



Department of Community & Development Services
1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0
905-468-3266 • Fax: 905-468-0301

www.notl.org

Niagara-on-the-Lake Heritage Permit Application

Process for Submission of Heritage Permit Applications for Part IV and Part V Designated Heritage Properties

It is the policy of the Town of Niagara-on-the-Lake Community and Development Services Department that all applicants must consult with Heritage Staff prior to submitting a Heritage Permit Application.

Process for submission of a complete Heritage Permit Application:

1. Hold a Pre-consultation Meeting with Heritage Staff and applicant prior to submission of an application. The purpose of the Pre-consultation Meeting is for the applicant to provide an overview of the application and for Staff to identify any required plans and information for a complete application.
2. Submit a complete Heritage Permit Application, signed by the *property owner(s)* in both digital and hard copy format, including all required supporting information as identified in the Pre-consultation meeting with Heritage Staff, to the satisfaction of Heritage Staff and the Director of Community and Development Services.

Heritage Permit applications are to be filed with the Town of Niagara-on-the-Lake Community and Development Services Department, to the attention of Heritage Staff. Applications will not be processed until they are complete. A detailed list of plans and information that may be required by Staff with any Heritage Permit Application is attached as Appendix B.

For further information and to arrange for a Pre-consultation Meeting with Heritage Staff, please contact the Community and Development Services Department and ask to speak with Heritage Staff.

Town of Niagara-on-the-Lake
Community and Development Services Department
1593 Four Mile Creek Road, PO Box 100, Virgil, ON L0S 1T0
905-468-3266

HERITAGE PERMIT APPLICATION FORM

Under the *Ontario Heritage Act, R.S.O. 1990, c. O.18 (as amended)*

1. PROPERTY OWNER INFORMATION

PROPERTY OWNER NAME

Solmar (Niagara 2) Inc. (c/o Giuseppe Paolicelli)

PROPERTY OWNER MAILING ADDRESS

122 Romina Drive

STREET NUMBER

STREET NAME

PO BOX

Concord

Ontario

L4K 4Z7

CITY

PROVINCE

POSTAL CODE

PHONE NUMBER

905-660-9222

ALTERNATE PHONE NUMBER

EMAIL ADDRESS ***

giuseppe@solmar.ca

IS THE APPLICANT ALSO THE OWNER OF THE PROPERTY?

☐ YES (IF YES PROCEED TO SECTION 3) ☒ NO

2. APPLICANT INFORMATION (IF AN AGENT HAS BEEN AUTHORIZED)

APPLICANT NAME

SGL Planning & Design Inc. (c/o David Riley)

APPLICANT MAILING ADDRESS

1547 Bloor Street West

STREET NUMBER

STREET NAME

PO BOX

Toronto

Ontario

M6P 1A5

CITY

PROVINCE

POSTAL CODE

PHONE NUMBER

416-923-6630 ext. 28

ALTERNATE PHONE NUMBER

EMAIL ADDRESS ***

driley@sglplanning.ca

*** By providing an e-mail address you agree to receive communications and notices from the Town and the Municipal Heritage Committee by email

3. SUBJECT PROPERTY(IES) INFORMATION**MUNICIPAL ADDRESS**

200 John Street East

LEGAL DESCRIPTION

LOTS 145 & 156 REGISTRAR'S COMPILED PLAN 692
And Lot 14 Plan M-11

ROLL NUMBER

Unknown

ONTARIO HERITAGE ACT DESIGNATION:

☒ PART IV ☐ PART V

IS THE PROPERTY IN THE TOWN'S IDENTIFIED AREA OF ARCHAEOLOGICAL POTENTIAL?

☒ YES ☐ NO

4. PROPOSED ALTERATIONS

(a) Specify, in detail, all proposed alterations to the property and structures on the property.
Attach additional pages as necessary:

See attached

(b) Explain the reasons for the proposed alteration:

See attached

(c) Explain how the proposal enhances the cultural heritage attributes of the property and/or meets the policies of the Heritage Conservation District Plan:

See attached

(d) Are any alterations proposed to trees or landscaping? If so, please explain.

See attached.

