building and grounds at Rodman Hall under the Ontario Heritage Act, in consultation with Rodman Hall management and ownership. FORTHWITH

This report regarding the designation of Rodman Hall is being brought forward in fulfillment of Council's direction.

Location

The subject lands known municipally as 109 St. Paul Crescent are on the east side of St. Paul Crescent, north of Rodman Hall Crescent and west of the Twelve Mile Creek Valley as shown on Appendix 1 (Location Map) to this report. Photographs of the property and building are attached as Appendix 2.

Existing Land Use

a) Site: The subject site is an irregularly shaped parcel of land with a lot area of 2.9 hectares, and street frontage of 155m along St. Paul Crescent. The property backs onto the Twelve Mile Creek valley system and trails. There is a three storey institutional building and arboretum on the lands. The premises, which are owned by Brock University are currently occupied by the Rodman Hall Arts Centre.

b) Neighbourhood:
The neighbourhood is made up predominantly of low density residential uses. Twelve Mile Creek Valley is located to the east

Official Plan Designation

The Garden City Plan (GCP) designates the plateau portion of the lands as Neighbourhood Residential on Schedule D1, General Land Use Plan and as Low Density Residential on Schedule E7, West Planning District (Appendix 3). The Low Density Residential Designation permits detached, semi-detached, duplex, triplex, quadruplex,

fourplex and townhouse dwellings at a density range of generally between 20 and 32 units per hectare of land. Height of buildings will generally not exceed 11 metres.

The sloped portion of the lands next to St. Paul Crescent and next to Twelve Mile Creek Valley are designated Natural Area. The city's Natural Area is made up of a diverse natural heritage system of rivers, streams, valleylands, wetlands, shoreline, woodlots, forests, natural areas, habitats, and corridors. Permitted uses include: legally existing uses buildings and structures, new agricultural uses subject to the policies of the Plan, fish, wildlife, and conservation management, essential public uses, watershed management and flood control, and passive small scale recreation features such as trails, walkways, and bicycle paths.

Zoning

By-law 2013-283 zones the lands Local Neighbourhood Institutional (I1-122) (Appendix 4). Permitted uses in the R1 zone include: cultural facility, day care, emergency service facility, long term care facility, places of worship, recreation facility (indoor and outdoor), elementary and secondary school, social service facility, and university/college. Special Provision 122 states that residential uses shall comply with the Low Density Residential – Traditional Neighbourhood (R2) Zone uses and provisions of the Zoning By-law. These uses include: detached dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling, fourplex dwelling, quadruplex dwelling, townhouse, and private road development.

Lands at the front of the property next to St. Paul Crescent and to the rear next to the Twelve Mile Creek Valley system are zoned Conservation/Natural Area (G1). Permitted uses include: boat ramp, essential operations for service infrastructure and utilities, off-leash dog park, picnic area and shelter, and trail.

Ontario Heritage Act (OHA)

Designation under Part IV of the *Ontario Heritage Act* (OHA) enables municipalities to recognize a property's cultural heritage value or interest, and to conserve and manage the property through the heritage permit process enabled under Sections 33 (alterations) and 34 (demolition or removal) of the Act. Where alterations to designated properties are contemplated, a property owner is required to apply for, obtain, and comply with a heritage permit for any alteration that "is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes" (Subsection 33(1)).

Heritage designation is a way to recognize the importance of a property to the local community, protect the property's cultural heritage value, encourage good stewardship and conservation, and promote knowledge and understanding about the property. The Owner's consent is not required for a designation to proceed.

Ontario Regulation 9/06-Criteria for Determining Heritage Value or Interest (O.R. 9/06) provides criteria for determining whether a property is of cultural value or interest under Section 29 of the *Ontario Heritage Act* (OHA). These criteria are found in the Garden City Plan (GCP) in Part C, Section 3.2 (1). This criterion is to be taken into account

when evaluating a site for designation under the Ontario Heritage Act. This requirement is addressed further in the Report section.

St. Catharines Register of Non-Designated Cultural Heritage Properties

Changes to the Ontario Heritage Act in 2006 allowed municipalities to list non-designated properties on a register. Once a property is listed owners must provide at least 60 days of notice to the council of the municipality of intention to demolish or remove a building or structure on the listed lands. The 60 day time period provides the municipality an opportunity to determine whether the property is a candidate for designation under the Act

On July 13, 2009, Council approved the St. Catharines Register of Non-Designated Heritage Properties. 109 St. Paul Crescent is listed on the Register. The City has not received notification of intent to demolish any buildings or structures on the premises.

Rating System for Built Heritage Resources

Prior to revisions to the Ontario Heritage Act in 2005, Council endorsed the Rating System for Built Heritage Resources. The purpose of this system is to provide a systematic, objective way of assessing and comparing the significance of structures based on standardized criteria (architectural, historical, and contextual).

The rating system has three categories: Priority 1 (70-100 points), Priority 2 (40-69 points) and Priority 3 (0-39). A Priority 1 resource is considered to be a resource of major significance, with intrinsic (architectural and/or historic) and contextual value. The Heritage Committee will focus its efforts towards heritage designation for Priority 1 resources. A Priority 2 resource is a medium priority resource of some significance, with limited intrinsic (architectural and/or historic) value. Depending on where these resources are in the point scale, the Heritage Committee may consider recommending that they be designated. A Priority 3 rating is generally considered to be a low priority resource of little or no significance and would not be recommended for designation.

In this regard, the building and grounds at 109 St. Paul Crescent are under consideration for heritage designation, as directed by Council.

Report

Consultation

Following Council's direction the St. Catharines Heritage Advisory Committee (SCHAC) undertook the background research required to consider a heritage designation for the property. A report prepared by the SCHAC detailing the heritage value of 109 St. Paul Crescent, including historical, architectural, and contextual significance was presented and considered by the Committee at its October 12, 2017, meeting. The committee passed the following motion at that meeting:

> "That the Draft Historical Overview of Rodman Hall report, prepared by Brian Narhi, be received, copies having been distributed at the meeting."

On November 9, 2017, the SCHAC evaluated the property at 109 St. Paul Crescent, including the building and grounds as directed by Council based on the Rating System for Built Heritage Resources, resulting in a Priority 1 rating. This means that the Committee should focus its efforts towards designation. Minor revisions to the report were recommended at that time. Consideration of a designation motion was deferred to the December 14, 2017 meeting as the owner was not able to attend at that time.

Subsequent to the November meeting, in correspondence dated November 27, 2017, the owner (Brock University) has provided consent to the designation, recognizing the heritage value of the property.

The following motions were passed at the December 14, 2017, SCHAC meeting:

> "That the report prepared by Brian Narhi, entitled Historical Overview of "Rodman Hall", 109 St. Paul Crescent, St. Catharines, Ontario Catharines, be received, as amended, and appended to the Staff report to Council."
>
> And,
>
> "That the St. Catharines Heritage Advisory Committee recommends that the building (interior and exterior) and grounds at 109 St. Paul Crescent (Rodman Hall) be designated under Part IV of the Ontario Heritage Act to be of cultural heritage value or interest for reasons set out in the report from Brian Narhi, as revised."

Heritage Attributes of 109 St. Paul Crescent

A summary of the heritage attributes of 109 St. Paul Crescent is provided below.

Rodman Hall, located at 109 St. Paul Crescent, is one of the most significant 19th century structures in the City of St. Catharines.

The land upon which the building stands was first granted in the 1790s to the Clendennan and Hainer families. Men from both families had served in Butler's Rangers and were among the first settlers in Grantham Township. One part of the property was bought by Robert Hamilton, a Queenston merchant, whose wife Catharine is believed to have been the namesake for the city. The Rodman Hall property, which originally comprised about 35 acres, was purchased by Thomas Rodman Merritt (1821-1906), the son of William Hamilton Merritt, in the mid-19th century. Thomas was a wealthy merchant, miller and banker.

This property was first laid out by Merritt as a large park-like garden, and used by the family as a quiet retreat where they entertained friends. The formally landscaped grounds are known to have been in existence by 1852. Between circa 1857 and 1860, the original or west wing of the house was built. The east wing of the building was completed in 1863. The large stained glass windows on the central staircase were installed during the 1880s.

The architect responsible for the house is not known with certainty. It has been suggested that the design may be attributable either to Kivas Tully or William Thomas. This is based upon a comparison of the architectural style of Rodman Hall with other known examples of work by Tully and Thomas. Both men were prominent Toronto architects, who had been commissioned to design other buildings for the Merritt family.

This house remained in the possession of the Merritt family for more than a century. It was temporarily used as a private school and was divided into several apartment units during the mid-20th century. In 1960, the property was sold to the St. Catharines and District Arts Council. The building has been open to the public and used as an art gallery since that time. New exhibit space was added in 1960 and 1975, but these expansions were constructed in such a way that there was minimal impact upon the 19th century fabric of the original house. Brock University assumed ownership of Rodman Hall in 2003, and it has continued to function as an art gallery since that time. The building also houses some administrative offices as well as a limited number of private studio spaces. Rodman Hall has not had any extensive exterior renovations. Similarly, the majority of the interior features have been retained in all of the rooms.

The gardens form part of an evolving cultural heritage landscape, and has served as a private and as a public retreat since the 19th century. The grounds surrounding the house contain a terraced, landscaped garden which has been known since the 1980s as the Walker Botanical Garden. Today the Walker Botanical Gardens contain many specimen examples of native trees, shrubs and plants, some of which are Carolinian, while other non-native varieties have been introduced to the site. These plants thrive in the sheltered micro-climate of the Twelve Mile Creek valley. The gardens have been an evolving focal point on the landscape since the late 1840s. Although part of the estate land was sold for residential development during the 20th century, efforts have been and continue to be made to retain as much of the existing garden as possible as a “remnant” landscape.

Rodman Hall is worthy of both interior and exterior designation, based upon its strong architectural merits and historical associations to the community. The grounds are worthy of designation as an evolved cultural heritage landscape.

The detailed heritage attributes of 109 St. Paul Crescent are provided in Appendix 7.

To guide Council’s consideration of this matter, staff has reviewed the applicable legislative and policy framework.

Bill 139 – Building Better Communities and Watersheds Act

On December 12, 2017, Bill 139, the *Building Better Communities and Watersheds Act,* received Royal Assent. The Bill was proclaimed by the Lieutenant Governor and came into force on April 3, 2018.

Staff has consulted with the Ministry of Tourism, Culture, and Sport regarding any implications that Bill 139 has concerning the OHA. The ministry has advised that changes provided by Bill 139 does not affect any part or process under the OHA aside from references currently made to the Ontario Municipal Board will henceforth be to the Local Planning appeal Tribunal (LPAT).

Appeals regarding designations under Part IV of the OHA have been and will continue to be made to the Conservation Review Board (CRB).

Provincial Policy Statement (2014)

The *Provincial Policy Statement* (PPS) states that the long term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment and a strong and competitive economy. Further, that the Province's natural heritage resources, water resources, including the Great Lakes, agricultural resources, mineral resources, and cultural and heritage resources provide important environmental, economic and social benefits.

Policy 2.6.1 provides that significant built heritage resources and significant cultural heritage landscapes shall be conserved. In accordance with the PPS, a significant built heritage resource means, in part, a building, structure, monument, installation or any manufactured remnant that has been determined to contribute to have cultural heritage value or interest. Built heritage resources are generally located on property that has been designated under the OHA.

In accordance with the PPS a significant cultural heritage landscape means, in part, a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value by a community. Parks and gardens of heritage significance are examples of cultural heritage landscapes.

If approved, a heritage designation for 109 St. Paul Crescent would establish significant built heritage resource status and significant cultural heritage landscape status for the property as set out by the PPS.

The recommended designation is consistent with the PPS (2014).

The City of St. Catharines Official Plan (The Garden City Plan)

The Garden City Plan (GCP) contains a vision, guiding principles and policies that recognize the importance of heritage conservation.

Part B containing the Plan's Vision and Guiding Principles envisions the City as celebrating its agricultural and historical assets (Section 2.1). Further, the vision recognizes that a sustainable community is one that respects and embraces its heritage to create a sense of identity and pride.

Part C of the Plan contains a number of relevant cultural heritage statements and policies. The GCP states that "conserving and enhancing our cultural heritage is important not only because it connects us to our past and helps us to interpret our history, but also makes economic sense. Heritage can benefit the local economy by attracting visitors to the city…..The City's cultural heritage resources have in the past been threatened by neglect, obsolescence, redevelopment, and the lack of the financial means necessary for protection and rehabilitation" (Section 3).

The Vision, Guiding Principles, and policies in the GCP demonstrate Council's commitment to the identification, protection, and conservation of the city's cultural heritage resources.

In addition to policies regarding smart growth, downtown intensification and revitalization, the Garden City Plan (GCP) (Official Plan) also contains policies that recognize the importance of heritage conservation in St. Catharines. The GCP states that "conserving and enhancing our cultural heritage is important not only because it connects us to our past and helps us to interpret our history, but also because it makes economic sense. … The City's cultural resources have in the past been threatened by neglect, obsolescence, redevelopment and the lack of financial means for protection and rehabilitation." (Part C, Section 3) The policy framework in the GCP states that the "City should identify cultural heritage resources through a continuing process of inventory, survey and evaluation." Further, "all development and redevelopment shall have regard for identified cultural heritage resources and shall wherever feasible, incorporate these resources into any development plan."

Specifically, support for the continued use, reuse, care and conservation of cultural heritage resources and properties (Part C, Section 3.1 (3)) will ensure that these resources are utilized and incorporated into redevelopment wherever possible proposing to incorporate the building at 333 Main Street into the future development of the lands in fulfillment of this objective.

Section 3.5 Part C of the OP defines cultural heritage landscapes similarly to the PPS and provides that they may be considered for designation under the Ontario Heritage Act.

Further, the GCP allows the City, in consultation with the SCHAC, to designate individual properties pursuant to Part IV of the OHA, if one or more of the following criteria are met (Part C, Section 3.2 (1)):

GCP POLICY	PLANNING COMMENT
a) The property has design value or physical value because it:	
i) is a rare, unique, representative or early example of a style, type, expression, material or construction method	Rodman Hall was constructed in two phases between circa 1856-57 and 1862. The former home is a blending of a number of styles of architecture, primarily exhibiting features of Victorian Gothic/Gothic Revival styles, and influenced by a number of other periods of design. There are no other examples of a building of this size and style in St. Catharines.
ii) displays a high degree of craftsmanship or artistic merit	The building was designed by a skilled architect, whose exact identity remains unknown. Based on the external architectural elements and style of the former home it was most likely designed by

	either Kivas Tully or William Thomas. Both men were prominent Toronto architects
iii) demonstrates a high degree of technical or scientific achievement.	n/a
b) The property has historical value or associative value because it:	
i) has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to the community	The property was acquired by Thomas Rodman Merritt between 1845 and 1852. He was the son of canal builder, William Hamilton Merritt, a prominent businessman, politician, and banker. The former home was built by Merritt between 1857 and 1863.
ii) yields, or has the potential to yield, information that contributes to an understanding of the community or culture	Rodman Hall, named after Thomas Rodman Merritt, is one of few mid-19th century buildings remaining in the vicinity. It represents economic prosperity in St. Catharines during this part of the 19th century. It was owned by the Merritt family until 1959. Since 1960, it has been open to the public as the home of the Rodman Hall Arts Centre, a hub for the local arts community.
iii) demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to the community	Both likely architects of the former home (Kivas Tully and William Thomas) were commissioned to design other buildings in St. Catharines for the Merritt family, as well as other notable buildings in the Niagara area.
c) The property has contextual value because it:	
i) is important in defining, maintaining or supporting the character of an area	The building has been a longstanding visual anchor on the streetscape since its construction over 150 years ago. The gardens at Rodman Hall pre-date the construction of the former house and were laid out and formally landscaped during the late 1840s / early 1850s.
ii) is physically, functionally, visually or historically linked to its surroundings	The building occupies the central part of the property on a prominent rise. For over 150 years it has been linked originally to its original primarily rural surroundings to the present, where it is surrounded by more recent development in the residential areas and by the Twelve Mile Creek valley to the east.
iii) is a landmark	Rodman Hall and its surrounding landscaped garden areas have been a

	landmark on St. Paul Crescent since the mid-19th century.

The above policies in the GCP originated from O.R. 9/06, which was issued by the Province in 2006 as criteria for determining cultural heritage value or interest that must be satisfied under the OHA for designation (see Appendix 6). Only one of these criteria must be met to establish cultural heritage value or interest.

As outlined in the table above and in Appendix 6, the requirements of the Official Plan and the Ontario Heritage Act are met regarding heritage designation.

The Official Plan and Zoning By-law guide and regulate the current and future uses on the subject lands, respectively. The use permissions afforded by these land use documents would not change if Council designates the premises under the Ontario Heritage Act. Future changes to the building and lands would, however be subject to the applicable policies of the PPS and Official Plan as well as the heritage designation by-law.

Process

There are six steps to designating an individual property under Part IV of the OHA:

1. Identify the property as a candidate for designation
2. Research and evaluate the property
3. Serve Notice of Intention to Designate to the Owner, the Ontario Heritage Trust and within a local newspaper, with an opportunity to appeal to the Conservation Review Board within 30 days
4. If no objections are filed, pass and register the designation by-law
5. List the property on the municipal register, if it is not already listed
6. List the property on the provincial register, if it not already listed

If Council chooses to designate the building and grounds at 109 St. Paul Crescent under the OHA, it must declare its intent and provide notice to the owner and the Ontario Heritage Trust. Consultation with the St. Catharines Heritage Advisory Committee is required and has been undertaken as outlined above. As required by the OHA, the “statement explaining the cultural heritage value or interest of the property” (a short summary of the main reasons for designation) will be included in the Notice of Intention to Designate, to be published in accordance with the OHA.

