Appendix VI

200 John Street & 588 Charlotte Street, Draft Plan of Subdivision Town of Niagara-on-the-Lake

Heritage Impact Assessment

9/7/2020

Heritage & Planning Services

Leah Wallace, MA MCIP RPP

1. INTRODUCTION 5

Subject Lands 5

Surrounding Land Uses and Heritage Properties 6

2. PROPOSAL 8

3. EXISTING HERITAGE POLICY CONTEXT 9

The Planning Act 9

Provincial Policy Statement (PPS) - 2020 9

Estate Lots Study 11

Growth Plan for the Greater Golden Horseshoe 12

Ontario Heritage Act (OHA) 13

Standards and Guidelines for Conservation of Historic Places in Canada 13

Niagara Regional Official Plan 14

Town of Niagara-on-the-Lake Official Plan 15

1. Growth Management Policies 16
2. Heritage Conservation 16

Town of Niagara-on-the-Lake Zoning By-law No. 4316-09 17

4. HERITAGE IMPACT ANALYSIS 18

Description of Proposed Development and Site Alteration 18

Historical Research and Site Analysis 18

1. History of Old Town 18
2. History of Rand Estate 24
3. Site Analysis 34
4. Adjacent Properties Designated Under Part IV of the OHA and/or Listed on the Register of Cultural Heritage Value and Interest 38

5. IDENTIFICATION AND SIGNIFICANCE AND HERITAGE ATTRIBUTES OF PROPERTIES 43

1. Criteria for determining Cultural Heritage Value or Interest 43

Design or Physical Value 43

Historical or Associative Value 43
Contextual Value 43

2. 200 John Street – Calvin Rand Property 44
Design or Physical Value....44
Historical or Associative Value 49
Contextual Value 50
Summary 50
Significant Cultural Heritage Attributes 51

3. 588 Charlotte Street 51
Design or Physical Value....51
Historical or Associative Value 53
Contextual Value 53
Summary 54
Significant Cultural Heritage Attributes 54

4. 9/06 Regulation Evaluation - Conclusion 54

6. EVALUATION OF HERITAGE IMPACTS OF THE SUBDIVISION....56

Provincial, Regional and Local Policies 57
1. Analysis of Heritage Impacts Based on Ministry of Tourism, Culture and Sport Info Sheet #5....58
2. Analysis of Heritage Impacts Based on the General Standards for Preservation, Rehabilitation and Restoration, Standards and Guidelines for the Conservation of Historic Places in Canada....61
3. Impacts of Plan of Subdivision....64

7. MITIGATION AND CONSERVATION METHODS....71

8. IMPLEMENTATION AND MONITORING....74

9. CONCLUSION AND CONSERVATION RECOMMENDATIONS....75

APPENDICES....76

Appendix I Designation By-law – Randwood Milkhouse & Stables (1971-88) 76

Appendix II Notices of Intention to Designate 200 John Street & 588 Charlotte Street.... 76

Appendix III Draft Plan of Subdivision 76

Appendix IV Images 76

BIBLIOGRAPHY 77

Books 77

Articles & Reports 77

Web Sites 77

LEAH D. WALLACE, MA MCIP RPP 78

CURRICULUM VITAE 78

PRESENT POSITION 78

EDUCATION 78

PROFESSIONAL 78

MEMBERSHIPS 78

CAREER HISTORY 78

APPOINTMENTS AND AWARDS 79

PUBLICATIONS AND PRESENTATIONS 79

PROJECTS 80

1. Introduction

This Heritage Impact Assessment is produced to satisfy a requirement as part of a draft plan of subdivision application for the properties at 200 John Street and 588 Charlotte Street in the Town of Niagara-on-the-Lake. The assessment provides:

- Historical background for both the Town and the subject property;
- Identification of significant heritage resources and cultural heritage landscapes on and adjacent to the property; and
- Analysis of the impact of the proposed development on these protected and identified heritage resources.

A Regulation 9/06 analysis and a list of significant cultural heritage attributes for each property are included in this report. The Town has produced Statements of Significance for each of these properties.

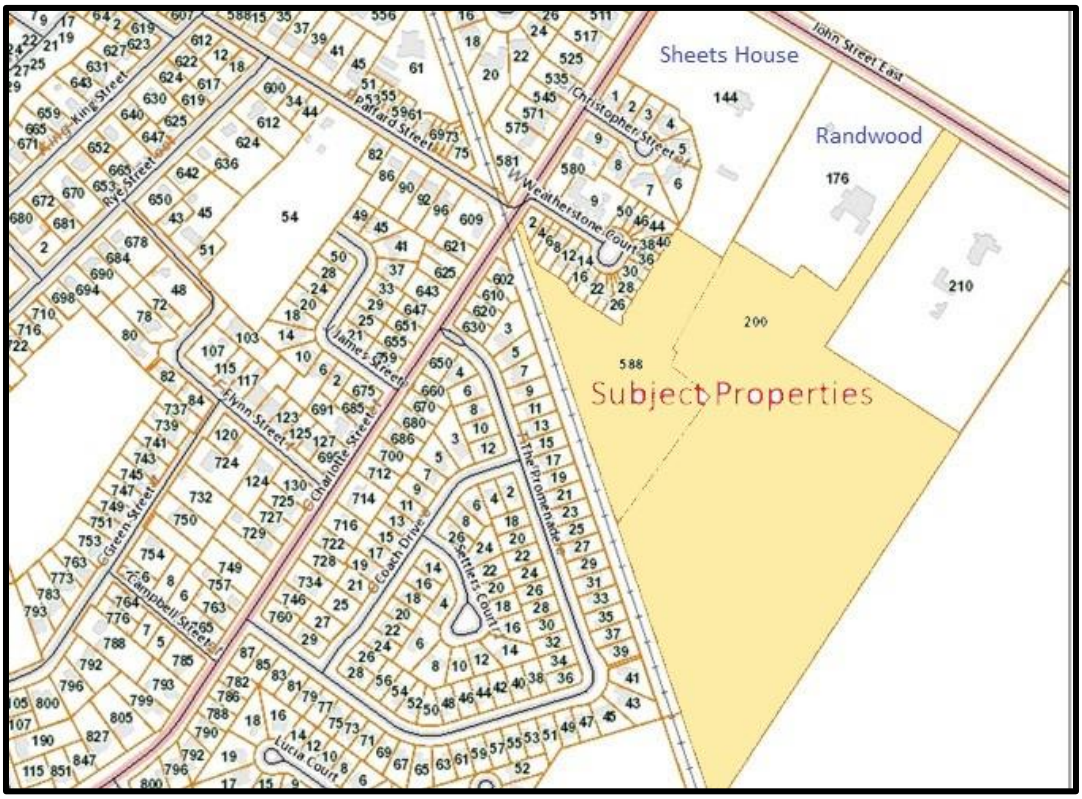


Figure 1: Subject Properties- 200 John Street and 588 Charlotte Street

Subject Lands

The subject properties consist of two irregularly shaped lots located on the south side of John Street and the east side of Charlotte Street having narrow frontages on those streets. The major portion of each lot is located to the rear and extends south to the railway trail which delineates the southern boundaries of the properties. Both are accessed via driveways framed by brick pillars from John and Charlotte Streets. While the John Street access is relatively wide

(approximately 20m or 66 ft.) the access to the Charlotte Street property consists of a narrow driveway.

The 588 Charlotte Street lot contains a house with a secondary apartment unit; a number of small outbuildings; and a contemporary in-ground pool with modern pool house. The 200 John Street property contains a house; a tea house pavilion; an in-ground pool, a garage with living quarters above; a small structure with a classical portico and the remains of a pergola which is located at the entrance to the railway trail. There are also remnants of a greenhouse which was dismantled and moved to the School of Restoration Arts at Willowbank in Queenston.

Both properties are enclosed with a wall which runs along John Street, Charlotte Street and the railway trail. The property at 200 John Street is also enclosed by the wall that borders John Street and can be accessed from the railway trail through an opening in the wall adjacent to the pergola.