HERITAGE ATTRIBUTE(S) TO BE IMPACTED	EXISTING MATERIAL	PROPOSED MATERIALS & COLOURS
Exterior treatment		
Roof		
Trim		
Doors		
Windows		
Porch/Verandah		
Fencing		
Landscaping		
Interior features		
Other		

5. OTHER APPLICATIONS / PERMITS THAT MAY BE REQUIRED:

- | | |
|--|--|
| <input type="checkbox"/> BUILDING PERMIT | <input type="checkbox"/> PLANNING APPLICATION(S) |
| <input type="checkbox"/> TREE REMOVAL PERMIT | <input type="checkbox"/> SIGN PERMIT |
| <input type="checkbox"/> OTHER: _____ | |

6. INFORMATION & PLANS REQUIRED FOR A COMPLETE HERITAGE PERMIT APPLICATION

Information/Plans typically required with a Heritage Permit Application are identified by Staff through the Pre-Consultation process. Please check off all required information as identified by Staff through Pre-consultation:

- ☐ Heritage Pre-Consultation Form
- ☐ Site Plan (including buildings and structures on site and setbacks to property lines)
- ☐ Building Elevations (including height of all existing and proposed structures)
- ☐ Recent photos of all building elevations (taken within 2 months of application submission)
- ☐ Proposed materials / paint colours / specifications for materials
- ☐ Floor Plans
- ☒ Cultural Heritage Evaluation Report / Heritage Impact Assessment
- ☐ Conservation Plan / Temporary Protection Plan
- ☐ Arborist Report / Tree Inventory
- ☒ Landscape Plans
- ☒ Other: Structural Reports _____
- ☐ Other: _____

7. OWNER DECLARATION AND AUTHORIZATION

I hereby certify that I am the property owner or their authorized agent and that the above information is true to the best of my knowledge.

I have reviewed the submission requirements and understand that incomplete applications may not be accepted.

I acknowledge that any change to the approved drawings, however small, may require an amendment to the permit and may require resubmission for approval. Failure to reveal these changes to Heritage Planning Staff may result in work stoppage and charges and/or fines under the *Ontario Heritage Act*.

I/We the Owner(s) of the subject property, and the applicant(s) of this subject application, by signing this application agree to allow either Town Staff and/or a Committee Member of the Niagara-on-the-Lake Municipal Heritage Committee the right to enter onto my property, as necessary, to view & photograph the property for the proposal. Failure to allow access onto the property may result in the application being considered incomplete.

The applicant acknowledges that the Municipality considers the application forms and all supporting materials including studies, drawings and photos, filed with any application to be public information and to form part of the public record. With the filing of an application, the applicant consents and hereby confirms that the consent of the authors of all supporting reports have been obtained, to permit the Municipality and Region to release the application and any supporting materials either for its own use in processing the application, or at the request of a third party, without further notification to, or permission from, the applicant.

OWNER NAME (PRINT): Solmar (Niagara 2) Inc. (c/o Giuseppe Paolicelli)

OWNER SIGNATURE:

DATE: September 30, 2022

EMAIL ADDRESS***:

giuseppe@solmar.ca

*** By providing an e-mail address you agree to receive communications and notices from the Town and the Municipal Heritage Committee by email

OFFICE USE

DATE OF NOTICE OF RECEIPT AS REQUIRED UNDER THE OHA:

4. Proposed Alterations - 200 John Street

(a) Specify in detail all the proposed alterations to the property.

200 John Street

1. The Tea House will remain in situ. It will be repaired and restored.
2. The identified Dunington-Grubb landscaping surrounding the Tea House will be restored as per the identified plant materials in the Dunington-Grubb drawings
3. The wall and pillars at the Whistle Stop and on John Street East will remain in situ. They will be repaired and restored.
4. The gazebo at the Whistle Stop will be restored and repaired utilizing as much of the original materials as possible. It will be set in a designed landscape.
5. The pool will be filled in and commemorated in accordance with the recommendations in the Heritage Commemoration Plan.
6. A modern pergola will be erected in the location of the original pergola which is no longer extant. Design to be determined.
7. The Bath Pavilion (folly) will be moved to the park containing the Tea House and Pool and oriented to face the Tea House. The exterior will be restored.
8. The walkway to the Whistle Stop and the circular mound will be reintroduced into the landscape (see Master Landscape and Heritage Commemoration Plan)
9. The carriage house will be demolished and appropriately commemorated (see Master Landscape and Heritage Commemoration Plan).
10. The Calvin Rand summer house will be demolished and appropriately commemorated (see Master Landscape and Heritage Commemoration Plan).