The “description of the heritage attributes of the property” (109 St. Paul Crescent), being the more detailed reasons for designation are attached to this report (Appendix 7) and will be attached to the Notice of Intention to Designate sent to the Owner and the Ontario Heritage Trust, and will be appended to the by-law designating the property, if the designation proceeds. A detailed report (Appendix 5) prepared by the SCHAC on which the description of heritage attributes is based, and is available from the Planning and Building Services Department should members of the public desire a copy.

Financial Implications

There are no financial implications.

Relationship to Strategic Plan

Cultural sustainability objectives will be enhanced/achieved through:

- Designating the building and grounds at 109 St. Paul Crescent under the Ontario Heritage Act based on its cultural heritage value or interest pursuant to Part IV of the *Ontario Heritage Act.*

Conclusion

The Official Plan prioritizes retention of the City's cultural heritage resources. The building at 109 St. Paul crescent is a high priority cultural heritage resource with: design value or physical value, historical value or associative value, and contextual value. The St. Catharines Heritage Advisory Committee (SCHAC) recognizes this important resource and recommends that the property (building and lands) be designated under the Ontario Heritage Act. Staff concurs with the recommendation of the SCHAC.

Notification

It is in order to notify Brock University, c/o Brian Hutchings, Vice President, Administration, 1812 Sir Isaac Brock Way, St. Catharines ON, L2S 3A1.

Prepared by:

Kevin Blozowski, MCIP, RPP
Heritage Planner

Submitted by:

Judy Pihach, MCIP, RPP
Manager of Planning Services

Approved by:

James N. Riddell, M.PL., MCIP, RPP
Director of Planning and Building Services

Location Map

Subject Lands

109 St.Paul Crescent (Rodman Hall)

File: 10.64.187

Appendix – Images of Rodman Hall

Figure 1 Front and north side view

Figure 2 Front view

Figure 3 Rear view

Figure 4 Rear porch

Figure 5 Rear view

Figure 6 View of south side addition

Figure 7 Front entrance detail and north side addition

Figure 8 Dormer detail

Figure 15 Rear and addition

Figure 10 Main floor Windows

Figure 11 Rear Entrance

Figure 12 South upper floor windows

Figure 13 Rear of Addition

Figure 14 Side of Addition

Figure 15 Front of addition

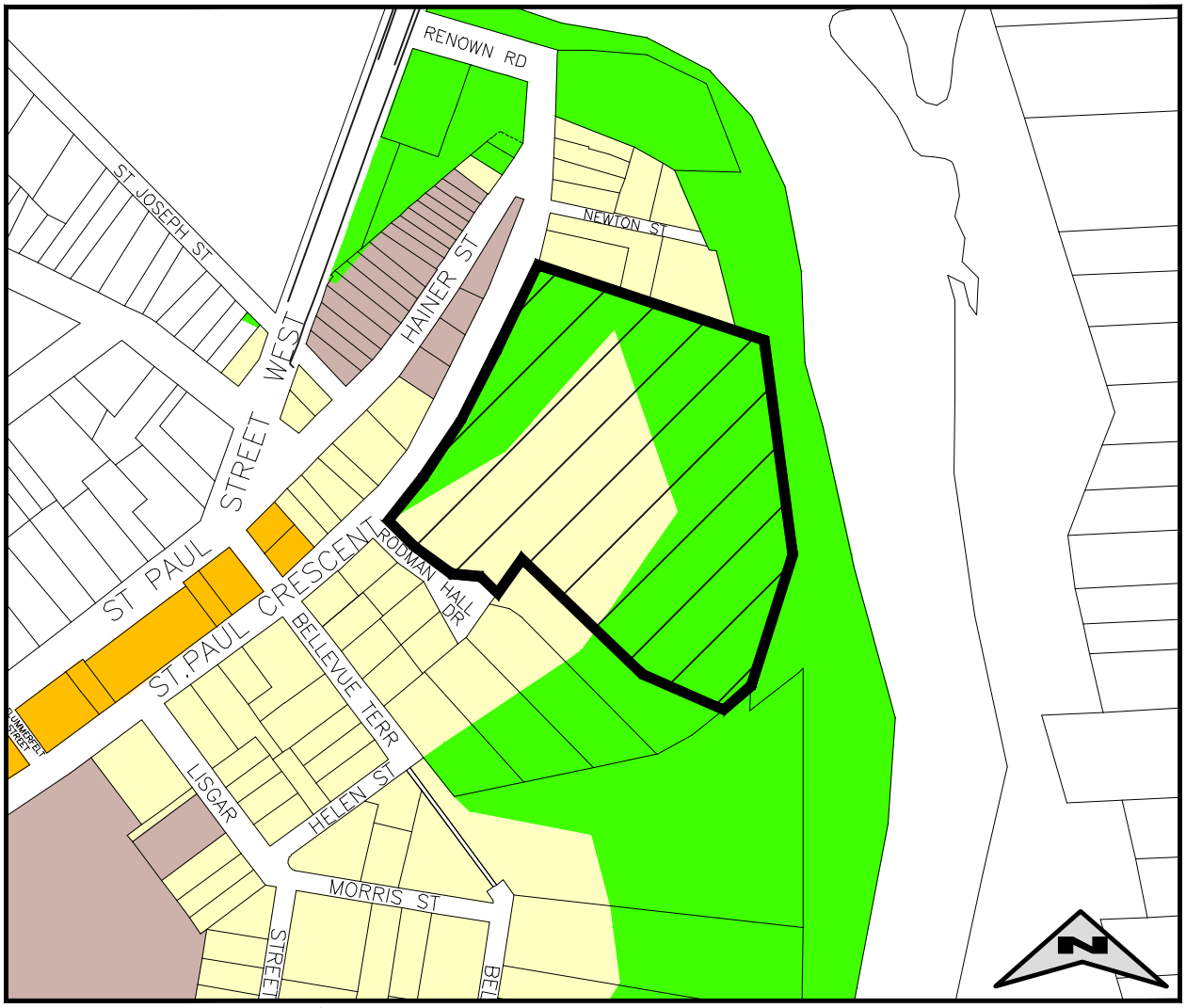
Figure 16 Garden Trails

Figure 17 Public Art

Figure 18 Seating in the Gardens

Existing Land Use Designation

(District Plan E7 - Garden City Plan)



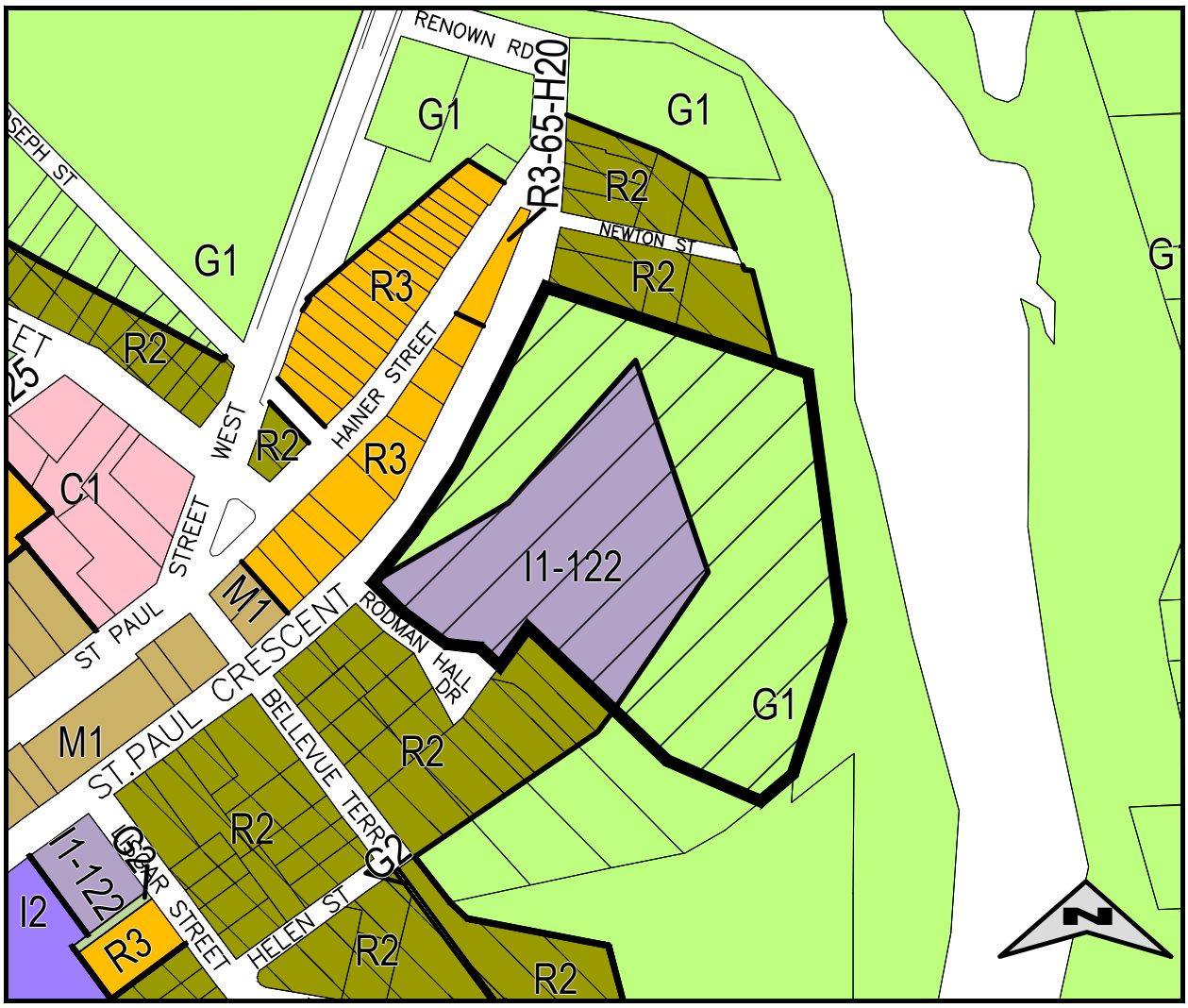
Land Use Designations

- Low Density Residential
- Medium Density Residential
- Mixed Use
- Natural Areas

File: 10.64.187

Existing Zoning

(Schedule A - Zoning By-law 2013-283)



109 St. Paul Crescent

Zones

- R2 Low Density Residential - Traditional Neighbourhood
- R3 Medium Density Residential
- C1 Local Convenience Commercial
- M1 Medium Density Mixed Use
- G1 Conservation / Natural Area
- G2 Minor Green Space
- I1 Local Neighbourhood Institutional
- I2 Community Institutional

Files: 10.64.187

Historical Overview of "Rodman Hall,"

109 St. Paul Crescent,

St. Catharines, Ontario.

Researched by: Brian K. Narhi (M.A.)

Researched for: St. Catharines Heritage Advisory Committee

Date: December 18, 2017.

Executive Summary.

Rodman Hall, located at 109 St. Paul Crescent, is one of the most significant 19th century structures in the City of St. Catharines.

The land upon which the building stands was first granted in the 1790s to the Clendennan and Hainer families. Both men had served in Butler's Rangers and were among the first settlers in Grantham Township. One part of the property was bought by Robert Hamilton, a Queenston merchant, whose wife Catharine is believed to have been the namesake for the city. The Rodman Hall property, which originally comprised about 35 acres, was purchased by Thomas Rodman Merritt (1821-1906), the son of William Hamilton Merritt, in the mid-19th century. Thomas was a wealthy merchant, miller and banker.

This property was first laid out by Merritt as a large park-like garden, and used by the family as a quiet retreat where they entertained friends. The formally landscaped grounds are known to have been in existence by 1852. Merritt resided with his family on Yates Street during the construction of Rodman Hall, which was carried out in two phases. Between ca. 1857 and 1860, the original or west wing of the house was built. Following the death of Merritt's older brother in 1860, building materials intended for a large house in Montebello Park were transported to the Rodman Hall site and used in the east wing of the building which was completed in 1863. Minor renovations were made to the building during the 1870s, when a pedimental sculpture was removed and additional dormer windows were added. The large stained glass windows on the central staircase were installed during the 1880s.

The architect responsible for the house is not known with certainty. It has been suggested that the design may be attributable either to Kivas Tully or William Thomas. This is based upon a comparison of the architectural style of Rodman Hall with other known examples of work by Tully and Thomas. Both men were prominent Toronto architects, who had been commissioned to design other buildings for the Merritt family. The stone construction work on the house may have been executed by William Barron, who built the old Lincoln County Court House at King and James Streets. The interior woodwork is similar in style to that done by Thomas McIntyre, who was one of the local cabinet makers and an early undertaker in the town. The ornamental plaster cornices and ceiling medallions may have been the handiwork of Francis Begy. All three were well-known, skilled workmen in 19th century St. Catharines.

This house witnessed many family gatherings and social events, and remained in the possession of the Merritt family for more than a century. It was temporarily used as a private school and was divided into several apartment units during the mid-20th century. In 1960, the property was sold to the St. Catharines and District Arts Council. The building has been open to the public and used as an art gallery since that time. New exhibit space was added in 1960 and 1975, but these expansions were constructed in such a way that there was minimal impact upon the 19th century fabric of the original house. Rodman Hall was handed over to Brock University in 2003, and it has continued to function as an art gallery since that time. The building but also houses some administrative offices as well as a limited number of private studio spaces.

Rodman Hall has not had any extensive exterior renovations. With the exception of new concrete front steps, the removal of exterior window shutters, and the removal of the wrap-around porch on the east side of the building in 1960, the house still stands today looking nearly identical to what it did during the Victorian era. Similarly, the majority of the interior features have been retained in all of the rooms. The floors, doors, windows, hardware, trim, paneling, ceiling cornices and ornamental plaster work, brick and marble fireplaces, and stained glass, are all original to the house. Small items such as servant's bell-pulls and at least one gas light fixture appear to be original. The inside of the main entrance to the house contains two large mirrors, which may be attributed on stylistic grounds to the firm of Jacques and Haye of Toronto, which was one of the best furniture manufacturing firms in Ontario during the 19th century. The original chandeliers and gas lights have unfortunately been removed from the house, and their present location is not known.

The gardens form part of an evolving cultural landscape, and have served as a private and as a public retreat since the 19th century. The grounds mirrored a similarly landscaped private garden on the slope of the hill below "Oak Hill" (CKTB); both provided an extended, landscaped vista on either side of the old Welland Canal, which was enjoyed by residents and visitors to St. Catharines alike. Today the Walker Botanical Gardens contain many specimen examples of native trees, shrubs and plants, some of which are Carolinian, while other non-native varieties have been introduced to the site. These plants thrive in the sheltered micro-climate of the Twelve Mile Creek valley.

Rodman Hall is worthy of both interior and exterior designation, based upon its strong architectural merits and historical associations to the community. The grounds are worthy of designation as the "remnant" of an evolved cultural heritage landscape.

1.0 Introduction.

The building and property which comprise the focus of this report is "*Rodman Hall,*" a 30 room mansion located at 109 St. Paul Crescent in the City of St. Catharines. The house is one of two former private family residences built by the Merritt family during the Victorian era (the other being nearby "*Oak Hill*," used by CKTB.) Rodman Hall remains nearly intact in terms of its original exterior architectural features, and the interior spaces have not been significantly altered, and should be classified by the City of St. Catharines as a "Priority 1" heritage building. This structure retains most of its Victorian design elements and merits consideration as a candidate worthy of both interior and exterior designation under part IV of the *Ontario Heritage Act*. The grounds and landscaped gardens surrounding the building have been a conspicuous (and evolving) feature of the landscape since the late 1840s, and the gardens predate the construction of the house by a decade. The gardens are worthy of designation as part of an "Organically Evolved Cultural Heritage Landscape." The house and the grounds both meet the criteria for determining cultural heritage value or interest as set out under section 29 of *Ontario Regulation* 9/06, having strong design and physical value, historical and associative ties, and contextual value.

2.0. **Land Use History**.

The Rodman Hall estate originally comprised approximately 38 acres (15.37 ha.) but through land sales it has been significantly reduced and now occupies a remnant parcel of the whole. The legal description for the property is Lot 2150 on Corporation Plan 2 ("C.P. 2,") and prior to that this land formed part of Lots 17 and 18 Concession 7 in Grantham Township. Part of the estate land was subdivided by the "Rodman Hall Plan" (Registered Plan 174) in 1946. The Land Registry records for this property were automated in August 1997, and it is now described as PIN 46182-0105.

Lot 17 Concession 7, Grantham.

Lot 17 Concession 7 in Grantham, a 100 acre lot (40.47 ha) was patented by ***Abraham Clendennan*** on December 31, 1798.