The properties have been recommended for designation under Part IV of the Ontario Heritage Act (OHA). The Notices of Intention to Designate (NOIDs) the properties were published in the local newspaper and served on the owners and the Ontario Heritage Trust (OHT) on August 16, 2018. **(APPENDIX II)** At that time in accordance with the requirements of Section 29(4)(b) a Statement of Significance and a list of heritage attributes were provided to the public, the owner and the OHT. The owner has objected to the designation of these properties and the listed heritage attributes are currently in dispute. This report will provide clarification with respect to the Statements of Significance and the significant attributes of the properties.

Surrounding Land Uses and Heritage Properties

The surrounding land uses are residential and open space. The residential properties consist of single detached dwellings of varying ages and styles as well as townhouses and condominium developments. The Randwood Estate at 144-176 John Street has a commercial and open space designation that permits a hotel, spa, restaurant and conference centre. Immediately to the north are the Commons and Butler's Barracks which are federal lands administered by Parks Canada. These lands, along with Fort George are nationally designated.

There are no designated properties adjacent to the subject properties. The closest property designated under Part IV of the Ontario Heritage Act, is the Randwood Milkhouse and Stables at 9 Weatherstone Court, which was once part of the Randwood Estate (By-law 1971-88) **(APPENDIX I)** which is separated from the proposed subdivision by the cul-de-sac and other properties in the Weatherstone Court development**.**

One (1) adjacent property and three (3) nearby properties are listed on the Town's Municipal Register of Heritage Properties. These are considered to be significant cultural heritage resources but are not designated under the OHA. The adjacent property is 210 John Street. Those nearby are One (1) and Nine (9) Christopher Street and 580 Charlotte Street. The three (3) properties on Charlotte Street and Christopher Street were adopted to the Municipal

Register of Heritage Properties in July 2018 "*in recognition of the brick, concrete and stone walls and related arch and gateway features that define the original extent of the Rand Estate*. "

The properties at 144 and 176 John Street are recommended for designation. The NOIDs were published in the local newspaper and served on the owner on August 16, 2018 **(APPENDIX II).** In accordance with Section 30.(2) of the OHA, Sections 33 and 34 of the OHA apply as if the designation of these properties were final. A heritage permit and the consent of council is required for any alterations that would impact the heritage attributes of the property as set out in the notice of intention to designate and no building or structure on the property can be removed or demolished without the consent of council.

There are several other designated and listed buildings in the surrounding area. However, none are close to the subject properties nor will they be impacted by any proposed development on those properties.

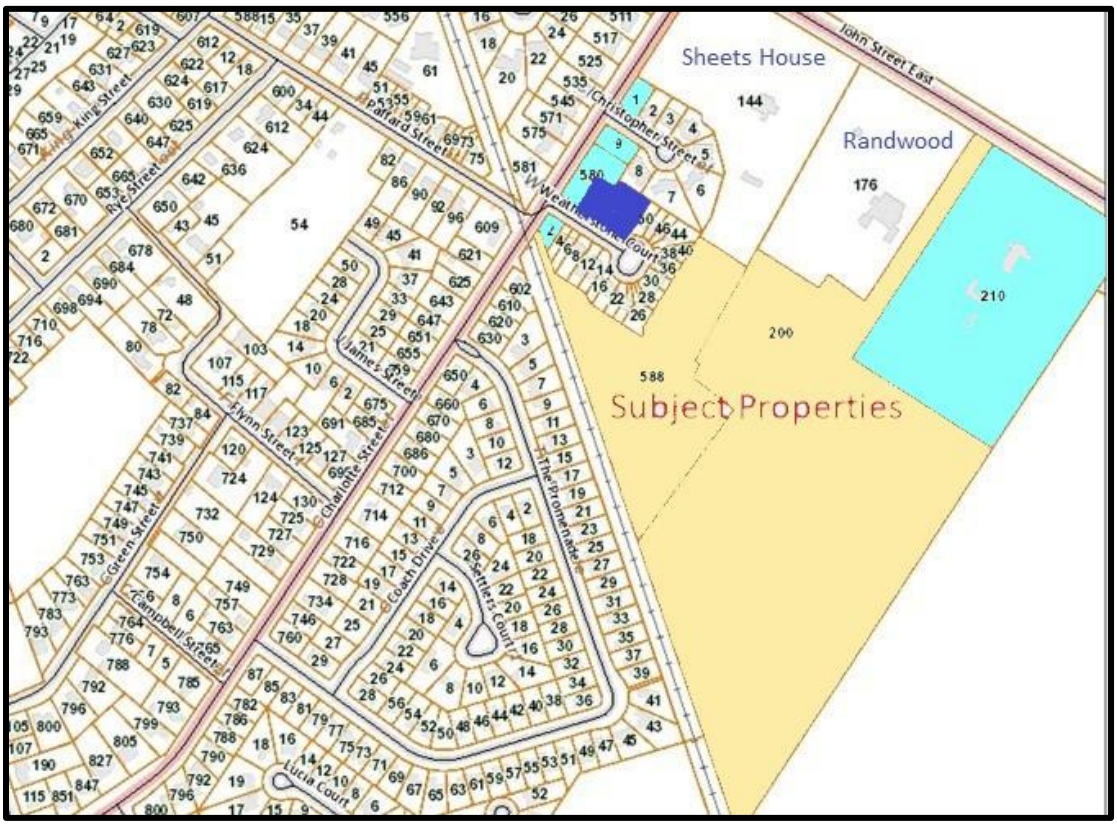


Figure2: Nearby Designated Property at 9 Weatherstone Court and Listed Properties at 210 John Street , 1and 9 Christopher Street and 2 Weatherstone Court

2. Proposal

The proposal is to develop a subdivision on the two (2) properties at 588 Charlotte Street and 200 John Street. The draft plan of subdivision consists of 66 semi-detached homes and 125 single detached homes on approximately 12.34 hectares (30.49 acres) of land. A portion of the property at 200 John Street (Block 162) is located outside of the urban area boundary and will not be developed. Blocks 159, 160 and 161 are provided as parkland and open space totalling 1.06 hectares (2.62 acres). Block 160 contains the tea house, the pool and the surrounding remnants of the Dunington-Grubb landscape. An 11.65m (32,2ft) wide stream and buffer strip is located to the rear of the properties on Weatherstone Court (Block 163) Two blocks are retained as part of the hotel development on 144 and 176 John Street. The existing historic access to the railway trail from the 200 John Street property is retained as a walkway to the trail as is the wall which encloses the properties along the trail and Charlotte Street. The entrance to the subdivision is via the existing entrance to 200 John Street. This entrance is 20.10m (65.9ft.) wide, approximately the same width as the existing driveway. The existing entrance pillars will be retained **(APPENDIX III).** Emergency access to the subdivision is provided via the current driveway access to 588 Charlotte Street.

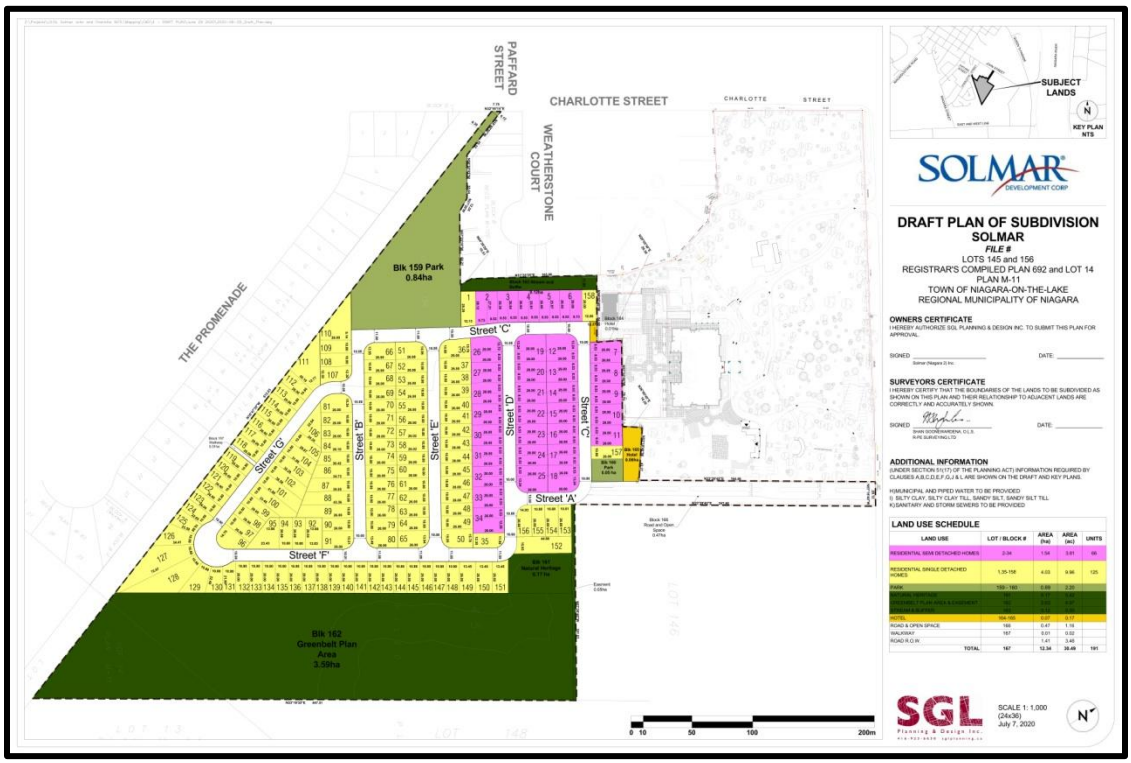


Figure3: 588 Charlotte Street & 200 John Street, Draft Plan of Subdivision (APPENDIX III)