(b) Reasons for the proposed alterations

The property is the subject of planning applications for a residential draft plan of subdivision. A small portion of the property at 176 John Street will be added to the subdivision to accommodate cultural heritage resources that are being moved and relocated from their current position on 200 John Street East.

The revised plan consists of 39 single detached dwellings, 26 semi-detached dwellings and 107 townhouse units for a total of 172 dwelling units facing three streets.

Access to the subdivision is via the original driveway entrance to 200 John Street. Emergency access is provided along the original driveway entrance to 588 Charlotte Street.

Blocks 85 and 86, adjacent to Weatherstone and Christopher Courts, are storm pond and stream and buffer areas. Block 79 lies within the Greenbelt and will be planted as a vineyard. Blocks 75, 82, 83 and 87 are park blocks and will accommodate existing cultural heritage resources that are either in situ or will be moved onto these blocks and will be the focus of commemoration of the Rand Estate. A total of .42ha (1.04 acres) is provided as parkland within the development.

A pedestrian pathway known as the Whistle Stop Walk runs through the centre of the property to the Whistle Stop Trail Head. The trail head provides access through the traditional exit/entrance to the railway trail which runs behind the subject properties.

(c) How does the proposal enhance the cultural heritage attributes of the property?

The proposal will result in the following enhancements to the cultural heritage attributes of the property:

1. Restoration of the Tea House and the plantings surrounding it that are part of the documented Dunington-Grubb design and installation of a modern pergola to commemorate the pergola that was originally constructed as part of that design but was removed.
2. Visual commemoration of the pool.
3. Relocation of the Bath House (folly) to the pool/Tea House area which enhances its relationship to the pool and restoration of the structure.
4. Commemoration of the Carriage House in the Tea House precinct and transplantation of the Rose of Sharon Hedge as part of the commemoration.
5. Re-creation of the Whistle Stop Walk, leading from the Heritage Park to the Whistle Stop Trailhead. This will result in a modern re-creation of the walkway that existed as a path to the Whistle Stop when the Rands took the steam train to Buffalo.
6. Re-creation of the Mound along the Whistle Stop Walk and installation of commemorative signage.
7. Restoration of the gazebo at the Whistle Stop Trailhead and installation of a garden and interpretive signage.
8. Provision of interpretive signage relating to Indigenous history and the history of the estate and the Rand family.
9. Restoration of the stone and brick wall and pillars enclosing the Subject Lands.

(d) Are any alterations proposed to trees or landscaping? If so, please explain.

Yes.

- Development plans as submitted by SGL, in association with engineering drawings, calls for the removal of trees and relocation of brick steps associated with the Dunington-Grubb pool area. For a detailed account of trees to be removed, please refer to Stantec's *200 John Street East and 588 Charlotte Street, Niagara-on-the-Lake, Ontario, Arborist Report and Tree Inventory Report* dated March 10, 2022.
- It is proposed additional trees be removed abutting the southerly (rear) stone wall as they are impacting its structural integrity
- Alterations will occur to the wooden gazebo/whistle stop and whistle stop walk through restoration.
- Alterations will occur to the Dunington-Grubb attributed pool area landscaping primarily through restoration of the general landscaping following Dunington-Grubb's pool area plans, relocation of the brick steps and bath house, and commemoration of the swimming pool through proposed interpretive panels and landscape features.
- For full description of alterations and removals to landscape features please refer to the *Urban Design Brief* by SGL Planning and Design, *Heritage Commemoration Plan* by Stantec and *200 John Street & 588 Charlotte Street, Draft Plan of Subdivision Town of Niagara-on-the-Lake Heritage Impact Assessment* by Leah Wallace.