Clendennan (aka, Clendenning, b. Feb. 1762), was a native of Knowlton, Sussex County, New Jersey, and the son of James and Rebecca Clendennan. He served as a private in Butler's Rangers from 1778 until the unit was disbanded at Niagara in 1784. During the war he was taken captive by the Americans and "hung up twice to an apple tree until almost dead." Clendennan settled on his land in Grantham Township which he farmed. He was named on the U.E. Loyalist list in 1797. During the War of 1812 he served in the Lincoln Militia, and died while on duty on Oct. 28, 1812. Clendennan was married ca. 1788 to Hannah (b. ca. 1765), the daughter of John and Margaret Eva (Scherz) Hainer, and at the time of his death he left four minor children for her to

support. John Hainer (1744-1802) was one of the first settlers in St. Catharines, and was one of the early millers in the settlement (Taylor 2003:11-12; Smy 2004:68-69.)

In May 1808, Clendennan sold this lot to ***Robert Hamilton*** (*Grantham Memorial deeds* #1406.)

Hamilton (b. Sept. 14, 1753) was a native of Bolton, Scotland, and the son of John and Jean (Wight) Hamilton. He immigrated to Canada in 1778 as a clerk for the London mercantile firm of Ellis & Co., who were involved in the fur trade and as provisioners for the British army during the American Revolutionary War. In May 1780, Hamilton established himself in business as the partner of Richard Cartwright, a Kingston merchant. Hamilton was based at Fort Niagara throughout the 1780s and 1790s, until he moved his store and warehouses to Queenston. He derived a portion of his wealth from portaging and military supply contracts, and from the accumulation of large amounts of land (at least 130,170 acres or 52,679 ha.) Much of the land in and around downtown St. Catharines was granted to Hamilton. He held several important early positions within the Niagara District, such as justice of the peace (1787), member of the Nassau [Niagara] District Land Board (1788-1794), judge of the Court of Common Pleas (1788) and member of the Legislative Council of Upper Canada (1792-1809.) Hamilton built a fine residence for his family at Queenston which was destroyed during the War of 1812. He also donated land in St. Catharines in February 1796 for the first church in the village. Due to his wealth and social position, he comprised part of what was then described as the Scots “Shopkeeper Aristocracy.” Hamilton was married in 1785 to Catherine Askin (d. Dec. 1796), the widow of Samuel Robertson, and St. Catharines is believed to have been named in her honour. They raised a family of five sons. Hamilton was then married in 1797 to Mary Herkimer, the widow of Neil McLean, by whom he raised a family of four children (three sons and one daughter.) Hamilton was a founding member of the Niagara Agricultural Society, of the Niagara Library, and of the Niagara Masonic Lodge. He died at his Queenston residence on March 8, 1809 after a long illness. He was interred in his family burial plot which is located on the “Willowbank” property in Queenston. He was one of the wealthiest men in Upper Canada at the time of his death, and it took more than 20 years for his executors to wind up the affairs of his estate (Wilson 1983:402-406.)

In November 1828, ***William Dickson*** and ***Thomas Clark*** (as executors of the Hamilton estate) sold part of this lot to ***John Clendennan*** (*Grantham Memorial deeds* #7450.)

Clark (aka “Clarke,” d. 1835) was a native of Scotland who settled in Upper Canada in 1791. He was a wealthy Niagara merchant, member of the Legislative Council of Upper Canada, local magistrate, and officer in the Lincoln Militia. Dickson (1769-1846) was a native of Scotland who settled in Niagara in 1792. He was a lawyer, a member of the Legislative Council, and “founder” of the Township of Dumfries. He is remembered for

the duel in which he fatally shot William Weekes near Fort Niagara in October 1806. Dickson was captured by the Americans in May 1813, and sent as a captive to Greenbush, New York. Both men were the cousins of Robert Hamilton (Parker & Wilson 1987:147-150; Wilson 1988: 250-252.)

Clendennan (b. Sept. 24, 1790) was a native of St. Catharines, and the son of Abraham and Hannah (Hainer) Clendennan referred to above. He was a farmer in St. Catharines. Clendennan was married on Jan. 14, 1816 to Margaret Dittrick (d. May 1834), who was the daughter of Jacob and Margaret (Pickard) Dittrick. Jacob Dittrick (1755-1828) was a Sergeant in Butler's Rangers, and (along with Hainer) was one of the first settlers in what is now downtown St. Catharines. Clendennan had at least two children by his wife, a son and daughter, who were born in 1817 and 1823. Clendennan died in St. Catharines on Jan. 31, 1845 (Taylor 1983:12, 22; Smy 2004:80.)

In December 1828, Clendennan "exchanged" a six acre (2.42 ha) portion of Lot 17 with ***Jacob Hainer*** for other lands (*Grantham Memorial deeds* #7452.)

Hainer (b. Jan. 23, 1803) was a native of St. Catharines, and the son of George and Catharine (Dittrick) Hainer. He was a farmer and land developer, and described as being "a kind and genial man, who enjoyed the confidence and esteem of all who knew him, and lived an honoured and useful life." He was married to Permelia (aka Parmelia, Permilla) Smith (May 11, 1811-June 22, 1888) on Jan. 21, 1830. She was the daughter of Nicholas and Cathreen (May) Smith. Nearby Permilla Street in the Western Hill neighbourhood was named in honour of Mrs. Hainer. They raised a family of seven children. Jacob died on July 7, 1880 (Hainer family *Bible*; 1861 *St. Catharines Census*, St. Thomas' Ward, district 1 p. 10; *Amherstburg Echo*, July 23, 1880; Taylor 2003:13, 23-24.)

In October 1845, Hainer sold a twelve acre (4.85 ha) tract to ***Thomas Rodman Merritt*** for £300. This deed included "other lands," ie, parts of Lots 18 and 19 in Concession 7. This was followed by a second deed of land from Hainer to Merritt, dated December 24, 1852. This purchase was for parts of Lots 17, 18 and 19 in Concession 7, at a price of £1,250 (*Grantham Memorial deeds* #2516, 4655.)

Thomas Rodman Merritt (1824-1906.)

Merritt (b. Oct. 17, 1824)[1] was the youngest son of William Hamilton and Catharine Rodman (Prendergast) Merritt. He born in Mayville, New York, at the home of his maternal grandparents, but raised in St. Catharines. He was educated at the Grantham Academy, and at Upper Canada College in Toronto. Merritt was first employed as a clerk in the store of Henry Mittleberger in St. Catharines in 1839, but by 1841 he had become the business partner of James Rea (aka, Rae) Benson in a general store located on St. Paul Street. Merritt is said to have been in Montreal between 1842 and 1844 "to learn the mercantile trade." Their business prospered, and by the mid-1840s they expanded into flour milling. They purchased the Lincoln Frame Mill and the Welland Stone Mills which Merritt managed. In 1847, they commissioned Louis Shickluna to construct two schooners for shipping their flour and other merchandise. The partnership between Merritt and Benson was dissolved in 1849, and in the division of the assets Merritt retained the mills and the ships. Merritt was described as being a "miller" in the 1861 census, whose business was worth an estimated $175,000. The mills were sold in 1869 to Norris & Neelon. Merritt was involved with several other enterprises, such as the Niagara District Bank (president), the Imperial Bank (vice-president and president), Welland Railway Co. (chair and managing director), Security Loan & Savings Co. (president), St. Catharines Gas Light Company (president), Niagara Suspension Bridge Co. (director and president), St. Catharines Hydraulic Co. (president), and the Welland Canal Loan Co. Merritt was involved in local politics, and served as a councillor for St. Thomas' Ward (1857-59), and held a seat in the House of Commons between 1868 and 1874. Merritt was interested in educational institutions, and he was one of the founders and presidents of Ridley College. He also served as a captain in the Lincoln Militia. Merritt was married on Jan. 17, 1853 to Mary Benson (b. Ireland, Mar. 9, 1829, d. Jan. 6, 1908), who was the daughter of Thomas Benson of Port Hope.[2] They had no children. Mr. and Mrs. Merritt celebrated their 50th wedding anniversary at Rodman Hall. Merritt died following a brief illness on Jan. 1l, 1906. They

[1] Some sources cite his birth date as Nov. 17, 1824.
[2] Some sources erroneously stated that she was the daughter of James Rea Benson.

were both interred in the family plot at Victoria Lawn (1861 *St. Catharines Census*, St. Thomas Ward, district 1 p. 7; Chadwick 1894:195-196; *St. Catharines Daily Standard*, Jan. 11, 1906 p. 1; *Star Journal*, Jan. 11, 1906; Warwick 1994:699-700; "Merritt" family binders, Special Collections Department, St. Catharines Central Library.) .

In July 1856, Merritt sold a right-of-way which contained slightly more than three acres at the south end of his property to the Great Western Railway for £500 (*Grantham Memorial deeds* #7452.)

In February 1863, Merritt mortgaged his land in favour of William Dudley for $10,000. This mortgage was probably taken out around the time that construction was about to commence on the "new" wing of the house. This encumbrance was discharged in July 1869 (*Grantham Memorial deeds* #13260.)

Lot 18 Concession 7, Grantham.

Lot 18 Concession 7 in Grantham, a 100 acre lot (40.47 ha) was patented by ***John Hainer*** on March 1, 1797.

Hainer (b. Aug. 7, 1744) was a native of Claverack, New York State, and the son of George ("Jurry") and Anna Catharina (Hagadorn) Hainer. He served as a private in Butler's Rangers in Capt. Bernard Frey's Company, and was at Fort Niagara in the autumn of 1783. During the Revolutionary War their home was plundered in New York State and the family was left "destitute." He was married to Margaret Eva Scherz ca. 1765, and they raised a family of at least eight children. Mrs. Hainer remained at the family home in New York, and she and the children joined John at Niagara in the early 1780s. They settled in Grantham Township around 1786, where Hainer became one of the first settlers (along with Jacob Dittrick) near what is now downtown St. Catharines. Hainer was a farmer and miller by trade. He appears to have been ill when he made out his last will and testament on September 1, 1802. He died within days of the execution of this document, which was filed in the Surrogate Court on September 6th (Taylor 2003:5-7; Smy 2004:96.)

The use and enjoyment of this lot appears to have been bequeathed to the widow Hainer, who died sometime after 1814, and it was inherited by their son, ***George Hainer*** (1766-Nov. 22, 1814.) He was married ca. 1800 to Catharine Dittrick (ca. 1780-Mar. 14, 1861.) George served as a Lieutenant in Captain Jones' Company during the War of 1812, and saw action at the battles of Fort George (May 1813) and Lundy's Lane (July 1814.) He died as a result of sickness. This land was then inherited by their oldest son, ***John Hainer*** (b. ca. 1801.) He was married in August 1836 to Susan Pickett (or Pickard?), and they appear to have had one child. Susan fled from his household, taking the child with her, and Hainer advertised in the newspapers that he was not

responsible for their debts. John Hainer died in St. Catharines on Jan. 29, 1837 (*St. Catharines Journal,* Dec. 1, 1836, Feb. 2, 1837; Taylor 2003:12-13, 22-23.)

In July 1828, Hainer sold part of this lot and other lands to his brother, ***Jacob Hainer*** for £200. This was followed by a second deed of land between these men in June 1833. Biographical details related to Hainer were discussed earlier in this report (*Grantham Memorial deeds* #7449, 9257.)

In October 1845, Hainer sold a twelve acre (4.85 ha) tract to ***Thomas Rodman Merritt*** for £300. This deed included "other lands," ie, parts of Lots 18 and 19 in Concession 7. This was followed by a second deed of land from Hainer to Merritt, dated December 24, 1852. This purchase was for parts of Lots 17, 18 and 19 in Concession 7, at a price of £1,250 (*Grantham Memorial deeds* #2516, 4655.)

The "Rodman Hall" estate lands formerly located on Lot 19 Concession 7 in Grantham followed the same chain of title as per Lots 17 and 18 above.

The "Rodman Hall" estate lands remained in the possession of Thomas Rodman Merritt until his death on January 11, 1906. Under the terms of Merritt's will and codicils attached thereto, his widow received a "life interest" in the property. Mrs. Merritt died in 1908, at which time the ownership of the land passed to ***William Hamilton Merritt***, the nephew of T.R. Merritt (last will and codicils of Thomas Rodman Merritt, #1187GR; *Deposit* #4221.)

Dr. W.H. Merritt (1865-1924.)

Merritt (b. June 13, 1865) was born at "Oak Hill," St. Catharines, the home of his grandfather and namesake. He was the son of Jedediah Prendergast and Emily Alexandra (Prescott) Merritt. Merritt was educated locally, and at Dufferin College in

London. He graduated from Trinity College, Toronto, in 1888 and then continued his medical studies in Edinburgh and at Leipzburg (Leipzig?) in Germany. Merritt was a elected FRCS (Fellow of the Royal College of Surgeons.) Merritt returned to St. Catharines where he opened a medical practice and also served as the coroner for Lincoln County. He helped to organize the 7th Field Battery in 1892. Merritt was elected to serve on city council in 1899, and again in 1909-1911, and as the mayor of St. Catharines in 1912-13. In 1916, during the Great War, Merritt went overseas with the 19th Lincoln Battalion but was transferred to the Medical Corps. He was discharged with the rank of Lieutenant-Colonel in 1919. Merritt was a member of various social and charitable organizations, including the Board of Education, the Library Board, the Knights Templar, the Oddfellows, and the Great War Veteran's Association. He was a founding member of the St. Catharines Rowing and Canoe Club in 1903. Merritt was married at Chicago on Oct. 12, 1892 to Maud Cloudman Hudson (Aug. 21, 1871-Aug. 8, 1950), the daughter of Judge Haynes Emmons and Marian (Merritt) Hudson of Memphis, Tennessee. They raised a family of two children, a daughter named Marion Emily who was married to the lawyer Murton A. Seymour, and a son named Thomas Rodman Merritt (II.) Dr. Merritt died on April 22, 1924 as the result of "pneumonia and weakness following apoplexy." Merritt and his wife were buried in the Merritt family plot at Victoria Lawn Cemetery (Chadwick 1894:196; *Ontario Vital Statistics*, death registration #19875/1924.)

"Rodman Hall" was owned and occupied by W.H. Merritt until his death on April 22, 1924. Under the terms of his will, his widow ***Maud Cloudman Merritt*** received a "life interest" in the property. The property was then inherited by their son, ***Thomas Rodman Merritt***, upon Maud's death (will of W.H. Merritt, #3307GR; *Deposit* #4221.)

Merritt (b. June 7, 1896) was the son of Dr. W.H. and Maud Cloudman Merritt referred to above. He was described in early records as being a "banker." Merritt was married at St. George's Church on June 21, 1924 to Duthga (aka Duthka) Muriel Murray (Apr. 21, 1895-1982), who was the daughter of Arthur Huson and Sybil Ada (Walker) Murray. A.H. Murray was employed in Toronto as a "clerk" by the Imperial Bank; by 1911 he had moved with his family to Niagara Falls, Ontario, where he served as the manager of the local branch of the Imperial. By 1921, Sybil and Duthga had returned to Toronto, where they resided with other members of the Walker family on St. George Street. Merritt and his wife had just two children, a son named Thomas Rodman Merritt (III), and a daughter Marigold who was married to a Young. The relationship between Thomas and Duthga became estranged, and the marriage was annulled in the mid-1950s. A court order was registered on title to the Rodman Hall grounds with regard to alimony awarded to Duthga. T.R. Merritt died on Sept. 13, 1964 (*New City deeds* #41580; 1911 *Niagara Falls Census*, Ward 3 p. 50; 1921 Toronto Census, District 130, sub-district 73, Ward 4 p. 5; *Ontario Vital Statistics*, birth registration #40126/1895 and marriage

registration #2517/1924; *St. Catharines Standard*, June 23, 1924; Sept. 13 and 14, 1964.)

The Merritt family leased the house out for use as a private school, and subdivided the building into apartments during the late 1940s. The family planned to subdivide part of the land located south of the house (between present day Rodman Hall Drive and Bellevue Terrace) as early as the autumn of 1945. The "Rodman Hall Plan" was registered on title in early 1946. The first of the lots created under this plan were sold to new owners in 1946-47. A right-of-way over part of the estate land was sold by Merritt to the Hydro-Electric Power Commission of Ontario in July 1947(*City deeds* #15603, 31152; *Registered Plan 174*; Coldbick 1959.)

Between 1955 and 1960, various documents were registered on title which dealt with the divorce between Thomas Rodman and Duthka M. Merritt, and also with respect to Mrs. Merritt's alimony (*City deeds* #41580, 52991.)

In November 1959, Merritt sold the un-subdivided remainder of the "Rodman Hall" land and the house to the ***St. Catharines and District Arts Council*** for a price variously stated as being either $38,000 or $43,000 (*City deeds* #52992.)

A "Notice" of a Conditional Sales contract was registered on title by Provincial Gas in August 1972 for $1,172 (*City deeds* #251507.)

Rodman Hall was altered in 1960, when the first gallery (designed by Salter & Fleming) was constructed on the east side of the building. The new gallery was intended to be used as a music studio and exhibit gallery. At that time, the east verandah was removed. In 1973-74, a new addition was designed by Macdonald & Zuberec which was opened to the public in September 1975.

The Rodman Hall lands remained in the possession of the ***Rodman Hall Arts Centre*** until September 2003, when the board voted in favour of selling Rodman Hall and its assets to ***Brock University***. This motion was ratified by the members of the Arts Centre at their meeting on October 6, 2003. The transfer was made for the nominal sum of $2, and was to take effect on Oct. 17th of that year (*St. Catharines Standard*, Sept. 26, 2003, p. A1; Walter 2003; Proxy letter from the Rodman Hall Arts Centre, Sept. 22, 2003.)