3. Existing Heritage Policy Context

The Planning Act

Part 1 of the Planning Act includes a list of matters of provincial interest. Section 2(d) states that the Minister, the council of a municipality and the Local Planning Appeal Tribunal, in carrying out their responsibilities shall have regard to:

- The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest.

In 2015, an additional clause, Section 2(r), was added. This clause provides for the promotion of built form that is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

Provincial Policy Statement (PPS) - 2020

A new Provincial Policy Statement came into force on May 1, 2020. The following policies cultural heritage policies are relevant and in effect.

> Section 2.6 of the PPS, Cultural Heritage and Archaeology, contains the following policies for both built heritage resources and cultural heritage landscapes.
>
> Policy 2.6.1: *Significant built heritage resources* and *significant cultural landscapes* shall be conserved.
>
> Policy 2.6.2: *Development* and *site alteration* shall not be permitted on lands containing *archaeological resources* or *areas of archaeological potential* unless *significant archaeological resources* have been *conserved*.
>
> Policy 2.6.3: Planning authorities shall not permit *development* and *site alteration* on *adjacent lands* to *protected heritage property* except where the proposed *development* and *site alteration* is evaluated and it has been demonstrated that the *heritage attributes* of the *protected heritage property* will be *conserved*.
>
> Policy 2.6.4: Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.

The PPS provides the following definitions which assist in understanding and applying these cultural heritage and archaeology policies.

Significant means in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining

cultural heritage value or interest are established by the Province under the authority of the OHA.

Criteria for determining significance are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.

Built heritage resource means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on property that may be designated under Parts IV or V of the Ontario Heritage Act (OHA), or that may be included on local, provincial, federal and/or international registers.

Cultural heritage landscape means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the OHA or have been included on federal and/or international registers, and protected through official plan, zoning by-law, or other land use planning mechanisms.

Protected heritage property means a property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the OHA; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for the Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

Adjacent lands mean those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.

Conserved means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Development means creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act.

Site alteration means activities such as grading, excavations and placement of fill that would change the landform and natural vegetative characteristics of a site.

Heritage attributes means the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest and may include the property's built, constructed, or manufactured elements as well as natural landforms, vegetation, water features and visual setting (e.g. significant views or vistas to or from a protected heritage property).

Archaeological resources include artifacts and archaeological sites, marine archaeological sites, as defined under the Ontario Heritage Act. The identification and evaluation of these resources are based on archaeological fieldwork undertaken in accordance with the OHA.

The subject properties at 588 Charlotte Street and 200 John Street are not designated under Part IV of the OHA. However, the NOIDs have been issued. As a result, these properties and those at 144 and 176 John Street are subject to the same heritage permit and demolition control requirements as a designated property. The property at 9 Weatherstone Court, which was once part of the Rand Estate, is designated under Part IV of the OHA **(APPENDIX I)**. The properties at 210 John Street, 1 and 9 Christopher Street, 580 Charlotte Street and 2 Weatherstone Court are listed on the Town's *Municipal Register of Properties of Cultural Heritage Value and Interest.* These properties are considered to be of significant cultural heritage value both for the individual built heritage resources on the sites and their cultural heritage landscape value. There is also a national historic site (the Commons and Fort George) to the north of the subject properties, though it is not adjacent to these properties and is not visible from either 200 John or 588 Charlotte Street. There will be no impacts on the Commons by the proposed subdivision.

Estate Lots Study

In 2018, Bray Heritage completed and *Estate Lots Study* for the Town of Niagara-on-the-Lake. The study divided the Old Town into a number of character areas and provided a description, statement of cultural heritage value and list of heritage attributes for each area. The properties at 588 Charlotte Street and 200 John Street, as well as the other properties noted above are included in the "John Street East Summer Homes Character Area".

The statement of cultural heritage value in the study described the area's significance as coming "f*rom the remaining portions of the two main summer home properties – Randwood and Brunswick Place. These two properties are some of the best examples of the large lot developments that arose in Old Town in the late 19th and early 20th centuries and have historical/associative significance….. The enclosed nature of Randwood, with its high wall and tall trees, gives it a secluded character unlike the other summer home properties but makes it a landmark within a larger landscape adjacent to the Commons and One Mile Creek.*[1]

Specific heritage attributes associated with properties in this area include:
DESIGN/PHYSICAL

- *Large houses on large lots*
- *Brick wall and stone/iron entrance gates*
- *Mature vegetation on large lots*

[1] Carl Bray, *Estates Lot Study, Final Report*, August 2018, p.32-33.

- *One Mile Creek watercourse*
- *Deep front yard setbacks and large front yards with ornamental gardens*
- *Outbuildings to the rear and side*
- *Open gutters and grassed boulevards*
- *Evidence of former uses (railway right-of-way*

HISTORICAL/ASSOCIATIVE

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

CONTEXTUAL

- *Panoramic views across golf course to Lake Ontario and Niagara River*
- *Landmarks (Randwood complex)*

Because of the proximity of significant cultural heritage resources and cultural heritage landscapes and because notices of the intention to designate the subject properties have been served on the owner and the Ontario Heritage Trust and published in the local newspaper, and has been identified in the *Estate Lots Study* as forming part of a significant cultural landscape, a heritage impact assessment is required in accordance with the policies in the PPS. This requirement is affirmed in the Regional and local Official Plan policies.

Growth Plan for the Greater Golden Horseshoe

A new Growth Plan for the Greater Golden Horseshoe came into effect in May 2019. It contains a number of guiding principles including the conservation and promotion of cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.

The Greater Golden Horseshoe contains important cultural heritage resources that contribute to a sense of identity, support a vibrant tourism industry, and attract investment based on cultural amenities. The Growth Plan acknowledges that accommodating growth can put pressure on these resources through development and site alteration and recognizes that it is necessary to plan in a way that protects and maximizes the benefits of these resources in order to make communities unique and attractive places to live.

Policy 4.2.7 states that:

1. Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.
2. Municipalities will work with stakeholders, as well as First Nations and Métis communities, in developing and implementing official plan policies and strategies for the identification, wise use and management of cultural heritage resources.
3. Municipalities are encouraged to prepare archaeological management plans and municipal cultural plans and consider them in their decision-making.

The heritage impacts of the proposed development will be assessed in accordance with Growth Plan policies in the PPS and the Regional and local official plans.

Ontario Heritage Act (OHA)

On June 6, 2019, changes to the OHA were included in the More Homes, More Choice Act, which received royal assent. The new OHA is not yet in force nor have any new regulations been circulated or approved. Until then, the existing legislation and associated regulations are still in effect. The OHA provides policies and regulations for the protection of built heritage resources, cultural landscapes such as heritage conservation districts, and archaeological resources through the process of identifying, listing and designating those resources.

Part IV of the Act deals with:

- Designation of individual properties;
- Alterations that are likely to affect the heritage attributes of those properties as specified in designation by-laws;
- Requests to demolish those properties; and
- Listing designated properties on the Register

Section 27(3) of the Act permits Council to include property on the Register that is not designated under Part IV; but that the municipality believes to be of cultural heritage value or interest and provides a process for inclusion and for public consultation.