Heritage Attribute(s) to be Impacted

Heritage Attribute(s) to be impacted	Existing Material	Proposed Materials and Colours
Tea house and pool	<p>Tea House</p> <ul style="list-style-type: none">• Hip roof with asphalt shingles• Open air wood frame structure• Simple wood classically inspired columns• Simple wood railings and boxed newels• Interlocking brick paves• Brick and concrete steps <p>Pool</p> <ul style="list-style-type: none">• Large inground concrete swimming pool	Tea house to be restored to original materials and colours. Pool to be demolished (removed) and CHVI conserved through commemoration. A Documentation Report will be prepared for the pool prior to its removal. See Stantec's <i>Heritage Commemoration Plan</i> .
The surviving elements of the Dunington-Grubb landscape	<ul style="list-style-type: none">• Sunken landscaped pool area• Concrete bases of the former pergola	Swimming Pool Area to be restored following Dunington-Grubb's pool area plans. Sunken lawn area proposed. Installation

	<ul style="list-style-type: none"> Original plantings (see Stantec's <i>Heritage Commemoration Plan</i>) 	of a new pergola. See Stantec's <i>Heritage Commemoration Report</i> for more details.
The one storey, rectangular bath pavilion	<ul style="list-style-type: none"> Hip roof with asphalt shingles Wood eaves Wood entrance portico Wood steps Smooth stucco exterior multi-pane wood casement windows within wood frames wood screen door interior plaster walls 	To be relocated into the Heritage Park Area. See Stantec's <i>Heritage Commemoration Report</i> for more details.
The extant wooden gazebo/whistle stop	<ul style="list-style-type: none"> wood gazebo structure base of mortar and stone 	Extant wooden gazebo and whistle stop to be restored to original materials and colours. Adjacent garden to be restored. Commemoration of the Whistle Stop through an interpretative panel. See Stantec's <i>Heritage Commemoration Report</i> for more details.
The wall and red pillars located at the rear of the property and on John Street East	<ul style="list-style-type: none"> concrete punctuated by brick pillars and three entrance gates two brick entrance pillars 	Walls to be restored/repared where required to stabilize structural integrity. Trees abutting the wall to be removed where impacting structural integrity.
The carriage house	<ul style="list-style-type: none"> The entire exterior The hipped roof The asymmetrical face with three large French style door openings on the main floor The original rectangular diamond patterned windows 	The building will be demolished to accommodate the new subdivision. Any materials that can be saved will be offered to the Town or to the public for reuse. Measured drawings and photographic documentation will be provided to the Town. The building and its function will be commemorated (see <i>Commemoration Plan</i>)
The Calvin Rand summer house	<ul style="list-style-type: none"> The entire exterior of the dwelling 	The building will be demolished to accommodate the new subdivision. Any materials that can be saved will be offered to the Town or to the public or reuse. Measured drawings and photographic documentation will be provided to the Town. The building, its history and its function will be commemorated (see <i>Commemoration Plan</i>)

Appendix B - Required Plans and Information for Heritage Permit Applications

The following is a list of any plans and information that may be required by Staff for any Heritage Permit Application. The level of detail required with these plans should be confirmed by Town Heritage Staff. Staff have used typical names for various studies and reports; however, the list should not be considered to be limited by a report/study name.

Required plans and information that may be required with a Heritage Permit Application:

- Historical documentation in the form of photos, written records, maps, fire insurance plans, aerial photos, sketches, paintings or drawings, etc.
- Information related to existing conditions including recent photos of existing conditions (taken within the last 2 months of application submission) for all elevations likely to be impacted by a project
- Property information including Registered Surveys prepared by an Ontario Land Surveyor, survey sketch, site plan drawings, aerial photographs, contour mapping, Property Index Map and Parcel Registers (including all PIN printouts and Legal Instruments), etc.
- Architectural drawings, including scaled building elevation drawings, perspective drawings and 3-D drawings and coloured renderings, floor plans, streetscape renderings including adjacent buildings, design details for individual heritage attributes (ie – door and window trim), etc.
- Specifications for building materials and colours, paint colours
- Assessment of Cultural Heritage Value and Impacts including Cultural Heritage Evaluation Reports, Heritage Impact Assessments, Streetscape Studies, Cultural Heritage Landscape Study, etc.
- Plans for on-going conservation of heritage resources including Conservation Plan, Temporary Protection Plan, Salvage/Documentation Reports, Commemoration Briefs, Heritage Interpretation Plans, etc.
- Plans related to landscapes and vegetation including Landscape Plans, Planting Plans, Arborist Report and Tree Inventories, etc.
- Plans assessing impacts to archaeological resources including Archaeological Assessment Reports to be prepared by a Archaeologist licensed by the province of Ontario, and all associated Ministry Compliance Letters
- Plans assessing seemingly indirect impacts including Vibration Emission Studies, Shadow Analysis, Photometric/Lighting Plan, etc.
- Peer-review of any plans or studies to be prepared at applicant's cost.