No further registrations for the "Rodman Hall" property were found in the "large looseleaf" abstract index for Lot 2150 CP2 between 1972 and the time of records automation in August 1997. Any subsequent land ownership history between that date and the present time will require a PIN search.

3.0 Who was the Architect Responsible for Rodman Hall?

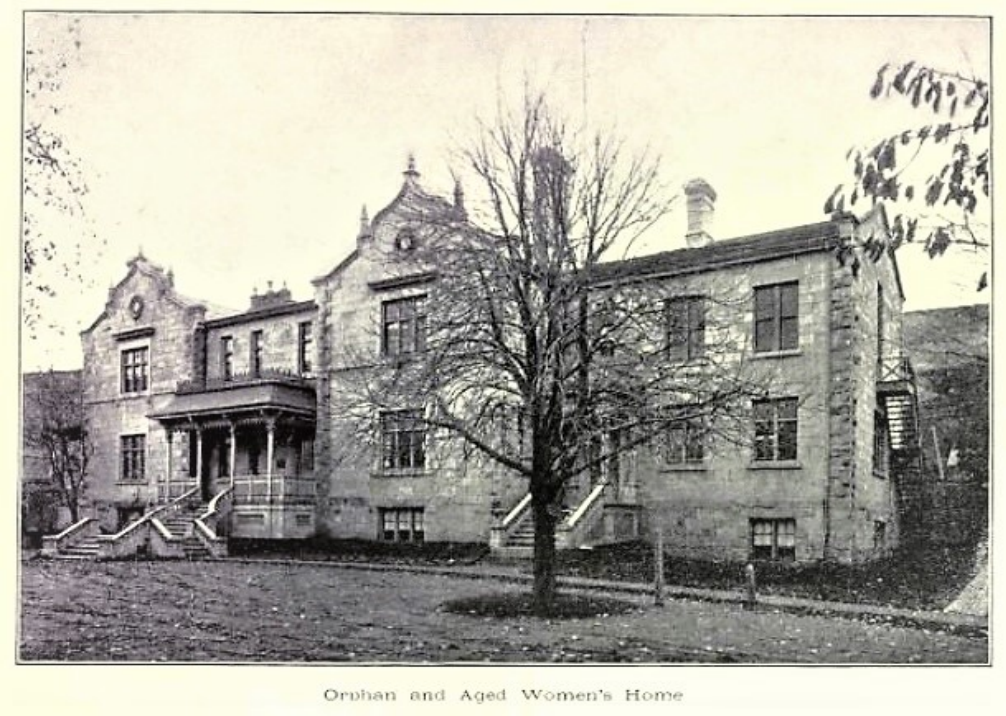
One question that is often raised about Rodman Hall is who designed the building? Unfortunately, the identity of the architect is not known although there are a few possibilities as to who it might have been.

It has been suggested by some (Cameron 2015) that the architect for Rodman Hall was ***Kivas Tully*** (1820-1905.) Tully was an Irish born architect who had settled in Toronto by the 1840s. He designed a number of important commissions in the Niagara area between 1846 and 1869, including: the old St. Catharines Court House (1848-49), the "Prendergast Block" on St. Paul Street (designed for W.H. Merritt in 1850), the Welland County Court House (1854-55), repairs and alterations to St. Andrew's Presbyterian Church (Niagara-on-the-Lake, 1855), and the Lincoln County Land Registry Office (King Street, St. Catharines, 1869.) A vintage photograph shows that the "Prendergast Building" shares many key architectural features with Rodman Hall: ashlar masonry, corner quoins, a "belt" course in the masonry marking the floors within the structure, the use of projecting frontispieces, similar style of fenestration, "Dutch" style of gables, finials, and panelled shaft chimneys.

"Prendergast Block," corner of St. Paul and William Streets.

"Prendergast Block" seen at the right.

A second candidate may have been ***William Thomas*** (1799-1860) who was an English born architect who also settled in Toronto during the 1840s. He designed a number of fine buildings in Toronto (eg, St. Lawrence Hall) and in various communities in southern Ontario. His most important commissions in the Niagara area include: the Niagara Court House (1846-7), Brock's Monument (1853) and "Oak Hill" (now CKTB), which was the family home of William Hamilton Merritt, in 1859. One building that Thomas designed was the "Aged Women's and Children's Home" in Hamilton. This structure was built during the late 1840s or 1850s, and was enlarged during the 1870s. Vintage photographs show that this building, now demolished, shared many striking similarities to Rodman Hall, including: choice of building material (smooth ashlar), style of windows, the Dutch style gable, panelled shaft chimneys &c.



Aged Women's and Children's Home, Hamilton.

A third and less likely possibility is the partnership of ***Frederic William Cumberland*** (1820-1881) and ***William George Storm*** (1826-1892), who worked together in Toronto as "Cumberland & Storm." Their local commissions included: a residence on Shickluna Street (1850), the old Lincoln County Gaol (1863-64), and the J.B. Plumb house (Niagara-on-the-Lake, 1892.)

One of the difficulties with attributing the design of Rodman Hall to any of the above named architects is that there are no surviving plans or references in the papers from these firms to any commission for Thomas Rodman Merritt.

Another possibility is that Merritt may have worked in close collaboration with a local builder, and they may have selected various elements out of "pattern books" and created a unique design that was aesthetically pleasing to the owner. Between the 1840s and the 1870s, there were a number of these "pattern books" published both in England and in the United States. Examples include: Lewis F. Allen, *Rural Architecture, Being a Complete Description of Farm Houses, Cottages, and Out-Buildings* (New York, 1856); Asher Benjamin, *The Builder's Guide or Complete System of Architecture* (Boston, 1843); Edward Lushington Blackburne, *Suburban and Rural Architecture* (London, 1867); Chester Hills, *The Builder's Guide: A Practical Treatise on Grecian and Roman Architecture, together with Specimens of the Gothic Style* (Hartford, Connecticut, 1847); Robert Kerr, *The Gentleman's House* (London, 1865); C.J. Richardson, *Picturesque Designs for Mansions, Villas, Lodges &c.* (London, 1870); Edward Shaw, *The Modern Architect, or, Every Carpenter His Own Master* (Boston,

1854); Calvert Vaux, *Villas and Cottages: A Series of Designs Prepared for Execution in the United States* (New York, 1857.)

The “pattern book” scenario, or perhaps a design produced in consultation with the architect William Thomas or Kivas Tully, are among the most plausible (but presently unverifiable) theories.

3.1 What is the Architectural Style of Rodman Hall?

Rodman Hall was designed in an architectural fashion that is difficult to classify.

One of the first architectural assessments of Rodman Hall was that of MacRae and Adamson in 1963. They described this house as being “commodious and sensible” in terms of its massing and proportions. “The Picturesque is relegated to the attic storey, where it emerges in late Elizabethan gable ends and dormers...The Romanticism of Rodman is transitional from late Gothic to early Tudor to Jaobean” (MacRae & Adamson 1963:174-175.)

Boyle and Stokes classified Rodman Hall as being an example of the “Jacobean Revival” style of architectural design (Boyle & Stokes 1980.)

The St. Catharines Architectural Conservation Advisory Committee described Rodman Hall as a “symmetrical building of Georgian proportion, but with gables and windows reminiscent of the Flemish style.” Reynolds has also classified the building as “an unusual blend of Georgian and Flemish styles” (Reynolds 1981:57.)

Other features of the building borrow elements from the Victorian Gothic/Gothic Revival styles, as well as from the Italianate, Romanesque Revival, Renaissance Revival, Second Empire and Chateau styles.

Rodman Hall, despite its composite nature of styles, was “well built...the overall visual impact is rather pleasant, if a bit confusing to those trying to identify an architectural theme.”

3.2 Who Were the Rodman Hall Craftsmen?

The craftsmen responsible for executing the final design of the house are not presently known. The exterior ashlar masonry work on Rodman Hall bears a striking resemblance to the stone work seen on the south and east walls of the old Court House. This rear or side wing of the Court House was constructed sometime shortly after 1862, when the County seat was moved to St. Catharines from the Town of Niagara. The stone mason responsible for the work on the Court House was ***William Baron*** (1801-1883), who may also have executed the stone work on Rodman Hall.

The interior woodwork, particularly on the stairs, may have been executed by ***Thomas McIntyre*** (1810-1889), who was one of the leading cabinet makers in St. Catharines from the 1840s until the 1870s. The spindles and rails on the stairs bear a strong resemblance to the stair rails that were installed in McIntyre's house and shop, which formerly stood at 266 St. Paul Street, but demolished in order to make space for the construction of the Performing Arts Centre.

The ornate interior plaster work and ceiling medallions may have been the work of ***Francis Begy***, who was a painter and plasterer in St. Catharines during the second half of the 19th century.

Two large, ornately carved mirrors flank either side of the main entrance at Rodman Hall. There are also two matching built-in book cases in the main floor room numbered 114 on the Rodman Hall floor plan. These items bear a strong stylistic resemblance to the furniture produced in Toronto by the ***Jacques and Hay*** furniture company. John Jacques (1804-1886) and Robert Hay (1808-1890) produced some of the finest and most distinctive furniture in Canada West/Ontario during the tenure of their partnership which lasted from 1835 until Jacques retired in 1870. The successor firm, Robert Hay & Co. Ltd., remained in operation from 1871 until its dissolution in 1885.

4.0 Construction of Rodman Hall.

There appears to be some confusion with respect to the actual construction date of Rodman Hall. Several local historians state that the building was erected in 1853, and was a "wedding gift" from Thomas Rodman Merritt to his wife, Mary Benson Merritt. This bit of information has been frequently quoted by subsequent writers and has become part of the traditional local lore about the house. Others believe that the west wing of the

house was constructed in 1853, and enlarged by the addition of the east wing one decade later in 1863. The fact that the property was mortgaged in 1863 supports the theory that construction was carried out during that year. A stone in the arch between the house and the “gate house” is dated 1863.

Date stone in arch between the west wing and the gate house.

Based upon the Land Registry records, it is known that Merritt purchased the land which comprised the Rodman Hall estate lands from Jacob Hainer under two deeds dated October 1845 and December 1852. The gardens at Rodman Hall appear to have been the first improvements made to the property, possibly as early as 1848. They were shown on the Marcus Smith map of 1852, but no structural footprints were indicated. One of the early gardeners may have been an individual named ***Alexander H. Strachan*** (aged 30) who occupied a house which appears to have been owned by “T.R. Merritt” in the town of St. Catharines in 1855. ***Samuel Richardson*** was responsible for much of the later landscaping carried out on the property (Smith 1852; Reynolds 1981:57; Young 2004:6.)

Construction *may* have commenced on part of the house as early as 1853, but there was no mention made of this fact in any of the family papers that have been examined. Catherine Rodman Merritt, the mother of Thomas Rodman Merritt, referred in several places in her “*Diary*” to the property that was owned by her son. On October 9, 1855, she mentioned going for a walk in Thomas’ gardens, and on July 9, 1858, the family went to see his gardens and grapery. On August 11, 1861, she noted that the family went for a walk in his gardens: “a delightful place to go to spend an hour or two with dear friends and children and in reading.”

The *St. Catharines Assessment Roll* for St. Thomas’ Ward in 1855 listed “Thos. R. Merritt” aged 31 years, miller, as a resident on Yates Street (Young 2004:5.)

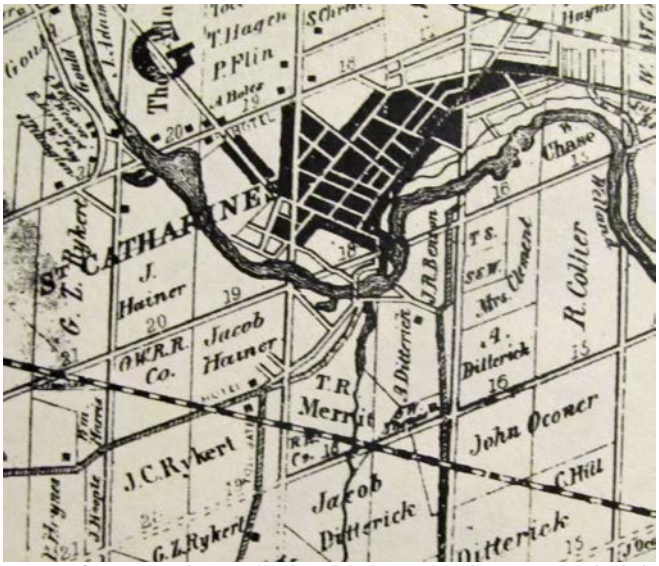
In September 1856, “Junius” (Oliver Seymour Phelps) published a column in the *St. Catharines Journal* newspaper, entitled “A Walk Around Town! R” which he started with the words “R is for Residence.” Phelps described a number of the dwelling houses and properties within the town, including the Merritt estate. He wrote:

> Thomas R. Merritt, Esq., owns a choice, fairy spot, and is collecting much material for a splendid mansion in the course of another year, on the other side of the Canal, which for beauty, elegance, style, convenience and desireabless will *eclipse* (it is said) Barnum’s *Iranistan* at Bridgeport, Conn.[3] The gaping public are on the *qui vive*, to see this richest, biggest, miller’s, richest, biggest Castle! Mr. Merritt has got the dimes to do it, too. If he don’t beat his *Daddy* in this respect, then we are no judge of Young Canada snap, and Young St. Catharines go-aheaditiveness! (*St. Catharines Journal*, Sept. 11, 1856.)

The 1861 census for St. Catharines noted that Thomas Rodman Merritt and his wife resided in a “three storey brick house” in St. Thomas’ Ward. Their residence was undoubtedly located on Yates Street, since several of the other families enumerated in that census are known to have resided on Yates Street (eg, William Boles, William Henry, James Crawford.) This fact, plus the “1863” date stone at Rodman Hall, supports the argument that the east wing of the house was then under construction but not yet habitable (1861 *St. Catharines Census*, St. Thomas’ Ward, district 1 p. 7.)

The *Tremaine map* of 1862 showed the land upon which Rodman Hall stands as the property of “T.R. Merritt.” No buildings were shown on the Merritt property on this map, which may have been an error or oversight on the part of the cartographers (Tremaine 1862.)

[3] Circus owner P.T. Barnum commissioned the design and construction of a large mansion, the “*Iranistan*,” at Bridgeport, Connecticut, in 1847-8. The house was based upon the “Royal Pavilion,” built by King George IV at Brighton, England. Barnum referred to the *Iranistan* as his “Persian” house, which cost him an estimated $150,000. The house was destroyed by fire in December 1857.



Tremaine map (1862.) The Rodman Hall property is labelled as "T.R. Merritt," just north of the railway line near the middle of the image.

5.0 Exterior Architectural features of Rodman Hall.

Both the exterior and the interior architectural features of Rodman Hall remain relatively intact, and are worthy of designation. The following section describes the key, character defining external architectural features of the building, but is not intended to be a catalogue of every individual architectural element.

Rodman Hall is a difficult building to classify. The east end of the structure is a 2½ storey, 4 bay building, with a centre hall plan. The west wing of the house is a 2 storey, three bay structure. It is linked by a stone arch to a 1½ storey "gate house" (sometimes referred to as the "laundry" room.) The entire structure is faced with coursed ashlar limestone blocks. Family tradition stated that these stone blocks, which were probably obtained from the Queenston quarries, were originally purchased by William Hamilton Merritt, Jr. (1822-1860), who was the older brother of Thomas Rodman Merritt. These blocks were intended to be used by him in the construction of his house which he planned to christen with the name "Montebello." Only the foundations of that house had been built at the time of Merritt's death, and the remaining stones were transported to the other side of the Twelve Mile Creek and were used in the construction of Rodman Hall. An examination of the attic spaces in the house revealed that the inner core of Rodman Hall was constructed out of red brick, and finished with its limestone veneer. The chimneys within the core of the house are of red brick, and topped with limestone stacks. The chimneys on the east side of the house are rectangular, while the others are smaller and less ornate since they are not as visible as the chimneys in the end gables. The corners of the building are accentuated by large, decorative stone quoins. The house rests upon a thick, rubble stone foundation.

Interior of the attic space, showing the joint between
the interior red brick and the exterior limestone facing.

The high peak of the central dormer on the original or west wing of the house contains what appears to be the carved image of a burr (or “buhr”) stone or mill wheel. This is a suitable pictorial device, and emblematic of Merritt’s one-time occupation as a miller.

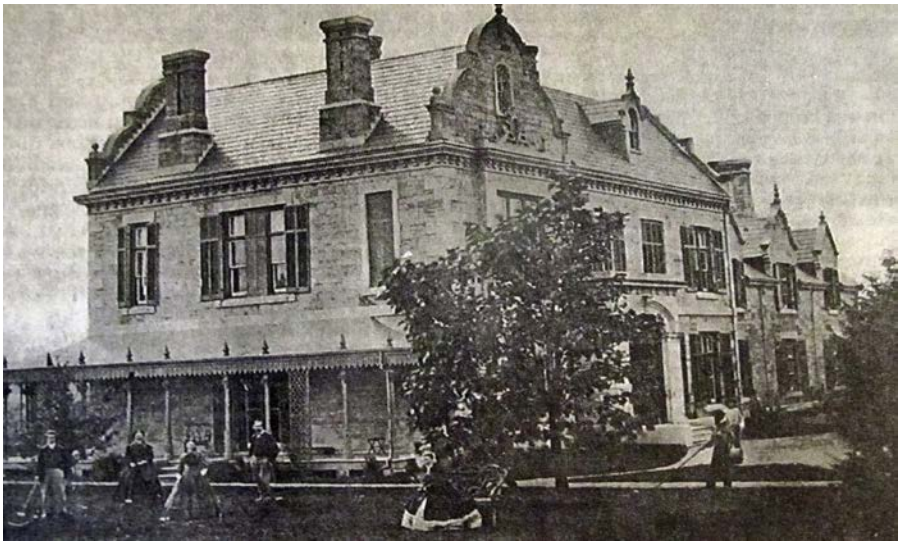
Carved burr stone in the gable of the west wing.