Part V of the Act deals with:

- Designation of heritage conservation districts;
- Preparation of heritage conservation district plans and their contents;
- Alterations to any part of the property with the exception of the interior of buildings or structures; and
- Requests to demolish buildings or structures on those properties.

Part VI of the Act deals with:

- Archaeological sites including activities of work on those sites; and
- Licensing of archaeologists.

Regulation 9/06 provides criteria for determining cultural heritage value or interest. Until such time as the new Act comes into effect and new regulations are established Regulation 9/06 is the only tool available for establishing cultural heritage value or interest.

Standards and Guidelines for Conservation of Historic Places in Canada

The *Standards and Guidelines for the Conservation of Historic Places in Canada* were first published in 2003 and updated in 2010. These standards and guidelines, while they have no

legislative authority, are a tool to help users decide how best to conserve historic places, their heritage value and character defining elements. They are used in partnership with statements of the significance of heritage resources, such as designation by-laws. Anyone carrying out an intervention that may impact the heritage values and character defining elements of a heritage resource must be mindful of the impacts on that resource.

The Standards and Guidelines indicate that it is important to know where the heritage value of the historic place lies, along with its condition, evolution over time, and past and current importance to its community.

Planning should consider all factors affecting the future of a historic place, including the needs of the owners and users, community interests, the potential for environmental impacts, available resources and external constraints. The most effective planning and design approach is an integrated one that combines heritage conservation with other planning and project goals, and engages all partners and stakeholders early in the process and throughout. For historic places, the conservation planning process also needs to be flexible to allow for discoveries and for an increased understanding along the way, such as information gained from archaeological investigations or impact assessments.

Any action or process that results in a physical change to the character-defining elements of a historic place must respect and protect its heritage value. A historic place's heritage value and character-defining elements can be identified through formal recognition, such as designation under the OHA and by nomination to the *Canadian Register of Historic Places*. In assessing a proposed alteration to a designated property or any property of cultural heritage value and interest, the 14 *Standards for the Conservation of Historic Places in Canada* will be addressed. The heritage value and character-defining elements of the properties at 588 Charlotte Street and 200 John Street must be conserved. Any physical attributes of the property at 588 Charlotte Street and 200 John Street will be analyzed and assessed for their cultural heritage value and interest and the potential impact of proposed development on these attributes.

Niagara Regional Official Plan

The Niagara Regional Official Plan, Section 10C, contains objectives and policies for the protection of built heritage resources and cultural heritage landscapes and requires a heritage impact assessment where development, site alteration and/or public works projects are proposed on, or adjacent to, a significant built heritage resource or cultural heritage landscape.

Objectives include:

- Supporting the identification and conservation of significant built heritage resources and significant cultural heritage landscapes;
- Recognizing the aesthetic, cultural and economic value of open space and parks;
- Recognizing the importance of quality design; and
- Conserving significant built heritage resources and cultural heritage landscapes within the unique community context of every site.

Policy 10.C.2.1.6 encourages local municipalities to establish cultural heritage landscape policies in their Official Plans and identify significant cultural heritage landscapes for designation in order to conserve groupings of features with heritage attributes that together form a significant type of heritage form, distinctive from that of its constituent elements or parts.

Town of Niagara-on-the-Lake Official Plan

While a new Official Plan was adopted by Niagara-on-the-Lake Council in the summer of 2019, the Plan has not been approved by the Region of Niagara.'

The property at 588 Charlotte Street is designated Low Density Residential. Approximately half of the property at 200 John Street is located within the urban area boundary and is designated Low Density Residential. The remainder of the property outside of the urban area boundary is designated Agricultural and lies within the Greenbelt.

Goals and objectives of the Residential designation include:

- To ensure that new development or redevelopment is appropriately located, is compatible with surrounding land uses, retains to the greatest extent feasible desirable natural features and uses land in an efficient manner;
- To ensure that existing housing and existing residential areas are preserved and improved;
- To encourage infill residential development on vacant or under-utilized parcels of land in residential areas where such development will be compatible with existing uses and contribute to the more efficient use of sewers and water and community facilities; and
- To encourage the development of well designed and visually distinctive forms.

In the Low Density Residential designation the following uses are permitted:

- Low Density Residential uses such as single detached, semi-detached and duplex dwellings.

Secondary Uses;

- Minor open space and community facilities; and
- Medium density residential uses subject to the relevant policies of Section 9 of the Plan and a site specific amendment to the Zoning By-law, provided that the development does not significantly impact on heritage resources or result in the removal or demolition of buildings of historic or architectural significance.

General residential policies include:

- Encouraging the creation of new residential units in developed neighbourhoods through infill, conversion of existing buildings, redevelopment and the provision of accessory apartments within existing developments;
- Minimizing the impact on heritage buildings and resources;

- Being sensitive to the height, scale and architectural design of buildings in the surrounding neighbourhood.

1. Growth Management Policies

The Town will ensure that intensification and redevelopment is consistent with the heritage and character of the Built-up Area. Urban design guidelines for the Built-up Area may be prepared and used as a tool to achieve compatible built form with intensification and redevelopment.

Intensification and/or redevelopment should be consistent with:

- The existing and/or planned built from and heritage of the property and surrounding neighbourhood;
- The existing and/or planned natural heritage areas of the site and within the surrounding neighbourhood; and
- Compatible and integrate with the established character and heritage of the area.
- In circumstances where a proposed development supports the Town's intensification target but does not support the compatibility policies of the Plan, the compatibility policies will prevail.

2. Heritage Conservation

Section 18 of the Niagara-on-the-Lake Official Plan is devoted to objectives and policies for the conservation of cultural heritage resources in the Town.

Goal and Objective 18(2) encourages good contemporary building design by using sympathetic forms while avoiding simply copying historic architecture and restricts building design that is not compatible with existing structures or unsympathetic alterations to buildings that would detract from the character of a heritage resource.

General heritage policies include:

- encouraging the preservation of buildings and sites having historical and/or architectural values;
- designating and regulating heritage resources under appropriate legislation, including the Ontario Heritage Act, the Planning Act and the Municipal Act ;
- exercising legislative authority to control the alteration or demolition of heritage;
- ensuring through by-laws designating individual buildings or districts under the Ontario Heritage Act that no person shall demolish the whole or any part of the designated property or property in a designated area, or alter or make additional to a designated property or property in a designated area, without first receiving a permit issued by Council;
- On the advice of the Municipal Heritage Committee (MHC), regulating and guiding alterations and additions to heritage resources;

- Requesting comments from the MHC for any development within a heritage district, proposed expansion area or where it is believed that a development may impact heritage resources.
- Requiring an archaeological survey as a result of a planning application. This policy can also be found in Section 6, General Development Policies.

Town of Niagara-on-the-Lake Zoning By-law No. 4316-09

The properties 588 Charlotte Street and a portion of the property at 200 John Street are zoned Residential Development (RD) Zone. Only existing uses are permitted. The Zoning By-law notes that this is a development zone that intends the Town intends these lands to be developed for residential purposes at a subsequent date. At that time the appropriate zoning category will be determined through a zoning by-law amendment.

4. Heritage Impact Analysis

Description of Proposed Development and Site Alteration

The proposal is to develop a subdivision on the two (2) properties at 588 Charlotte Street and 200 John Street. The subdivision contains 66 semi-detached residential units located on the north side of the properties adjacent to Weatherstone Court to the west and the proposed hotel development. These units will front on internal roads and will be separated from Weatherstone Court by Block 163, a 11.65m (38ft.) wide stream and buffer approximately 0.12ha (0.30 acres) in size. The remainder of the 125 lots are single detached dwellings fronting on internal streets **(APPENDIX III)**.

Access to the subdivision is via the existing driveway entrance to 200 John Street. As previously indicated, this access is 20.10m (65.9ft.) wide, the approximate width of the existing driveway. An emergency access is provided via the existing driveway entrance to 588 Charlotte Street. This access is 6.12m (20.08ft.) wide and leads into Block 159, an .84ha (2.08 acre) park and low impact storm water retention area. Additional parklands are located at the northeast corner of the subdivision (Block 161). Block 160 contains the tea house, pool and surrounding Dunington-Grubb landscape. The structures and landscaping in this location will remain in situ. Access to the railway trail will be retained via a walkway from street 'G' in approximately the same location as the existing entrance from 200 John Street to the railway trail. Other existing buildings or structures on the property will either be moved to alternate locations in the subdivision or removed at the commencement of construction.

The area to the east of the proposed subdivision (Block 162), which is located outside the urban area boundary, will be retained as open space. The wall surrounding 588 Charlotte Street and 200 John Street and the pillars that delineate the entrances to these properties will also be retained. Two small blocks adjacent to 176 John Street will become part of the proposed hotel development.

Historical Research and Site Analysis

1. History of Old Town

a. Early History

The earliest settlers in the Niagara area were the Mound Builders, Indigenous people who traveled from the Ohio Valley and settled in the Niagara region around 100 AD. Four hundred years later the ancestors of the Six Nations Confederacy replaced them. By 1400, Neutrals occupied the area, relying on fishing, hunting and agriculture to survive. It is from their word, Onighiara, describing the waters flowing between Lakes Erie and Ontario, that Niagara is derived. The Iroquois defeated the Neutrals in the mid 1600's. Later Mississaugas settled on the Canadian bank of the Niagara River.

Etienne Brule was probably the first European to visit the area in 1615. Other French explorers used the Aboriginal portage around Niagara Falls for trade with the west. Beginning with LaSalle in 1679, the French constructed several buildings on the American side of the river to serve as links in the lucrative fur trade. One of these was Fort Niagara, across the river from Niagara-on-the-Lake.

During the Seven Years War the British engaged in military action against the French at Fort Niagara. The provisions of the Treaty of Paris in 1763, gave the British the fort. Sir William Johnson also negotiated a settlement with the Aboriginal population and the British Crown was given a strip of land on both sides of the River.

b. First Settlement

The Town of Niagara was founded as a direct result of the proximity of Fort Niagara on the east bank of the Niagara River, a strategic outpost responsible for provisioning distant garrisons such as Detroit and Michilimackinac. With the arrival of many refugees from the American Revolutionary War, who were housed at Fort Niagara, the situation became desperate. Governor-General Haldimand proposed to settle the Loyalists on the rich agricultural lands on the west bank. When Butler's Rangers was disbanded in 1784, 258 officers and men were assigned land with clear title to be granted after 10 years of satisfactory residence.

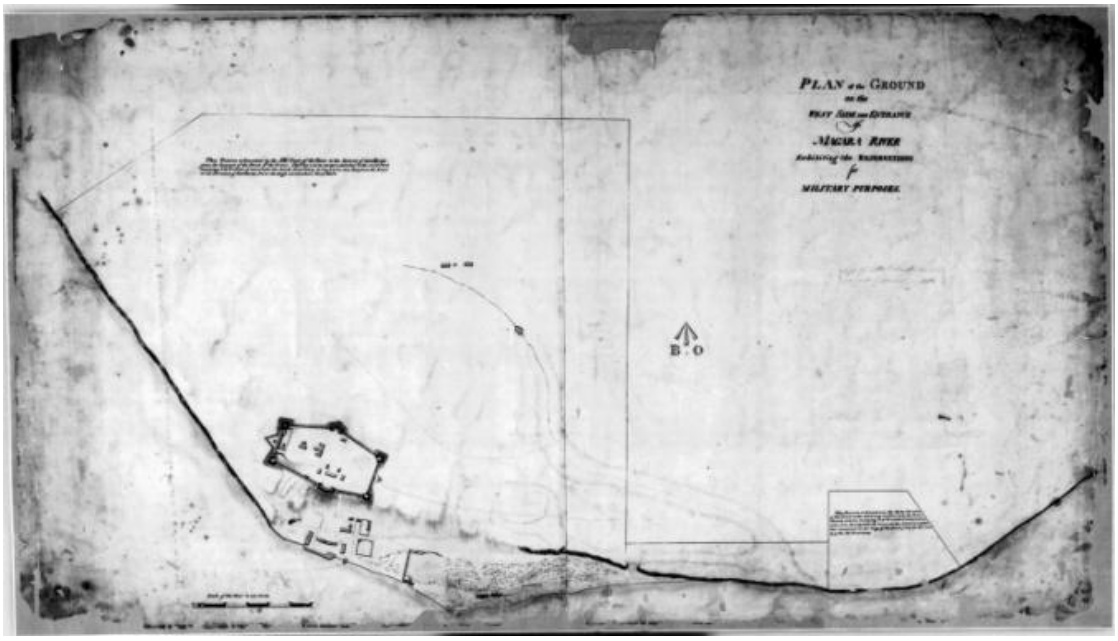


Figure4: Niagara 1796, Brock University Map Library, Historical Maps Exhibit

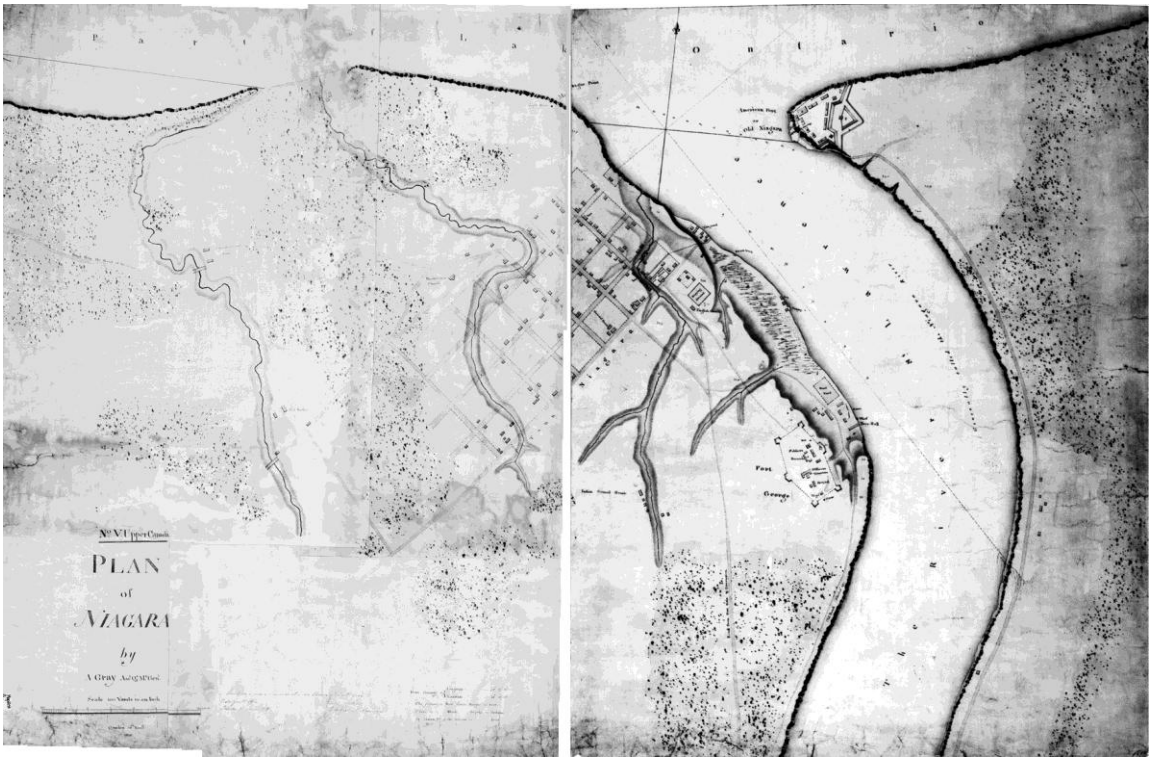


Figure5: Gray Map 1810, Brock University Map Library, Historical Maps of Niagara Exhibit

In 1791, a town plan was devised by Assistant Surveyor General D.W. Smith consisting of a military grid system of four (4) acre blocks divided into one (1) acre lots. Subsequently, the lots between Queen Street and the waterfront were reduced to a half acre. The main streets, now known as Queen, King, Mary, William, Mississsagua and Butler, were laid out to a width of 99 feet with 66 foot wide secondary streets. An area towards the interior was designated as the town centre; but in practice commerce gravitated towards the waterfront with housing along Queen Street.

In 1792, Governor Simcoe chose the Town as the capital of Upper Canada. He named it Newark and set about reorganizing the territory for more efficient government. The former administrative districts were divided into counties and then into townships where lot plans were made ready for settlement.