Features of the building show Victorian Gothic/Gothic Revival influences (corbels, stepped or pedimented gables, Dutch gables, finials, pinnacles with crockets, corner quoins and verandahs which formerly encircled the east and south sides of the building.) Other features are borrowed from the Italianate style, including a hip roof with a deck, a projecting frontispiece, large paned sash-type windows, tall chimneys, and ornate cornice brackets. The frontispiece, which forms the main entrance to the house, also functions as a small outdoor porch. This feature is accessible via the central windows at the end of the main hallway on the second floor (“Workroom 203” on the buildings floor plan.) Other elements are Romanesque Revival, Renaissance Revival and Second Empire in character (lunettes or rounded arch window openings, and segmented dormers with moulded surrounds.) The gabled dormers on the west side or original wing of the house are of a much simpler design. Similarly, the dormers on the rear or south side of the house are less exuberant in design than those found on the

north side of the house. They were undoubtedly designed in this way, since the rear dormers are not as readily viewed by the public as are those on the front of the house. The south facing dormers were on the secluded, private side of the house which was reserved for the “family” and more intimate friends. A “belt course” in the masonry demarcates the line between the first and second floors of the house. The tall “panelled shaft” chimneys with their decorated caps are reminiscent of those used in the “Chateau” style. Some of the other chimneys on the house are what Stokes classified as “clustered shaft” chimneys. The entire roof is covered with slate tiles (Stokes 1967:31; Blumenson 1986:38, 50; Blumenson 1990:37ff, 58ff, 77ff, 87ff.)

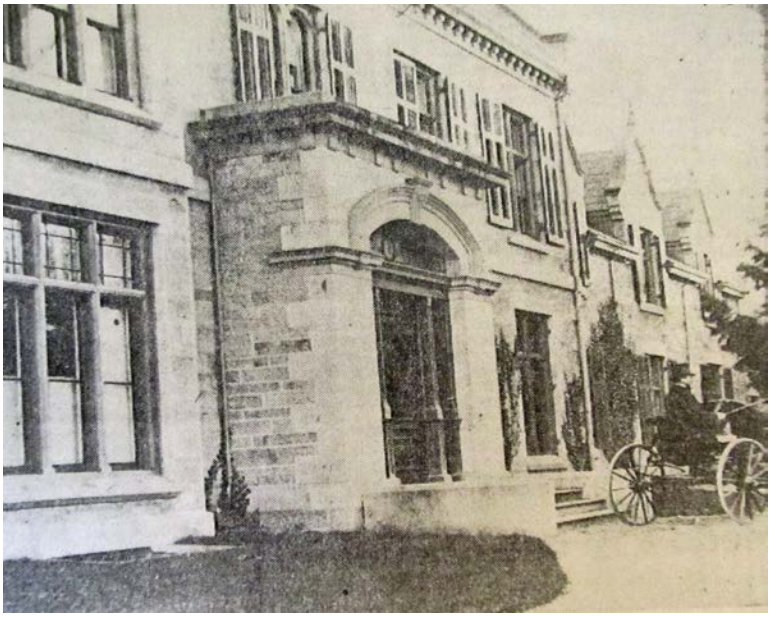
Front door, sidelights and transom. Note the detailed woodwork and the finely carved keystone.

One notable feature has been removed from Rodman Hall which was recorded in a photograph of the building taken during the 1860s. At that time, the north-east corner of the house contained a sculptural grouping placed directly below the window of the Flemish style gable or pediment at that corner of the house. The object is not entirely clear in the photograph, but it appears to have been an escutcheon flanked by two rampant lions or a subject of that nature. This item may have been removed when the additional dormers were added to the upper storey of the house during the ca. 1870s.



Rodman Hall ca. 1860s, lacking three of its dormers. The front shutters and side verandah have since been removed.

The original front steps to the house, which were fashioned out of carved stone, deteriorated over time and were replaced with the concrete steps which are presently *in situ*.



Detailed view of the main entrance, ca. 1870s.

The wide verandah on the rear elevation of the house is all that remains of the original Victorian verandah which wrapped around the south and east sides of the building. The east verandah was removed in 1960 in order to allow for the construction of the first gallery, and part of the south verandah was removed during gallery expansion in 1975. Some of the original wooden pillars were saved, and have been integrated into the

remaining portion of the south porch which has been restored. These pillars now rest upon a concrete slab which will help to preserve the wood from further decay.

Rear bell-cast porch (detail.)

Details of the columns, rear porch.

Repairs have been made to the north wall of the “Gate House.” An examination of this structure shows a distinct “bow” in the wall and the lintel over the doorway had shifted. The restored section of wall where the stones were re-set is clearly discernible.

Coach house masonry repair. Note the sag in the lintel above the door.

The roof of the entire house has durably been shingled with slate tiles.

Slate roof on the Rodman Hall “Gate House.”

6.0 Interior Architectural Features.

The interior of the house contains a number of important, original nineteenth century architectural features in nearly every room. The following section describes the key, character defining internal architectural features of the building; it is not intended to be an exhaustive catalogue treating each individual element, since every room within the house contains these features (ie, original doors with period hardware, shuttered windows, original flooring, original door and window trim, Victorian era baseboards, plaster cornices, fireplaces, &c.)

Fireplaces. The house contains not less than 12 ornately carved Italian marble fireplaces, of various colours (mainly white or grey.) One fireplace, in the largest of the attic rooms, is carved out of black marble. Several of the fireplaces contain blank heraldic crests, and carved rope twists. Some of the fireplaces still retain their decorative, cast iron inserts. The fireplace in the double drawing room (gallery “A,” or room 104) features a brass decorative trim around its mouth. There are two large back-to-back fireplaces in the basement, and other fireplaces on the ground floor of the original wing of the house. These are all of brick construction with plain wooden pilastered mantelpieces in a Greek or Classical Revival style. They clearly date from the earlier 1850s phase of construction.

Brick fireplace with wooden Classical Revival mantle in the basement of the ca. 1850s west wing of Rodman Hall.

Carved Italian marble fireplace with cast iron insert. Note the original flooring and wainscoting.

Black marble fireplace and insert in a 3rd floor studio.

Cast Iron Radiators. At some point during the late 19th century, a number of hot water radiators were installed at Rodman Hall which augmented the fireplaces for heating the house. Some of the radiators are ornate in appearance, and they were cast bearing the name of the manufacturer and the United States patent date: **J**[ohn] **H**[enry] **Mills**, 1877.[4] There are at least two of the 1877 Mills patented radiators found at Rodman Hall, one in room 114 and the other in the 3rd floor hallway. The other radiators in the building were probably manufactured and installed during the late Victorian or early Edwardian period, but no discernible identifying marks were found on them.

Decorative late Victorian radiator.

[4] Mills (1834-1908), of Boston, Massachusetts, patented a number of improvements between the 1870s and the 1890s to boilers and hot water radiator systems. He also wrote an early treatise on the benefits of heating with hot water radiators, entitled *Heating By Steam*, which was published in 1877.

Radiator inscription showing J.H. Mills patent date, Dec. 1877.

A few of the rooms in the house also contain decorative cast iron grills, which undoubtedly provided ventilation and air flow throughout the building. Examples may be found in room 202 and in the front entrance vestibule.

Decorative late Victorian ventilation grill.

Doors. Rodman Hall contains all of its original nineteenth century interior doors, the majority of which are four or six panel doors. Some are of the "**Cross and Bible**" variety. These doors retain their heavy, cast iron hinges. Some have their original brass door knobs, while others have less expensive, utilitarian porcelain knobs. The doors in the 3rd floor or attic area are less ornate, being plain, one and two panel doors. One door in the original west wing of the house (between rooms 117 and 118) is unique being the only six paneled "**Dutch door**" in the building. (This type of door was also known as a "half door" or "double hung door.") The top half of this door may be opened separately from the bottom half. This may have been the door to the original wing of the house, and is an earlier form of door construction. They were popular in the United States during the 17th-19th centuries, and were intended to provide light and ventilation to the house "while keeping livestock out and the children in." Following the enlargement of the house, this door may have permitted dishes and trays to be passed

more easily from the kitchen to the other rooms in the house. The main **front door** of the house is ornately decorated with panels in relief, including a central diamond shaped panel and carved leaves at the four corners. The front door also features a brass knocker, brass “letter” slot, and brass knob. This door was intended to impress visitors, and is flanked by ornately carved wood work, sidelights with frosted/etched designs in the glass, and a transom with the frosted Merritt family arms. A carved stone keystone featuring a face surrounded by foliage and a rosette greets visitors to the house. The **rear door** of the house (vestibule 123) is less ornate, but features nine relief panels and a four light transom. “**French doors**” provide access from room 114 on the main floor of the house to the rear porch. The double drawing room (gallery “A” or room 104) still retains its original sliding or **pocket doors**, which could be closed and would provide two private rooms when required (Stokes 1967:63-73.)

Six panel door, converted into a “Dutch door.”

Elaborate front door.

Rear (side) door and transom. Note the window treatment,
and the difference in the ashlar finish between the old and new wings.

Return eaves on the gate house.

Double door on the gate house.

Windows.

Rodman Hall boasts a variety of window openings. Most of the windows on the first and second floors of the east wing of the house are tall, narrow, rectangular windows with three lights. The upper light appears to be fixed, while those below are double hung sashes with single panes in each one. The windows directly above the main door are paired, with arched tops. These windows mirror the curved stone arch and the sidelights surrounding the front door. Two of the windows in the dormers on the north side of the house have arched tops, whereas the third dormer (last one to the west) has a rectangular replacement window set into the opening. Similarly, the dormers on the south side of the house have rectangular replacement windows. The single dormer on the east side of the house contains two rectangular windows, and a single square light above them.

Side view (west facade) of Rodman Hall. Many exterior features may be seen in this shot. Note the various shapes of the windows, the difference between the ashlar finish on both wings, the quoins, the masonry belt course, cluster chimney stacks, stepped gable, bay windows (in the rear) and the bell-cast verandah.

Detail of the 1870s dormers. Note the finials, slate roof, and corbels or brackets under the eaves.

The basement in the original west wing of the house contains square, 4 pane windows, with sills that are the thickness of the foundation walls. Illumination is provided by deep, stone lined exterior window wells.

Basement (kitchen) windows. The deep sills provide a clue as to the thickness of the foundation walls.

An undated photograph of Rodman Hall, probably taken in the 1860s, showed that the house only had one dormer, centrally positioned over the front door, and no dormer on the east side. These other dormers were probably added to the house during the late 1860s or early 1870s during the “high Victorian” period.

The windows in the end gables (north and south sides, and in the west wall) are tall, narrow, arched top double hung windows. Some retain their original 1/1 lights, while others have been fitted with modern replacements.

The windows in the west wall of the original wing of the house are more “Classical” in appearance, double hung rectangular 4/4 sashes. The detached “gate house” building has rectangular, double hung, 2/2 sashes on the main floor, with arched top 1/1 windows in the upper level. The stone work on the north facing gable has been broken up and provided with some visual interest by a small, single paned, diamond shaped window which may also serve as a vent.

Small gable window, gate house.

The second floor windows in the east wall of the house retain their original Victorian era shutters. They are clearly shown in the ca. 1860s photograph of the house. This photo showed that the other windows in the house were also provided with exterior shutters which have since been removed. Close examination shows that these windows still retain their cast iron hardware by which the shutters were mounted to the wall. **Note**: the shuttered "window" at the north-east corner of the house is a false window (there is no window opening behind it.) It is merely placed there in order to balance the symmetry of the wall. A similar deceit was employed by the builder of the 1835 Lyons house in Niagara-on-the-Lake.

Victorian shutters *in situ* on the 2nd floor. Note the square windows on the side dormer. The corner "window" with the closed shutters is a "false" window with no opening behind it.

Door and window casings.

The interior doors and windows at Rodman Hall retain their original wide Victorian casings, which are provided with visual interest through the use of recessed panels (example, boardroom 201.) The profile of this trim is consistent with other known examples from the mid-nineteenth century, and measure approximately 12 inches (30 cm) in width in some instances.

Wide door casing (room 201.)

The windows have wide casings, and a unique feature is the incorporation of folding, louvered interior shutters. These would help to keep the house cooler during the summer and warmer during the winter. When the shutters are fully opened and folded back, they resemble the wooden casing of the windows. These shutters are a *tour de force* of Victorian era craftsmanship.

Elaborate window casing (room 204.)

Interior louvered shutters closed (room 207.)

Many of the windows in the east wing of the house contain wide sills, which have been fitted with window seats. These seats contain hinged tops which open to reveal hidden storage spaces (examples in room 204 and studio room 302.)

Window seat (studio room 302.) Note the wide baseboards and original pine floor.

Wide door casings, replete with at least one transom, were even found on the 3rd floor of the house.

Floors.

Rodman Hall contains a number of original floor surfaces. The original west wing of the house and the “gift shop” room (rooms 102 and 118) contain wider plank flooring, possibly maple, which has been refinished. The double drawing room (Gallery “A” or room 104) and the entrance hall or “lobby” (room 101) contain elaborate oak and walnut parquet flooring. The second floor which was the private family quarters contains functional albeit plain hardwood flooring (eg, in the boardroom, room 201.)

Inlaid parquet floor, double drawing room (gallery “A” room 104.)

Cornices, ceiling medallions and ornamental plaster work.

Rodman Hall contains examples of finely executed ornamental plaster work in nearly every room of the east wing of the house. The ceiling medallions undoubtedly featured chandeliers and/or gas lights during the Victorian and Edwardian eras. The fixtures in the double draing room were said to have been crystal chandeliers imported from Paris. Unfortunately these fixtures have been removed and are no longer extant, although suitable replacements could be replicated today or originals purchased from antique dealers or at auction sales. The plaster work in the house may have been executed by ***Francis Begy***, who was a prominent painter and plasterer in St. Catharines during the 19th century. Some of the plaster work is inspired by Classical antecedents, and includes “egg and dart,” dentils, foliage and floral motifs.

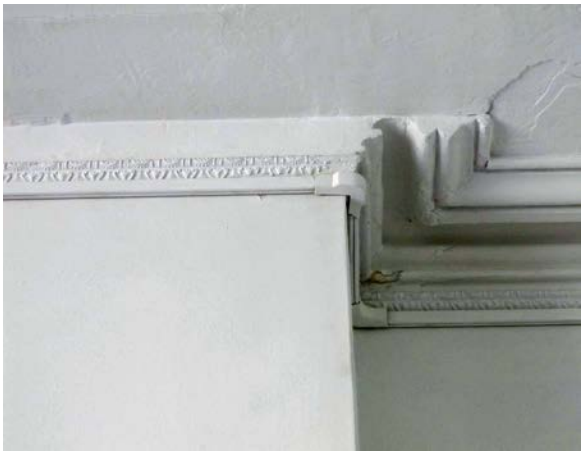
Plaster work (Gallery “A” room 104.)

Ornamental plaster work on archway, ground floor hall (corridor 113.)

Exquisite plaster work, room 102.

Damage to the plaster cornice was noted above the fireplace in room 202. At some point the plaster cornice was removed at the ceiling level in front of the chimney and left

with a straight, unadorned edge. The removal of this plaster may have been necessary due to water leakage or for some similar reason.



Damaged plaster cornice (room 202.)

An unusual feature of Rodman Hall is the presence of some ornamental plaster work in the hallway (room 300) on the third floor, in an area that was probably part of the servants living quarters. This corridor contains a small but highly decorative ceiling medallion, and an archway with decorative plaster work.

Plaster ceiling medallion, 3rd floor hallway.

Baseboards, wainscoting.

The baseboards at Rodman Hall display some of the profiles that are typical of the mid-nineteenth century. The baseboards found in the first floor of the house measure approximately 16 inches (40 cm) in height. The height of the baseboards is in keeping with the fashion of the 1850s-70s, but the specific profile for the baseboards may be a design created and favoured by local craftsmen and cabinetmakers.

Detail of marble fireplace, parquet flooring and wide baseboards (Gallery “A” room 104.)

The wainscoting and other wooden panelling in areas such as the gift shop (room 102) and in the corridors and along the stairs appears to be contemporary with the construction of the house during the early 1860s.

Wainscoting (2nd floor stairs, corridor 205.)

Stair cases.

Rodman Hall contains a main, central “half pace” stair case, with elaborately carved with rope twist balusters or spindles. The focal points of this staircase on the first and second floors are the imposing, Gothic style newel posts which support the heavy rails, which have a circular return revealing a visual “well.” The wood used in the rails,

balusters and newel posts appears to be walnut. Maple appears to be the secondary wood used on the stair treads. The treads would undoubtedly have been carpeted during the Victorian and Edwardian periods, hence the use of less expensive wood. The wooden panelling covering the sides of the risers (along the wreath) is decorated with small, carved medallions and scroll work.

Gothic newel post, rails, twist balusters, stair treads (lobby 101.)

Carved “wreath” on the stairs between the 2nd and 3rd floors.