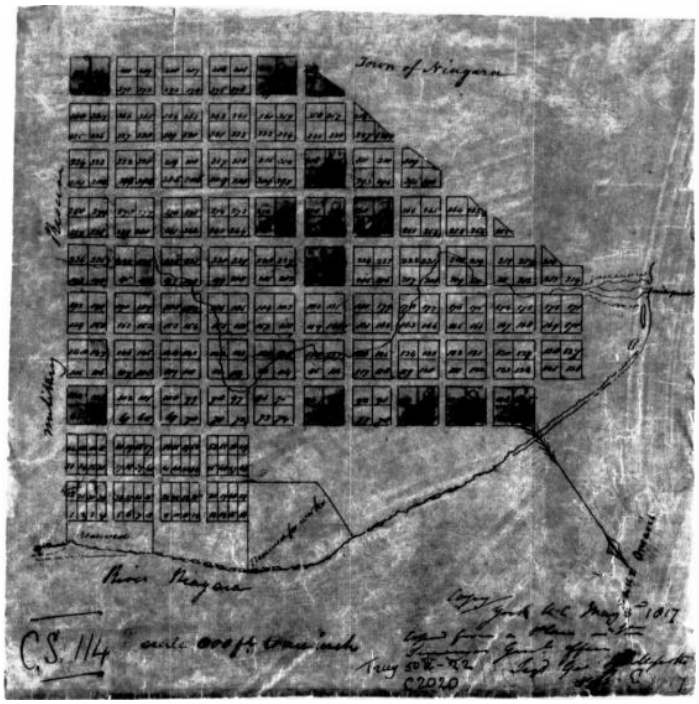


Figure 6: Niagara, 1817, Brock University Map Library, Historical Maps Exhibit

The arrival of government officials and military personnel encouraged the establishment of businesses to supply their needs. Workmen skilled in the building trades were attracted to Newark, some from as far away as Lower Canada. The settlers brought with them their vision of what a proper house should look like and many fine houses were erected during this period. In 1794, D.W. Smith reported there were about 150 houses in the Town. At that point, the original Town plot was enlarged to a plan of 412 lots including reserves.

Construction of Fort George began in 1796; but for reasons of security the capital was moved to York in 1797. Newark reverted to the role of county seat and the inhabitants applied to the legislature for their old name back. Niagara remained the legal name of the Town until Regional government was established in 1970.

c. War of 1812-1814 and Aftermath

The War of 1812 – 1814 brought a halt to the Town's growth. American forces occupied the Town on May 27, 1813 and on December 10, 1813, before retreating across the Niagara River, put the Town of Niagara to the torch destroying virtually all the buildings and severely damaging others.

The form of Niagara-on-the-Lake as it is today is largely the result of the reorganization which took place during the reconstruction. Except for those enterprises directly connected with shipping, businesses tended to concentrate along Queen Street. Returning residents built their

houses mainly between Queen Street and the waterfront and up King Street to the new Court House, which had been built, for safety's sake, at the upper end of the street.

The first streets to be rebuilt were Prideaux, Front, Queen and Johnson running east-west, and the cross streets from King to Mississagua. A four (4) acre block south of Queen Street owned by D.W. Smith was sold back to the Crown and designated as a market square. In order to compensate for lands expropriated to build Fort Mississauga, a new survey was opened up east of King Street in 1826. Although the streets were a continuation of those in existence to the west, new names were assigned. Prideaux east of King Street became Byron Street, Queen became Picton Street and Johnson became Platoff Street.

d. The Niagara Harbour and Dock Company and the Welland Canal

The evolution of the Town from the end of the War of 1812 -1814 onwards was affected by periods of boom and recession, with an attendant rise and fall in building construction.

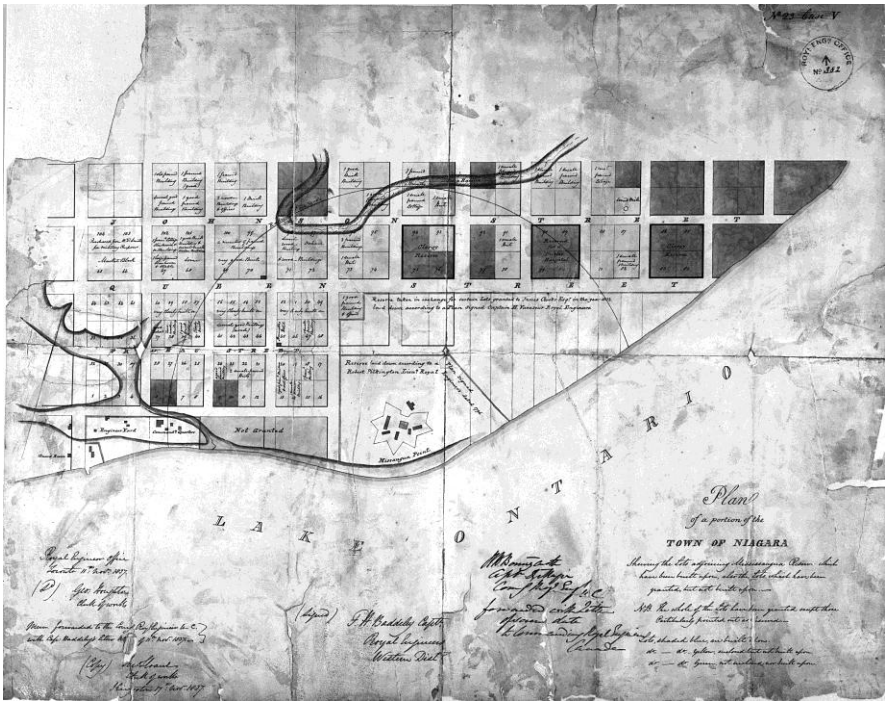


Figure7: Niagara, 1837, Brock University Map Library, Historical Maps of Niagara Exhibit

Initially there was a period of rapid growth and commercial success, mainly because of Niagara's location at the end of Lake Ontario and the head of the portage route around Niagara Falls. It was also the government headquarters for the Niagara District for most of this period. Enterprises such as the Niagara Harbour and Dock Company, founded in 1831, provided many jobs and the increase in population led to new building construction.

In 1829 the first Welland Ship Canal was completed, replacing the overland portage route that was vital to the economy of Niagara. Despite this setback, the Town embarked on an era of

economic diversification between 1830 and 1850. The Niagara Harbour and Dock Company, established in 1831, built sailing vessels, steamboats, docks and warehouses around the new harbour. Industry followed, including a tannery and a brewery. Fine commercial buildings were also constructed along Queen Street at this time.

This period of prosperity ended with the construction of the second Welland Canal in the mid 1840's and the ultimate failure of the Niagara Harbour and Dock Company. The situation was compounded when the county seat was relocated from Niagara to St. Catharines, despite the construction of the third Court House in 1847, designed by the eminent Anglo-Canadian architect, William Thomas. As a result, the population of the Town declined steadily throughout the second half of the nineteenth century.

e. African-Canadian Settlement

Although the Loyalist settlers in Niagara brought their slaves with them from the United States, slavery never took permanent root in Upper Canada. On July 9, 1793, Canada's first and only anti-slavery act was given royal assent by Governor John Graves Simcoe, fully 40 years before the British parliament abolished slavery throughout the Empire.

The Act to prevent the future introduction of slaves and to limit the terms of contracts for servitude within the province was a compromise in that it provided for freedom for future generations of slaves and effectively ended slavery in Canada.

From the beginning, Niagara was the end of an Underground Railroad system and many escaped slaves who successfully made the perilous trip settled in the Town. By 1850 there was a significant African-Canadian community located predominantly near the Negro Burial Ground in an area bounded by Mary, Mississagua, Anne and King Streets. Some of the remaining smaller, older homes in this area may have been owned by African-Canadian families though all of their descendants have since moved away.

f. Summer Visitors

The survival of both the lake steamer service and the railroad line, and the construction of a network of electric railways across the peninsula laid the foundation for the revival of Niagara as an important resort area in the late nineteenth century. Though it was off the beaten path, the area was known for its fresh air, moderate climate and waterfront location. Wealthy American visitors came to stay for long summer vacations resulting in the enlargement of some of the older homes to accommodate extended families and servants. Large new summer residences were also constructed with balconies, verandahs, widows' walks and large airy rooms. A religious camp grew up in the Chautauqua area resulting in the construction of a hotel; an amphitheatre seating several thousand people; and a number of summer cottages of a distinctly picturesque Victorian design. When the Chautauqua Institute ceased to exist, the ensuing development took on a unique street design resembling the spokes of a wheel around a central circle, the remains of the amphitheatre.

The Queen's Royal Niagara Hotel was constructed in what is now Queen's Royal Park. It accommodated such distinguished visitors as the Duke and Duchess of York, the future King George V and Queen Mary. Tennis courts, a lawn bowling green and a pavilion for parties and dances attested to the popularity of Niagara as a summer resort.

g. The Twentieth Century

Throughout the twentieth century, tender fruit farming and tourism have been the basis of the local economy. In 1902, Niagara unofficially became Niagara-on-the-Lake. The title was made official with the introduction of Regional government in 1970.

In the mid 1970's, encouraged by the special climate of Niagara, Inniskillin winery began to plant vinefera vines and was producing wine from those grapes by the early 1980's. The switch to vinefera grapes resulted in a burgeoning wine industry that has seen tremendous growth and has resulted in the creation of a number of estate wineries in Niagara-on-the-Lake, many of which have introduced interesting and challenging modern architectural styles to the residents of the Town. These are becoming increasingly celebrated in Canada and around the world.

Cultural institutions such as the Niagara Historical Society Museum have always been important for Niagara-on-the-Lake's development. The founding of the Shaw Festival, the 1960's also saw growth of cultural institutions such as the Niagara Pumphouse Arts Centre. The festival has since grown to encompass three theatres; is open from April until November; and attracts over 300,000 patrons each year.

Tourism grew throughout the second half of the twentieth century and continues to grow in the twenty-first. The popularity of Queen Street and adjacent side streets as a visitor oriented shopping and dining area is confirmed by the crowds that flock there throughout the year.

2. History of Rand Estate

a. The Dickson Family

The property known the Rand Estate, which once constituted the properties at 144-176 John Street, 588 Charlotte Street, 200 John Street and the developments on Weatherstone and Christopher Courts, was part of the 160 acre land grant the Honourable Peter Russell received from the Crown in 1796. Russell was Simcoe's successor as Administrator for Upper Canada and President of the Executive Council.

A plan of Russell's house drawn by Robert Pilkington of the Royal Engineers shows a two (2) storey residence about 21m (70ft.) in length with various outbuildings and an orchard. The road from Fort George runs in front of the house. Joy Ormsby, in her first draft of the Niagara Institute Background History, speculates that the oldest part of the Randwood basement may be the remains of Russell's house or that of its second owner, William Dickson.[3]

[3] Joy Ormsby, Niagara Institute Property Background History, First Draft, May 1989

Russell sold the 160 acres to William Dickson in 1798, when, in his position as the Administrator for Upper Canada, he was obliged to relocate because the capital was moved from Niagara to York (Toronto) for reasons of security.

William Dickson, a native of Dumfries Scotland, arrived in Canada in 1784, at the age of 16 to work for his cousin Robert Hamilton of Queenston. He settled in Niagara about 1787 and, as a prominent merchant of the Town, he was there to welcome Lieutenant Governor Simcoe in 1792. He practised law and became a member of the Legislative Council. After the war of 1812-1814 he became increasingly interested in developing his land along the Grand River. He moved to Galt in 1827; but he and members of his family owned parts of the John Street property until 1873.

Drawings of William Dickson's two (2) houses are illustrated in Marion Macrae and Anthony Adamson's The Ancestral Roof[4], Peter Stoke's book Old Niagara-on-the-Lake[5] and Harold Kalman's book A History of Canadian Architecture, Volume 1[6]. Both houses were destroyed in December 1813 when the Town was burned by retreating American troops. In The Capital Years: Niagara-on-the-Lake 1782-1796 the authors indicate that the two storey Georgian brick house, the first brick house built in Upper Canada, c.1794, was built on King Street for Dickson's bride, Charlotte Adlam. [7] If this is the case, then this is not the house that was located on the Rand Estate property. A second house, built c.1810 in the fashionable Regency style, may be the house that was located on the John Street property. Watercolour drawings of both homes were included in Dickson's war claims application.

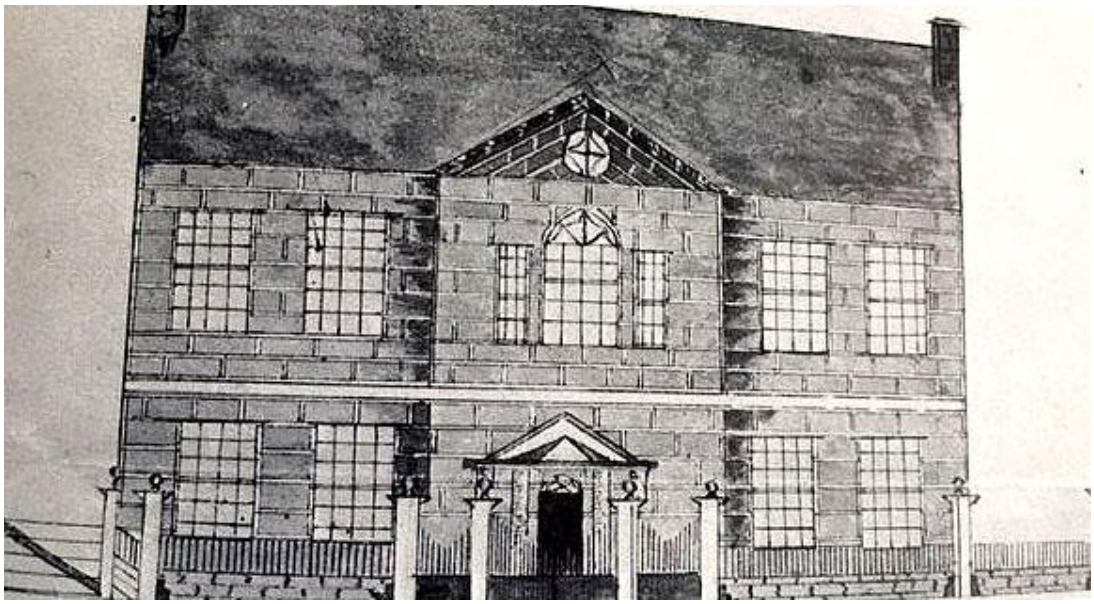


Figure8: William Dickson House, c.1794, Library and Archives Canada

[4] Marion Macrae and Anthony Adamson, *The Ancestral Roof, Domestic Architecture of Upper Canada*, 1967, p.12, fig.*4*
[5] Peter Stokes, (*Old Niagara-on-the-Lake) 1971, p.10*
[6] Harold Kalman, (*A History of Canadian Architecture, Vol.1),* 1994, p.152
[7] Nancy Butler, Richard D. Merritt, Michael Power, The Capital Years, Dundurn Press, 1996, p.35