View down the “well” from the 3rd to the 2nd floor landing. Note the difference in the quality of the wood between the floors.

The stairs between the second and third floors also have hardwood treads. The secondary wood on this flight of stairs has been painted and so is of an indeterminate variety. There is a transitional area on the landing between the 2nd and 3rd floors, where the surface of the boards on the landing and the steps to the third floor are plain, unfinished boards.

There are two staircases in the original, west wing of the house. The stairs from the basement to the main floor are a straight flight, and the wooden treads display a wear pattern consistent with heavy use during the last 150 years. They are relatively plain, with rectangular balusters, but provided with some visual interest with the addition of a plump, turned newel post characteristic of the mid-Victorian period. These stairs have been painted white, and therefore the wood used in their construction is not known. The stairs leading from the first to the second floors in this section of the house have unpainted walnut railings, turned balusters, and an ornamental string bracket. This difference reflects the distinction between the “upstairs” versus the “downstairs” quarters (Stokes 1967:77.)

Basement stairs, west wing (room 013.)

Wear pattern in basement stairs (corridor 007.)

Stair case in the original west wing (corridor 113, off the kitchen room 117.)

The stair cases in the house were probably the hand-crafted by the St. Catharines cabinetmaker, ***Thomas McIntyre***.

Built-in Furniture.

Rodman Hall contains some original “furniture” which was custom made for the house. This includes two built-in book or display cases, which flank either side of the fireplace in office number 114.

The interior of the front entrance contains two large mirrors mounted on either wall. These mirrors were apparently originally mounted above two of the fireplaces in the house, and were placed in their present location at some later date.

The manufacturer of these large items is not known. The mirrors were almost certainly manufactured by the Toronto firm of Jacques and Hay, and therefore they cannot have been produced any later than 1885 when the firm went out of business. Stylistically they would appear to date from the mid-1860s. The built-in book cases in room 114 may also have been made by ***Jacques and Hay***.

The second and third floors of the house contain two sets of glass-fronted storage cabinets. One is located in corridor 208, which marks the transitional area between the old and new wings of the house. The other is located in studio room 302. These cabinets do not appear to be contemporary with the house, but were installed at some later period, possibly during the tenure of ownership of Dr. W.H. Merritt (ie, 1906-1924.)

Built-in cabinet, west wing, corridor 260.

Stained glass windows.

Rodman Hall contains stained glass in three different locations.

The smallest and least significant example is a multi-coloured transom, composed out of pieces of clear, green, amber and cranberry coloured glass. It is located above the doorway in corridor 113. It probably dates from the early 1880s, and may have been installed in the house at the same time as the panels on the central stair landing.

Small stained glass transom.

The front entrance also contains several fine examples of stained glass. The windows in the transom and sidelights flanking the exterior door have frosted or etched designs, including the Merritt family crest. The inner door has stained glass panels which bears a heraldic crest and leaves which are reminiscent of William Morris inspired motifs. The upper panels in the interior sidelights contain the monogram “T.R.M” (Thomas Rodman Merritt), and the lower panels those of “M.M.” (Mary Merritt.) The sidelights are also said to contain the date “1862” but this was not readily discernible. The transom above the inner door contains the Merritt family crest, a dog facing left with the Latin motto “*Praesto et persto*” which roughly translates to “I stand fast and persevere.” This stained glass is finely executed in rich red, blue, yellow or amber pigments and clear glass. It is

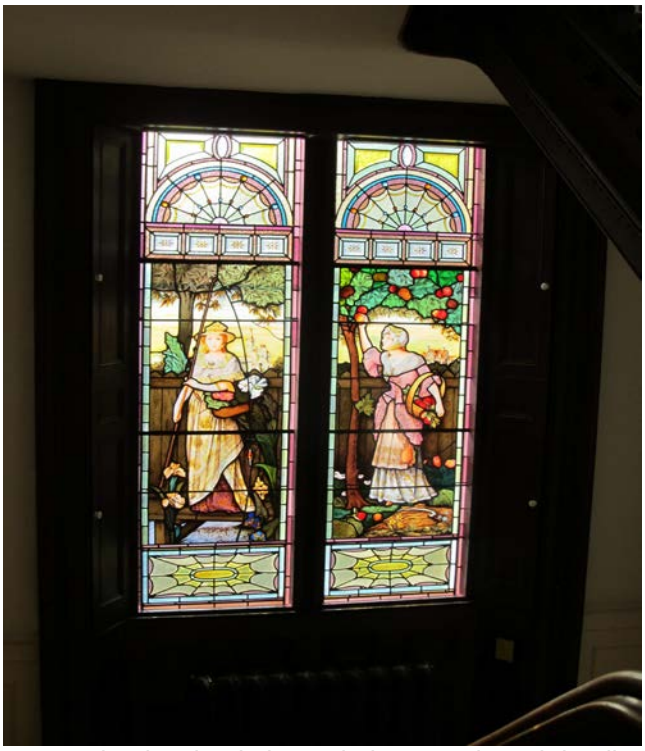
undoubtedly contemporary with the 1860s phase of construction, but the identity of the manufacturer is not known.

Stained glass transom with the Merritt crest.

Detail of the transom.

Elaborate entrance door with inset stained glass. The upper panel has the monogram “T.R.M,” and the lower “M.M.” for Thomas Rodman and Mary Merritt.

The most impressive example of stained glass in the house is located on the stair landing between the first and second floors. These large panels depict two beautiful female figures, dressed in late 18th or early nineteenth century garb. The figure on the left may perhaps be identified as “Flora” and the “spring” season, since various flowers (including irises) are in blossom around her. The figure on the right may perhaps be identified as “Pomona,” the goddess of fruit and fruit trees, and symbolic of the late summer or autumn harvest. Romanticised castles or county manor houses may be seen in the distance behind each figure. These panels are flanked at the top and bottom by panels composed out of cut glass in shades of pale yellow, amber, blue, green and amethyst. These outstanding panels are thought to have been manufactured in England, and installed by the ***Robert McCausland Ltd***. of Toronto in 1882. They were restored in 1997 at a cost of $8,000, and enclosed from the elements by a protective sheet of glass (Reynolds 1981:58-59; Condon 1997.)



McCausland stained glass windows, main stair landing.

Miscellaneous items (**hardware**.)

A few of the rooms at Rodman Hall contain items which appear to be original Victorian hardware. They include at least two bell pulls (one in the boardroom, room 201.) There is a also a small, brass light fixture in the west wall of office room 207 which may have originally functioned as a gaslight during the nineteenth century.

Victorian brass and porcelain bell pull (room 201.)

Gas light fixture (room 207.)

Rodman Hall was outfitted at some point with copper eaves troughs and downspouts. Unfortunately these were stolen at some point for their metal value, with the sole exception of one downspout located to the left hand side of the front door.

7.0 Rodman Hall Landscaping and Gardens.

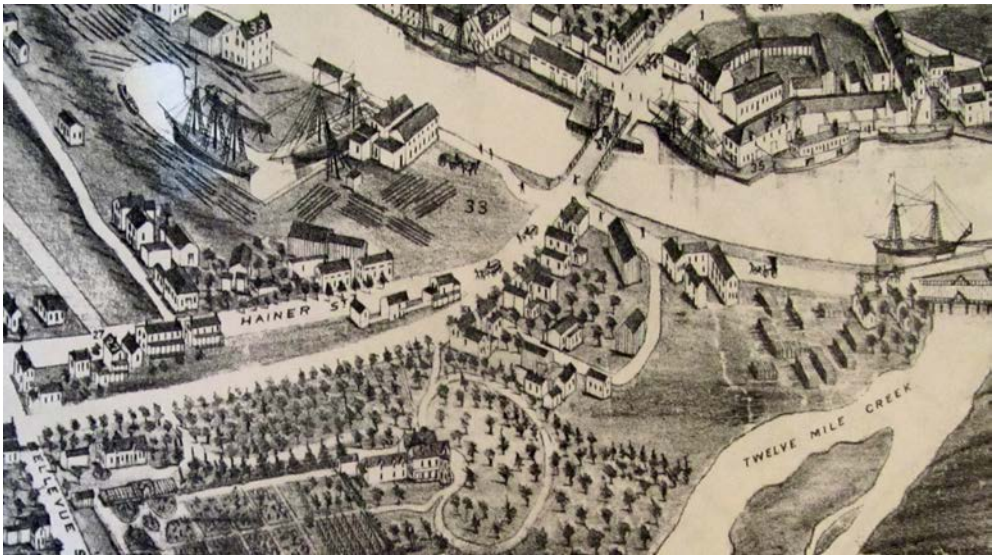
The primary source documents consulted for this report all suggest that the gardens and landscaping on the Rodman Hall property predates the construction of the house by approximately one decade. Some sources state that the landscaping of the grounds commenced as early as 1848-50, when ***Samuel Richardson***, an English born landscape gardener, was hired by the Merritt family (Reynolds 1981:57.)

The *Marcus Smith map* of 1852 showed that Merritt's property was laid out in a series of paths and gardens. The area directly to the west of the house may have served as a large kitchen garden. It was planted in a series of six square plots formally divided by straight pathways which met at right angles. The site of the present house was a cleared area. The gardens then contained a small pond filled with water lilies and goldfish. The only structure on the property was a small, rectangular building with a rear ell, which was located at the bottom of the hill near the bank of the Twelve Mile Creek. This may have been the boat house. The grounds also contained an ice house, and a small summer house (Reynolds 1981:57.)

Marcus Smith map (1852) showing the grounds at Rodman Hall.

It was noted earlier in this report that the Merritt family visited this spot when the weather permitted, and before the house was constructed, in order to admire the gardens (*Diary of Catharine Merritt*, 1855-61.)

The *Brosius map* of 1875 showed that the landscape plan of 1852 had been retained. Some parts of the grounds appear to have been planted with fruit trees and a small vineyard or grapery. The north side of the kitchen garden contained a large greenhouse and a stable or coach house. This structure would have stood approximately where the new houses are now located on Rodman Hall Drive.



Brosius “bird’s eye view” of the grounds at Rodman Hall, 1875. Note the landscaped gardens, coach house and greenhouse just off Bellevue Terrace.

Vintage photographs showed that the gardens contained urns and other statuary. The gardeners were photographed carrying out their various tasks, such as hoeing, weeding, clipping shrubs and rolling the lawns.

Hand-coloured woodcut of the Twelve Mile Creek and Rodman Hall (upper left.)
Engraved by renowned artist Lucius R. O'Brien, and published in *Picturesque Canada* (1882.)

Rodman Hall gardens, undated photo.

Gardeners at Rodman Hall, ca. 1870s.

Aerial photographs of the Rodman Hall estate, taken ca. 1920, showed that the landscape plan as depicted on the Brosius map remained largely unaltered. The coach house and greenhouse remained standing at that time. Privacy for the house was provided by a large stand of mature trees on the north and east sides of the grounds. The south slope of the hillside, now occupied by the Walker Botanical gardens and overlooking the Twelve Mile Creek, was clear cut and contained lawns, some shrubs and small plants, and a gravel path lead to a cleared area or terrace. The south-west corner of the property then contained some large mature trees.

Aerial view of Rodman Hall, ca. 1920.

Sketches of the grounds surrounding the house (on the south and/or east side) were made by the artist, J.G. Williams, during the late 1940s. They showed that the slightly neglected gardens then contained many mature shade trees.

Williams sketches of the grounds at Rodman Hall.

After the house was taken over by the Arts Council, it was proposed that the land in front of the house was to be leased to the city of St. Catharines as a “public park” and maintained by the city.

The south slope was gradually permitted to return to its natural state, and native trees and plants took root alongside the ornamental varieties which had been planted there. The six acre (2.42 ha) garden was cleaned up between 1986 and 1988 by men and women who were being rehabilitated by the John Howard Society, and by other inmates from the Niagara Detention Centre. Materials for the restoration were donated by Walker Brothers Quarries, and by the Rotary Club of St. Catharines. Some financial support was provided by the Trillium Foundation. The “Walker Botanical Gardens” was officially opened to the public on June 23, 1988 (Reid 1988; Sim 1988.)

The gardens have required periodic improvements since that time, most recently in 2008.

Gardens at Rodman Hall, September 2017.

The garden has its own unique micro-climate, and presently contains specimens of native trees, some of them being Carolinian varieties (eg, maple, black walnut, slippery elm, black cherry, birch, horse chestnut, tulip trees, basswood, flowering dogwoods, pin oak, bur oak, catalpa, eastern white cedar.) Other trees are non-native ornamentals, including Scots pine, European larch, honey locust, Norway spruce, Gingko (Maiden Hair), Japanese maple, Golden Rain tree, Kousa dogwood, Dawn Redwood, White Mulberry, North African cedar, an Empress tree, Frankliniana, and the Royal Paulownia. Ornamental shrubs such as lilacs, viburnum, azleas, and rhododendrons have been planted in the gardens, as well as heirloom perennials such as irises, fall crocus, and various types of roses.

Autumn crocus at Rodman Hall, September 2017.

The eastern white cedar trees, located directly behind the “gate house,” are believed to be more than 100 years old and date from the Merritt period of occupation in the house.

The gardens presently contain a series of pathways, which form part of the Laura Secord Trail, and are frequently used by area residents for hiking. Benches and seating areas provide a shady, quiet oasis for visitors. Various sculptures have been installed in the front gardens, such as “The Race” (William McElchran, 1966) and “Settlement” (Mary Anne Barkhouse, 2013.)

8.0 Rodman Hall as a Cultural Heritage Landscape.

The Ontario Provincial Policy Statements (OPPS, 1996) under the Planning Act defined a Cultural Heritage Landscape as “*a defined geographical area of heritage significance which has been modified by human activities. Such an area is valued by the community, and is of significance to the understanding of the history of a people or place*.”

Some communities in southern Ontario, such as the Town of Caledon, have further defined a CHL (through Official Plan Amendment 173) as being “*any area perceived as an ensemble of culturally derived features such as a neighbourhood, townscape, roadscape, farmscape, or waterscape that is of significance because it illustrates noteworthy features between people and their surrounding environment*.”

CHLs as defined by UNESCO may fall into three categories, ie, ***Designed Landscape***, ***Organically Evolved Landscape***, or ***Associative Cultural Landscape***.

Rodman Hall could fit either of the first two categories. As an “Organically Evolved Landscape,” a site must meet one or more of these six potential criteria:

a) Is associated with events that made significant contributions to the broad patterns of history;

b) Is closely associated with the lives of individuals and/or families who are considered significant to the history of the area;

c) Embodies the distinctive characteristics of a particular settlement pattern or lifeway whether derived from ethnic background, imposed by the landscape, was the practice of a specific historic period or a combination of the above;

d) Manifests a particularly close and harmonious long-standing relationship between the natural and domestic landscape;

e) Has yielded or is likely to yield information important to prehistory or history;

f) Is strongly associated with the cultural and/or spiritual traditions of First Nations or any other ethnic and/or religious group.

As a Designed Landscape, any of the following criteria would additionally apply:

g) Is a representative example of a distinctive style (trend, movement, or school of theory), tradition, time period, or a method of construction;

h) Represents the work of a recognized master gardener, landscape architect, planner, architect, or horticulturalist;

i) Possesses high artistic values or, as a whole, represents a significant and distinguishable entity whose components may lack individual distinction.

Rodman Hall and its surrounding grounds do appear to fit a number of the categories outlined above for both “Designed” and “Organically Evolved” Landscapes.

As we have seen from the Land Use discussion above, the Rodman Hall site has historical links to the very beginnings of the Euro-Canadian settlement of St. Catharines. This site formed part of the farm lots owned by some of the “founding” families in the city (Hainer, Clendennan), and a long period of ownership by the Merritt family. The contributions made by the Merritt family to the social, political, military and economic history of the city and to the Niagara area cannot be stressed enough. The family was involved in mercantile and manufacturing interests, milling, the construction of roads, the Welland Canal, the Niagara Suspension bridge, the Welland Railway, banking, education (Gantham Academy, Ridley College), were politically engaged (councillors, mayor, MPs, local justices of the peace), service in the military (eg, Dr. Merritt in the Great War.)

Rodman Hall is geographically located near the confluence of two waterways (Twelve Mile Creek, Dick's Creek) parts of which were utilized for industrial purposes and for the routes of the 1st and 2nd Welland Canals. Some of Thomas Rodman Merritt's business interests (mills, factories) were located in the creek valley which utilized the abundant waterpower that was available following the canal construction. Other important industries were located in the vicinity, such as the Taylor & Bate brewery, the Shickluna shipyards, Merritt's salt works, the St. Catharines Box and Basket Co. Ltd., and in later years the Lincoln Foundry, to name but a few.

Prior to the construction of the 1st Welland Canal, the Twelve Mile Creek was crossed at a shallow point below Rodman Hall (at the St. Paul Crescent crossing.) This spot was long used by the First Nations, and then by the first Loyalist and other early settlers. Troops moved along this road during the War of 1812-14. The road leading past Rodman Hall was one of the main entry points into St. Catharines from the west, and became more heavily used following the construction of the railways in the 1850s. Travellers along this road would have passed by and admired Rodman Hall. Since the house is set atop the hill, it continued to be a focal point from St. Paul Street even after the construction of the first Burgoyne Bridge.

Rodman Hall was the finest of many Victorian era homes that were built along Hainer Street and St. Paul Crescent during the 19th century, as well as public buildings (eg, taverns, the first church) and offices associated with the Welland Canal and the Board of Works, early hydro generation &c. Some of these Victorian houses survive, whereas others (eg, the old Shickluna houses) have been demolished long ago.

The settlement patterns and land use in the area immediately surrounding Rodman Hall was determined by the natural landscape, and that landscape was in turn modified by human activities. The Rodman Hall site itself was esthetically valued by the Merritt family, and their first activities on this property involved transforming the natural landscape into a garden setting that was pleasing but also productive. At a later date it was selected for the location of a family home, that was within view of other family homes (Oak Hill), the mills, the canal &c.

The role of the First Nations people has been recognized through various art installations, such as Sacred Trees, the "Settlement" sculpture, and the planting of a white pine tree to commemorate the bicentennial of the conclusion of the War of 1812.

The maintenance (integrity) of the grounds by professional landscape gardeners during the past 150 years shows a long-standing and continuing relationship between the natural and domestic landscape. Both native and non-native plants contribute to the aesthetics of this garden. The landscape design of Samuel Richardson remained a feature of this estate well into the twentieth century, and some of his trails and plantings

may still exist in the garden today. As part of this overall continuity, the citizens of St. Catharines are still able to enjoy this landscaped, tranquil, park-like setting.

Although the architect responsible for Rodman Hall may never be identified, his work and the men who built the house were clearly master craftsmen. Although there have been some changes to Rodman Hall, the overall integrity of the original design and the architectural features of the house remain largely intact.

9.0 Conclusions.

Rodman Hall has been a conspicuous, recognizable, landmark building in St. Catharines for generations. It has been a meeting place and a venue for art exhibits for nearly sixty years. The house is worthy of both interior and exterior designation under Part IV of the Ontario Heritage Act, based upon its architectural merits and its rich and long-standing historical ties to the local community. The grounds are worthy of designation as part of an organically evolved cultural heritage landscape, with direct ties to the very beginnings of the settlement of St. Catharines. Both meet the criteria for determining cultural heritage value or interest, and possess strong design and physical value, historical and associative ties, and contextual value.

Statement of Cultural Heritage Significance.

Rodman Hall, located at 109 St. Paul Crescent in St. Catharines, is one of the most significant surviving Victorian era structures in the city in terms of its historical associations and architectural style. It is worthy of designation for many reasons.

The property at 109 St. Paul Crescent meets the criteria for design or physical value.

“Rodman Hall” appears to have been constructed in two phases between ca. 1856-57 and 1863 when the house was finally occupied by the family of Thomas Rodman Merritt. The differences in the masonry suggest that the west end of the building is the “original” wing of the house, and that it was enlarged by the construction of the east wing which was built ca. 1860-63.

The house was designed by a skilled architect, whose exact identity remains unknown. Based upon the external architectural elements and style of the house, it is almost certain that the building was designed either by Kivas Tully or William Thomas. Both men, who were prominent Toronto architects, were commissioned to design other buildings in St. Catharines for the Merritt family, as well as other notable buildings in the Niagara Region. Tully may have been responsible for the final design of Rodman Hall since Thomas died early in the construction phase (1860.) The now demolished “Prendergast Block” which stood at the corner of St. Paul and William Streets was designed by Tully, and contained many of the stylistic external features found on Rodman Hall. The house is a synthesis or blending of various styles of architecture, exhibiting features of the Victorian Gothic/Gothic Revival styles, as well as being

influenced by the Georgian, Flemish, Italianate, Romanesque Revival, Renaissance Revival, Second Empire and Chateau styles. The overall impact is nevertheless visually pleasing to the observer.

Rodman Hall is a unique example of a former private residence that was influenced by so many varied periods of design. There are no other known examples of a house of its size and style found in the city. It has been a landmark structure and a visual anchor on the streetscape since the time of its construction more than 150 years ago.

The property at 109 St. Paul Crescent meets the criteria for historical or associative value.

The land upon which this house stands was originally granted in the 1790s to Abraham Clendennin and John Hainer. Both men had served in Butler's Rangers, and were among the earliest settlers in St. Catharines. Other owners included Robert Hamilton, the Queenston merchant whose wife, Catharine, is believed to have been the person after whom "St. Catharines" was named. The property was acquired by Thomas Rodman Merritt in the period between 1845 and 1852. He was the son of the canal builder, William Hamilton Merritt, and who was also a prominent business man (merchant, miller, banker), politician, and philanthropist. The house was built by Merritt between 1857 and 1863, with minor structural modifications which date from the 1870s. During the next century this property remained in the possession of the Merritt family, although it was also briefly used as a school and was subdivided into apartments. Since 1960, it has been open to the public as the home of the Rodman Hall Arts Centre.

The property at 109 St. Paul Crescent meets the criteria for contextual value.

"Rodman Hall" and its landscaped garden area has been a landmark on St. Paul Crescent since the mid-19th century. They form a conspicuous part of the surrounding local landscape, which includes other heritage features such as: late 19th century houses on nearby Bellevue Terrace; the Twelve Mile Creek; the old channel of the 1st and 2nd Welland Canals; the buried remnants of the Shickluna Shipyard; "Oak Hill" (or CKTB); the Yates Street Heritage Conservation District; and part of St. Paul Crescent which was the main access into the downtown from the Western Hill until the original Burgoyne Bridge was opened in 1915. Many other nearby 19th century landmarks of significance have long since vanished, such as the Shickluna houses, the Taylor and Bate brewery, the residences along the "city side" of St. Paul Crescent and that section of the street; and industrial sites such as the Lincoln Foundry (Norris' wharf and mills) and many others.

The gardens at Rodman Hall pre-date the actual construction of the house. The gardens were laid out and formally landscaped during the late 1840s or early 1850s, and today contain many examples of rare trees, shrubs and plants. Some of the plants are specimen examples of the flora native to this area, while others have been introduced. The gardens at Rodman Hall mirror and complement the gardens planted on the slope of the hill below Oak Hill. Similar varieties of trees and plants are found in

both gardens (eg, irises, honey locust trees, &c) which provided a visual link upon the landscape between the two Merritt family estates.

The Rodman Hall property meets the criteria for design or physical value, for historical or associative value, and for its contextual value. It is therefore a “priority one” candidate for designation.

The heritage attributes of the property include:

The grounds surrounding the house contain a terraced, landscaped garden which has been known since the 1980s as the Walker Botanical Garden. The gardens contain specimen examples of native trees and plants (some of which are Carolinian), as well as examples of exotic, non-native trees (such as the Golden Rain tree, Royal Paulownia, &c) which flourish in the micro-climate of the Twelve Mile Creek valley. The gardens are enjoyed by the public as a tranquil retreat, and as a recreational venue (walking paths and trails, Laura Secord Trail &c.) The gardens have been an evolving focal point on the landscape since the late 1840s; although part of the estate land was sold for residential development during the 20th century, efforts should be made to retain as much of the existing garden as possible as a “remnant” landscape.

The heritage attributes of the building.

Rodman Hall exhibits many original, 19th century exterior features and design elements integral to its design. They include:

- exterior walls of smooth ashlar (limestone) construction with corner quoins, which envelopes a red brick interior core structure, and a belted masonry course marking the floors. The masonry work may have been executed by William Baron, a stone cutter and tombstone carver who executed the stone work on the old court house;

-an asymmetrical, four bay façade on the east (1860s) wing; three bay (late 1850s?) west wing; and a detached “gate” house. The asymmetrical placement of the main entrance and windows of varying sizes is nevertheless aesthetically and visually pleasing.

Other important design elements and features include:

-slate roof;

-1870s dormer windows in the upper storey;

-panelled shaft chimney stacks;

-original, unaltered window openings;

-Victorian era hardware for exterior window shutters;

-a false, shuttered “window” or deceit at the 2nd storey north-east corner of the house, intended to balance the appearance or distribution of the fenestration;

-“Dutch” style gables;

-original main entrance, with Victorian era door and hardware, brass knob, and mail slot;

-carved stone pediment over the front door, including a keystone incorporating a human face;

-etched, clear glass sidelights and transom, incorporating the Merritt family arms;

-Gothic style dormers on the “west” or original wing of the house;

-decorative carved “millstone” in the central dormer of the west wing, denoting Merritt’s primary occupation as a merchant-miller;

-rough hewn stone blocks in the west wing;

-connecting archway between the main house and the gate house with the date stone “1863;”

-remnants of the bell-cast exterior veranda at the rear of the house;

-rubble stone foundation;

-original brick and stone chimneys.

The interior of the house retains nearly all of its mid-Victorian decorative features and finishes intact. Some of the principal millwork and trim may have been executed by Thomas McIntyre, and the plaster work by Francis Begy. The interior finishes include:

-original parquet flooring;

-wide baseboards and paneling;

-door and window casings and trim;

-interior louvered shutters;

-“Cross and Bible” doors with original hardware;

-one rare “Dutch” style door in the main floor opening between the east and west wings of the house;

-original door and window trim, including several “window seats;”

- twelve Italian marble fireplaces with cast iron inserts and one with brass highlights;

-twin (back-to-back) brick hearths in the basement of the original wing, and brick fireplaces with classical style surrounds and mantelpieces in the rest of the west wing;

-decorative cast iron radiators, at least two of which are dated 1877;

-decorative ceiling medallions;

-decorative plaster cornices and trim;

- ornate central staircase, with Gothic style newel posts on the 1st and 2nd floor;

-ornate main entrance, including stained glass with the Merritt arms, and the initials of Thomas Rodman and Mary Benson Merritt;

-stained glass transom over the ground floor door between the two wings of the house;

-large 1880s era stained glass windows on the central stair landing, depicting “Flora” and “Pomona;”

-staircases in the original (west) wing of the house;

-French doors at the back of the house leading onto the rear bell-cast porch;

-built-in furniture (Jacques and Haye mirrors flanking the interior of the main entrance), book or display cabinets in the 1st floor and glass-fronted storage cabinets on the 2nd and 3rd floors;

Efforts should be taken to preserve all of these period, character defining elements.

Bibliography.

A. Articles, Books and Manuscripts.

[anon.]

n.d. "Grantham Memorials" *Abstract Index to Deeds*, Lots 17-19 Concession 7 (Niagara North Land Registry Office, microfilm reels #30E5.)

n.d. "Corporation 2" *Abstract Index to Deeds,* Lot 2150 (Niagara North Land Registry Office, microfilm reels #30E24, 30E124.)

1956 "23 Civic Organizations Gather to Discuss Forming Arts Council," *St. Catharines Standard*, Jan. 19, 1956.

1956a "A Stately Home Entwined in St. Catharines History," *St. Catharines Standard*, May 1, 1956.

1959 "Arts Centre Fund at $52,000," *St. Catharines Standard*, June 6, 1959.

1959a "District Arts Centre Assured," *St. Catharines Standard*, July 9, 1959.

1960 "Rodman Hall Turned Over to Arts Council," *St. Catharines Standard*, Apr. 2, 1960.

1960a Drawing showing proposed Rodman Hall expansion, by Salter & Flemming (architects), *St. Catharines Standard*, Jan. 8, 1960.

1960b "Exhibition Will Bridge Two Centuries," *St. Catharines Standard*, Sept. 12, 1960.

1960c "Arts Centre to Officially Open on Saturday," *St. Catharines Standard*, Sept. 12, 1960.

1960d "Expansion to Start Immediately," *St. Catharines Standard*, Sept. 19, 1960 p. 5.

1963 "Rodman Hall Flower Show, Artistic, Financial Success," *St. Catharines Standard*, June 15, 1963.

1963a "Enlargement of Rodman Hall Arts Council Centennial Hope," *St. Catharines Standard*, June 21, 1963.

1973 "Rodman Hall--- $100,000 grant will be used for addition," *St. Catharines Standard*, Dec. 7, 1973.

1975 "Rodman Hall Arts Centre Expansion," *St. Catharines Standard*, July 31, 1975.

1980 "Rodman Hall Now 20 Years Young," *St. Catharines Standard*, Sept. 5, 1980.

1986 "Rodman Hall Eyesore becomes a Work of Art," *St. Catharines Standard*, June 13, 1986.

1986a "Glimpses into our Past," *St. Catharines Standard*, Oct. 11, 1986.

1993 "Master of Rodman Hall," *St. Catharines Standard*, Dec. 15, 1993, p. D1.

1995 "Alex Colville Coming to Rodman Hall," *St. Catharines Standard*, Jan. 6, 1995 p. D1.

1995a "Rodman Hall's Botanical Masterpiece," *St. Catharines Standard*, Apr. 19, 1995 p. B1.

2000 "An Icon Turns 40," *St. Catharines Standard*, May 5, 2000 p. B1.

2002 "Gallery Gardens Require Costly Repairs," *St. Catharines Standard*, July 23, 2002, p. A1.

Bergsma, Marlene.

2003 "Brock has Played the Saviour Role Before," *St. Catharines Standard*, Oct. 2, 2003, p. A3.

Blumenson, John.

1986 *Identifying American Architecture: A Pictorial Guide to Styles and Terms, 1600-1945*. Nashville: American Association for State and Local History.

1990 *Ontario Architecture: A Guide to Styles and Building Terms 1784 to the Present*. Toronto: Fitzhenry & Whiteside.

Boyle, Terry and Peter John Stokes.

1980 *Under This Roof: Family Houses of Southern Ontario*. Toronto: Doubleday & Co. Inc.

Cameron, Nancy.

2015 "Rodman Hall Arts Centre: Historic Landmark Inspires Art." *ACORN*, Fall 2015, pp. 6-7.

Chadwick, Edward Marion.

1894 *Ontarian Families: Genealogies of United Empire Loyalist and other Pioneer Families of Upper Canada*. Toronto: Rolph, Smith & Co.

Coldbick, Geoff.

1959 "New Era About to Begin for Historic Rodman Hall," *St. Catharines Standard*, Nov. 16, 1959.

Condon, Sean.

1995 "Rodman Hall is The Survivor," *St. Catharines Standard*, June 17, 1995.

1997 "Rodman Hall Treasure Restored: Stained Glass Dates to 1882," *St. Catharines Standard*, Feb. 27, 1997 p. A1.

Currell, Harvey.

1968 "The House That William Hamilton Merritt Built," *Toronto Telegram*, Feb. 17, 1968 p. 60.

Duncan, George W.

2001 *York County Mouldings from Historic Interiors*. Toronto: printed by Musson Copy Centres Inc. for the Architectural Conservancy of Ontario.

Foley, Bob.

1995 "St. Catharines Edifice of the Arts," *St. Catharines Standard*, Apr. 22, 1995 p. F10.

Gannon, Dennis.

1997 "Yesterday and Today," *St. Catharines Standard*, July 28, 1997, p. B3.

2011 "Yesterday and Today," *St. Catharines Standard*, Sept. 3, 2011, p. D1.

Grant, George Monro.

1882 "St. Catharines," *Picturesque Canada; The Country as It was and Is*. Toronto: the Art Publishing Co., p. 378.

Gray, William.

1995 *Soldiers of the King: The Upper Canadian Militia 1812-1815*. Erin: Boston Mills Press (Stoddart Publishing Co. Ltd.)

Hopkins, J. Castell.

1896 *The Canada Album: Encyclopedic Canada, or, The Progress of a Nation in Religion, Patriotism, Business, Law, Medicine, Education and Agriculture* (vol. 5.) Brantford & Toronto: Bradley-Garretson Co. Ltd.

Jackson, John N. and Sheila M. Wilson.

1992 *St. Catharines: Canada's Canal City*. St. Catharines: *St. Catharines Standard* Limited.

Macrae, Marion and Anthony Adamson.

1963 *The Ancestral Roof: Domestic Architecture of Upper Canada*. Toronto: Clarke, Irwin & Co.

Mayholme Foundation.

2017 *A Walk Around Town, St. Catharines, Canada West, 1856*. Smithville: printed by Carruthers Printing for the Mayholme Foundation.

McCarthy Aero Services.

1920 Untitled aerial photograph of Rodman Hall, Burgoyne Bridge, and the Twelve Mile Creek/Old Welland Canal. Toronto: Archives of Ontario, item #10026781.

Morgan, Henry James.

1898 *The Canadian Men and Women of the Time: A Hand-book of Canadian Biography*. Toronto: William Briggs.

Mungall, Constance.

1974 "Mansion Becomes Gallery, Gains New Life," *Globe & Mail*, Aug. 8, 1974.

Narhi, Brian K.

2006 *Early Niagara District Court Records 1787-1841*. St. Catharines: Midnight Sun Press.

Page, H.R.

1876 *Illustrated Historical Atlas of the Counties of Lincoln and Welland, Ont*. Toronto: lithographed by Alexander Craig for H.R. Page.

Parker, Bruce A. and Bruce G. Wilson.

1987 "Thomas Clark(e)," *Dictionary of Canadian Biography*, vol. VI (1821-1836), pp. 147-150.

Phelps, Oliver Seymour ["Junius.]

1856 "Walk Around Town 'R,'" *St. Catharines Journal*, Sept. 11, 1856.

Reid, Verna.

1988 "Historic Gardens Restored to Former Glory," *Niagara Falls Review*, Aug. 13, 1988 p. 11.

Reynolds, Marion.

1981 "Rodman Hall," *Ontario Showcase*, October 1981, pp. 56-59.

Rodman Hall Arts Centre.

1988 *Programme, Opening of the Walker Botanical Gardens, June 23, 1988*. No publisher cited, copy available in the Special Collections Department, St. Catharines Downtown Library.

St. Catharines and District Arts Council.

1961 *St. Catharines and District Arts Council*, three panel brochure describing Rodman Hall and the Council. No publisher cited, copy available in the Special Collections Department, St. Catharines Downtown Library.

Sim, Marjorie.

1987 "Inmates Spruce Up Rodman Hall," *St. Catharines Standard*, July 15, 1987.

Smy, Lieut. Col. William A.

2004 *An Annotated Nominal Roll of Butler's Rangers 1777-1784 With Documentary Sources*. St. Catharines: Friends of the Loyalist Collection at Brock University.

Stokes, Peter John.

1967 *Early Architecture of the Town and Township of Niagara*. Printed by Holland & Neil Ltd. for the Niagara Foundation.

Storm, John.

1985 "Rodman Hall balances atop financial tightrope," *St. Catharines Standard*, June 18, 1985.

Taylor, Corlene.

2003 *Hainer Family from Niagara Re Viewed*. St. Catharines: House of Dwyer for the Mayholme Foundation.

Turner, Linda.

1974 "Withrow says Rodman now among the Best," *St. Catharines Standard*, Feb. 21, 1974.

1974a "Rodman Hall Expansion Starts Next Week," *St. Catharines Standard*, Dec. 26, 1974.

1975 "Rodman Hall Arts Centre Expansion," *St. Catharines Standard*, July 31, 1975.

1975a "New Gallery Will be the Rodman Show Stopper," *St. Catharines Standard*, Sept. 20, 1975.

VanDongen, Matthew.

2005 "What a Wedding Gift," *St. Catharines Standard*, July 28, 2005 p. A3.

Walter, Karena.

2003 "Rodman Hall will be sold to Brock," *St. Catharines Standard*, Sept. 26, 2003, p. A1.

Warwick, Peter D.A.

1994 "Thomas Rodman Merritt," *Dictionary of Canadian Biography*, vol. XIII (1901-1910), pp. 699-700.

Waters, Christopher.

2001 "Work in Progress," *St. Catharines Standard*, Mar. 2, 2001 p. B3.

Williams, J.G.

1949 Untitled, artist signed graphite sketches of Rodman Hall, showing portions of the garden, rear and east walls of the house. St. Catharines Museum and Welland Canals Centre accessions 88.66.1.6 and 88.66.1.7. Copies also available in the Special Collections Department, St. Catharines Downtown Library.

Wilson, Bruce G.

1983 "Robert Hamilton," *Dictionary of Canadian Biography*, vol. V (1801-1820), pp. 402-406.

1988 "William Dickson," *Dictionary of Canadian Biography*, vol. VIII (1836-1850), pp. 250-252.

Young, Brenda (et. al.)

2004 *St. Catharines 1855 Assessment Roll, Grantham Township, Lincoln County, Ontario* (Publication #3.) St. Catharines: Mayholme Foundation.

B. Maps.

Tremaine, Geo. R. & G.M. Tremaine.

1862 *Tremaine's Map of the Counties of Lincoln & Welland, Canada West, Compiled and Drawn from Actual Surveys*. Toronto: Tremaine.

EVALUATION CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST (ONTARIO REGULATION 9/06) FOR 109 ST. PAUL CRESCENT (RODMAN HALL)

1. Design Value or Physical Value:

According to *O.R. 9/06* a property has design value or physical value if it,

i. Is a rare, unique, representative or early example of a style, type, expression, material, or construction method;
ii. Displays a high degree of craftsmanship or artistic merit; or,
iii. Demonstrates a high degree of technical or scientific achievement.

"Rodman Hall" appears to have been constructed in two phases between ca. 1856-57 and 1863 when the house was finally occupied by the family of Thomas Rodman Merritt. The differences in the masonry suggest that the west end of the building is the "original" wing of the house, and that it was enlarged by the construction of the east wing which was built ca. 1860-63.

The house was designed by a skilled architect, whose exact identity remains unknown. Based upon the external architectural elements and style of the house, it is almost certain that the building was designed by either by Kivas Tully or William Thomas. Both men, who were prominent Toronto architects, were commissioned to design other buildings in St. Catharines for the Merritt family, as well as other notable buildings in the Niagara Region. Tully may have been responsible for the final design of Rodman Hall since Thomas died early in the construction phase (1860.) The now demolished "Prendergast Block" which stood at the corner of St. Paul and William Streets was designed by Tully, and contained many of the stylistic external features found on Rodman Hall.

The house is a synthesis or blending of various styles of architecture, exhibiting features of the Victorian Gothic/Gothic Revival styles, as well as being influenced by the Georgian, Flemish, Italianate, Romanesque Revival, Renaissance Revival, Second Empire and Chateau styles. The overall impact is nevertheless visually pleasing to the observer.

Rodman Hall is a unique example of a former private residence that was influenced by so many varied periods of design. There are no other known examples of a house of its size and style found in the city. It has been a landmark structure and a visual anchor on the streetscape since the time of its construction more than 150 years ago.

Design Value or Physical Value criteria are met.

2. Historical Value or Associative Value:

According to *O.R. 9/06* a property has historical value or associative value if it,

i. Has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community;
ii. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or,
iii. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.

The land upon which this house stands was originally granted in the 1790s to Abraham Clendennin and John Hainer. Both men had served in Butler's Rangers, and were among the earliest settlers in St. Catharines. Other owners included Robert Hamilton, the Queenston merchant whose wife, Catharine, is believed to have been the person after whom "St. Catharines" was named. The property was acquired by Thomas Rodman Merritt in the period between 1845 and 1852. He was the son of the canal builder, William Hamilton Merritt, and who was also a prominent business man (merchant, miller, banker), politician, and philanthropist.

The house was built by Merritt between 1857 and 1863, with minor structural modifications which date from the 1870s. During the next century this property remained in the possession of the Merritt family, although it was also briefly used as a school and was subdivided into apartments. Since 1960, it has been open to the public as the home of the Rodman Hall Arts Centre.

Historical Value or Associative Value criteria are met.

3. Contextual Value:

According to *O.R. 9/06* a property has contextual value if it,

i. Is important in defining, maintaining, or supporting the character of an area;
ii. Is physically, functionally, visually, or historically linked to its surroundings; or,
iii. Is a landmark.

"Rodman Hall" and its landscaped garden area has been a landmark on St. Paul Crescent since the mid-19th century. They form a conspicuous part of the surrounding local landscape, which includes other heritage features such as: late 19th century houses on nearby Bellevue Terrace; the Twelve Mile Creek; the old channel of the 1st and 2nd Welland Canals; the buried remnants of the Shickluna Shipyard; "Oak Hill" (or CKTB); the Yates Street Heritage Conservation District; and part of St. Paul Crescent which was the main access into the downtown from the Western Hill until the original Burgoyne Bridge was opened in 1915.

Many other nearby 19th century landmarks of significance have long since vanished, such as the Shickluna houses, the Taylor and Bate brewery, the residences along the "city side" of St. Paul Crescent and that section of the street; and industrial sites such as the Lincoln Foundry (Norris' wharf and mills) and many others.

The gardens at Rodman Hall pre-date the actual construction of the house. The gardens were laid out and formally landscaped during the late 1840s or early 1850s, and today contain many examples of rare trees, shrubs and plants. Some of the plants are specimen examples of the flora native to this area, while others have been introduced.

The gardens at Rodman Hall mirror and complement the gardens planted on the slope of the hill below Oak Hill. Similar varieties of trees and plants are found in both gardens (eg, irises, honey locust trees, &c) which provided a visual link upon the landscape between the two Merritt family estates.

Contextual Value criteria are met.

The Rodman Hall property at 109 St. Paul Crescent meets the criteria for design or physical value, for historical or associative value, and for its contextual value. It is therefore a “priority one” candidate for designation.

DESCRIPTION OF HERITAGE ATTRIBUTES OF 109 ST. PAUL CRESCENT (RODMAN HALL)

This document is intended to comprise an executive summary, outlining in brief the heritage attributes of Rodman Hall located at 109 St. Paul Crescent. A more detailed version of the research compiled by members of the St. Catharines Heritage Advisory Committee, is also available.

Rodman Hall, located at 109 St. Paul Crescent, is one of the most significant 19th century structures in the City of St. Catharines.
The land upon which the building stands was first granted in the 1790s to the Clendennan and Hainer families. Both men had served in Butler's Rangers and were among the first settlers in Grantham Township. One part of the property was bought by Robert Hamilton, a Queenston merchant, whose wife Catharine is believed to have been the namesake for the city. The Rodman Hall property, which originally comprised about 35 acres, was purchased by Thomas Rodman Merritt (1821-1906), the son of William Hamilton Merritt, in the mid-19th century. Thomas was a wealthy merchant, miller and banker.

This property was first laid out by Merritt as a large park-like garden, and used by the family as a quiet retreat where they entertained friends. The formally landscaped grounds are known to have been in existence by 1852. Merritt resided with his family on Yates Street during the construction of Rodman Hall, which was carried out in two phases. Between ca. 1857 and 1860, the original or west wing of the house was built. Following the death of Merritt's older brother in 1860, building materials intended for a large house in Montebello Park were transported to the Rodman Hall site and used in the east wing of the building which was completed in 1863. Minor renovations were made to the building during the 1870s, when a pedimental sculpture was removed and additional dormer windows were added. The large stained glass windows on the central staircase were installed during the 1880s.

The architect responsible for the house is not known with certainty. It has been suggested that the design may be attributable either to Kivas Tully or William Thomas. This is based upon a comparison of the architectural style of Rodman Hall with other known examples of work by Tully and Thomas. Both men were prominent Toronto architects, who had been commissioned to design other buildings for the Merritt family. The stone construction work on the house may have been executed by William Barron, who built the old Lincoln County Court House at King and James Streets. The interior woodwork is similar in style to that done by Thomas McIntyre, who was one of the local cabinet makers and an early undertaker in the town. The ornamental plaster cornices and ceiling medallions may have been the handiwork of Francis Begy. All three were well-known, skilled workmen in 19th century St. Catharines.

This house witnessed many family gatherings and social events, and remained in the possession of the Merritt family for more than a century. It was temporarily used as a private school and was divided into several apartment units during the mid-20th century. In 1960, the property was sold to the St. Catharines and District Arts Council. The

building has been open to the public and used as an art gallery since that time. New exhibit space was added in 1960 and 1975, but these expansions were constructed in such a way that there was minimal impact upon the 19th century fabric of the original house. Rodman Hall was handed over to Brock University in 2003, and it has continued to function as an art gallery since that time. The building but also houses some administrative offices as well as a limited number of private studio spaces.

Rodman Hall has not had any extensive exterior renovations. With the exception of new concrete front steps, the removal of exterior window shutters, and the removal of the wrap-around porch on the east side of the building in 1960, the house still stands today looking nearly identical to what it did during the Victorian era. Similarly, the majority of the interior features have been retained in all of the rooms. The floors, doors, windows, hardware, trim, paneling, ceiling cornices and ornamental plaster work, brick and marble fireplaces, and stained glass, are all original to the house. Small items such as servant's bell-pulls and at least one gas light fixture appear to be original. The inside of the main entrance to the house contains two large mirrors, which may be attributed on stylistic grounds to the firm of Jacques and Haye of Toronto, which was one of the best furniture manufacturing firms in Ontario during the 19th century. The original chandeliers and gas lights have unfortunately been removed from the house, and their present location is not known.

The gardens form part of an evolving cultural landscape, and have served as a private and as a public retreat since the 19th century. The grounds mirrored a similarly landscaped private garden on the slope of the hill below "Oak Hill" (CKTB); both provided an extended, landscaped vista on either side of the old Welland Canal, which was enjoyed by residents and visitors to St. Catharines alike. Today the Walker Botanical Gardens contain many specimen examples of native trees, shrubs and plants, some of which are Carolinian, while other non-native varieties have been introduced to the site. These plants thrive in the sheltered micro-climate of the Twelve Mile Creek valley.

Rodman Hall is worthy of both interior and exterior designation, based upon its strong architectural merits and historical associations to the community. The grounds are worthy of designation as the "remnant" of an evolved cultural heritage landscape.

The heritage attributes of the property at 109 St. Paul Crescent (Rodman Hall) include:

The grounds surrounding the house contain a terraced, landscaped garden which has been known since the 1980s as the Walker Botanical Garden. The gardens contain specimen examples of native trees and plants (some of which are Carolinian), as well as examples of exotic, non-native trees (such as the Golden Rain tree, Royal Paulownia, &c) which flourish in the micro-climate of the Twelve Mile Creek valley. The gardens are enjoyed by the public as a tranquil retreat, and as a recreational venue (walking paths and trails, Laura Secord Trail &c.) The gardens have been an evolving focal point on the landscape since the late 1840s; although part of the estate land was

sold for residential development during the 20th century, efforts should be made to retain as much of the existing garden as possible as a “remnant” landscape.

The heritage attributes of the building at 109 St. Paul Crescent (Rodman Hall) include:

Rodman Hall exhibits many original, 19th century exterior features and design elements integral to its design. They include:

- exterior walls of smooth ashlar (limestone) construction with corner quoins, which envelopes a red brick interior core structure, and a belted masonry course marking the floors. The masonry work may have been executed by William Baron, a stone cutter and tombstone carver who executed the stone work on the old court house;

-an asymmetrical, four bay façade on the east (1860s) wing; three bay (late 1850s?) west wing; and a detached “gate” house. The asymmetrical placement of the main entrance and windows of varying sizes is nevertheless aesthetically and visually pleasing.

Other important design elements and features include:

-slate roof;

-1870s dormer windows in the upper storey;

-panelled shaft chimney stacks;

-original, unaltered window openings;

-Victorian era hardware for exterior window shutters;

-a false, shuttered “window” or deceit at the 2nd storey north-east corner of the house, intended to balance the appearance or distribution of the fenestration;

-“Dutch” style gables;

-original main entrance, with Victorian era door and hardware, brass knob, and mail slot;

-carved stone pediment over the front door, including a keystone incorporating a human face;

-etched, clear glass sidelights and transom, incorporating the Merritt family arms;

-Gothic style dormers on the “west” or original wing of the house;

-decorative carved “millstone” in the central dormer of the west wing, denoting Merritt’s primary occupation as a merchant-miller;

-rough hewn stone blocks in the west wing;

-connecting archway between the main house and the gate house with the date stone "1863;"

-remnants of the bell-cast exterior veranda at the rear of the house;

-rubble stone foundation;

-original brick and stone chimneys.

The interior of the house retains nearly all of its mid-Victorian decorative features and finishes intact. Some of the principal millwork and trim may have been executed by Thomas McIntyre, and the plaster work by Francis Begy. The interior finishes include:

-original parquet flooring;

-wide baseboards and paneling;

-door and window casings and trim;

-interior louvered shutters;

-"Cross and Bible" doors with original hardware;

-one rare "Dutch" style door in the main floor opening between the east and west wings of the house;

-original door and window trim, including several "window seats;"

- twelve Italian marble fireplaces with cast iron inserts and one with brass highlights;

-twin (back-to-back) brick hearths in the basement of the original wing, and brick fireplaces with classical style surrounds and mantelpieces in the rest of the west wing;

-decorative cast iron radiators, at least two of which are dated 1877;

-decorative ceiling medallions;

-decorative plaster cornices and trim;

- ornate central staircase, with Gothic style newel posts on the 1st and 2nd floor;

-ornate main entrance, including stained glass with the Merritt arms, and the initials of Thomas Rodman and Mary Benson Merritt;

-stained glass transom over the ground floor door between the two wings of the house;

-large 1880s era stained glass windows on the central stair landing, depicting "Flora" and "Pomona;"

-staircases in the original (west) wing of the house;

-French doors at the back of the house leading onto the rear bell-cast porch;

-built-in furniture (Jacques and Haye mirrors flanking the interior of the main entrance), book or display cabinets in the 1st floor and glass-fronted storage cabinets on the 2nd and 3rd floors;

Efforts should be taken to preserve all of these period, character defining elements.

CITY OF ST. CATHARINES

By-laws to be considered Wednesday, May 23, 2018

(a) A By-law to authorize a Voting Technology Rental Agreement with Her Majesty the Queen in Right of Ontario as represented by the Chief Electoral Officer of Ontario. (One reading – with respect to Primary and Secondary ePoll Book Kits for 2018 Election. Delegation By-law No. 2004-277, as amended.)

(b) A By-law to authorize a contract with Nexterra Substructures Incorporated. (One reading - with respect to Burleigh Hill/Glendale Avenue/Warkdale Drive CSO Control/Road Reconstruction/Bypass Sewer – Phase 1, under Project No. P13-019-01. Delegation By-law No. 2004-277, as amended.)

(c) A By-law to authorize the acceptance of a conveyance of certain lands from 2533785 Ontario Inc. for the widening of Church Street. (One reading – with respect to 111 Church Street. Delegation By-law No. 2004-277, as amended.)

(d) A By-law to authorize an Encroachment Agreement with 2533785 Ontario Inc. (One reading – with respect to 111 Church Street. Delegation By-law No. 2004-277, as amended.)

(e) A By-law to designate the property at 109 St. Paul Crescent (Rodman Hall) to be of cultural heritage value or interest. (One reading – with respect to Rodman Hall designation under Part IV of Ontario Heritage Act. To be considered by Council, May 23, 2018.)

(f) A By-law to confirm the proceedings of council at its Special Meeting held on the 23rd day of May, 2018. (One reading - with respect to confirming the proceedings of the special meeting held on May 23, 2018.)