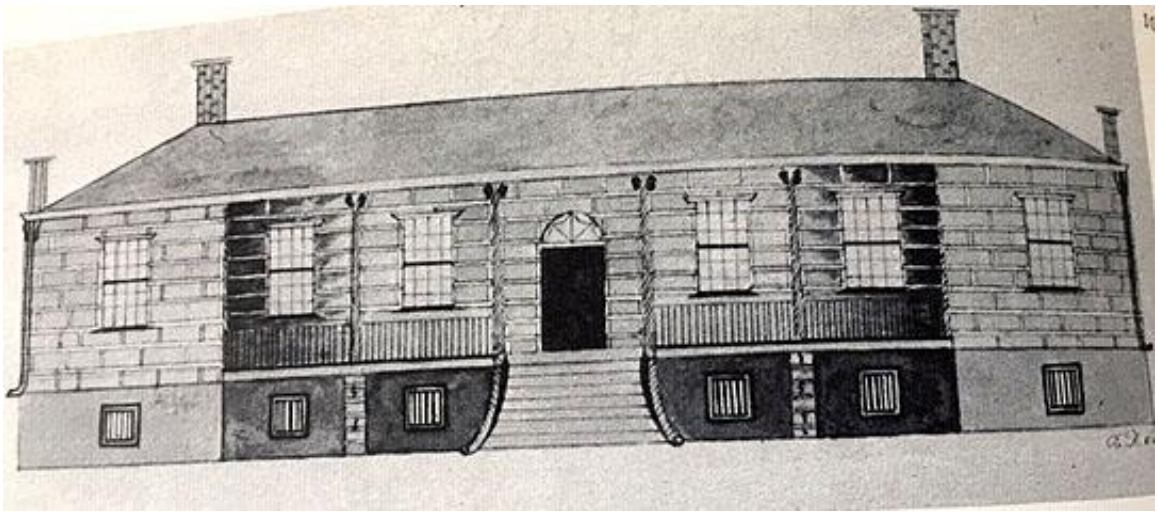


Figure9: William Dickson House, c.1810, Library and Archives Canada

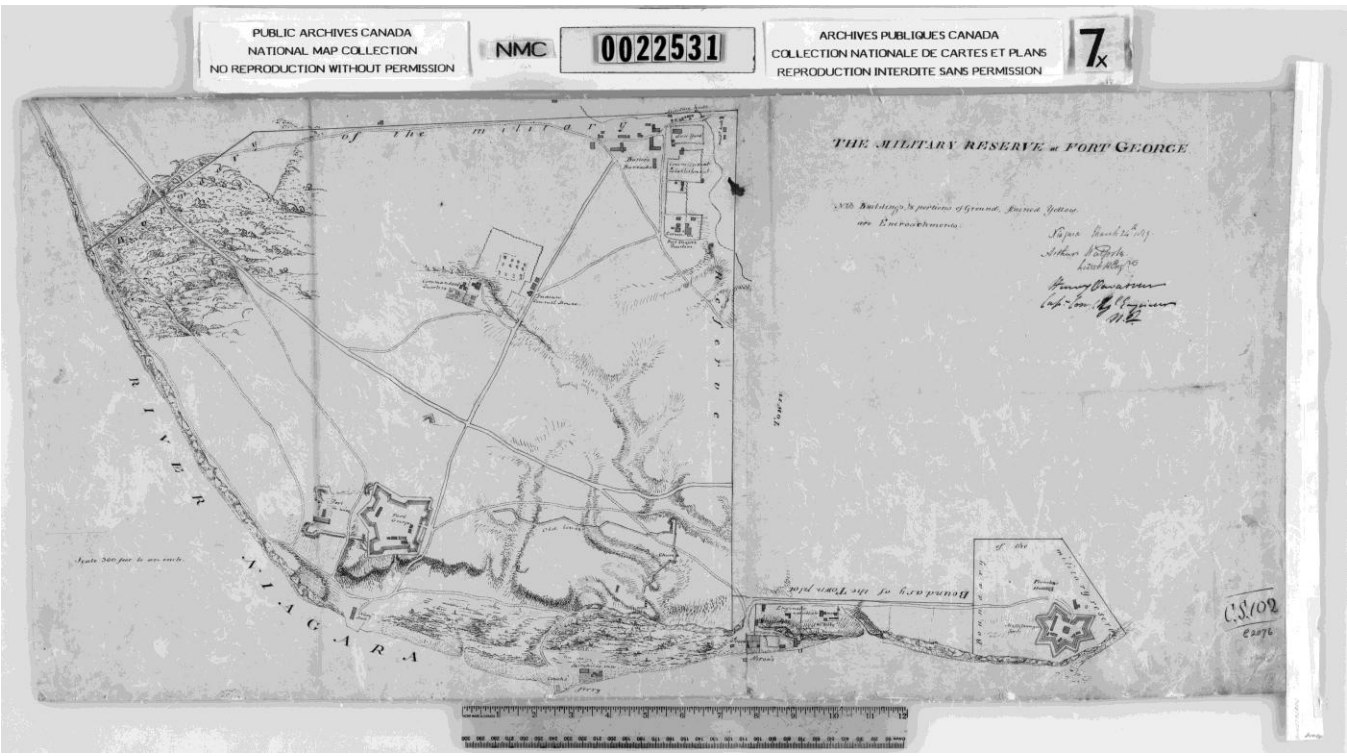


Figure 10: Walpole-Vavasour Plan, 1819: Maps, Data, GIS Library, Brock University

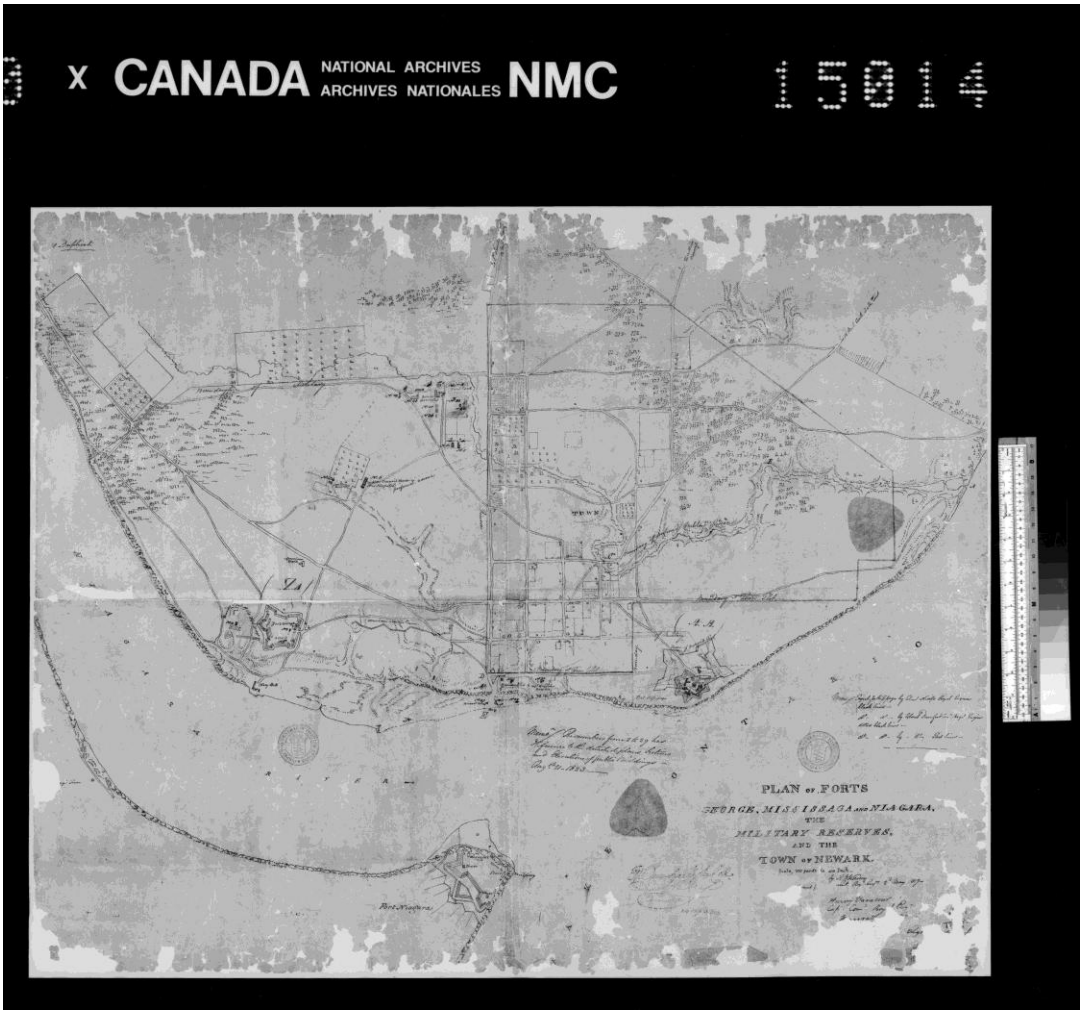


Figure11: Willson Plan, 1823: Maps, Data, GIS Library, Brock University

Two plans, the Willson Plan of 1823 and the Walpole-Vavasour Plan of 1819, show buildings on the Dickson property. This may indicate that another house and outbuildings were constructed on the property in the period after the War of 1812-1814. It is not possible to identify the purpose of these buildings, some of which may be encompassed in existing buildings on the site, such as Randwood and the Coach House.

By the 1830's William Dickson had disposed of most of his farm. In 1827 he gave each of his two eldest sons, Robert and William, a 10 acre block. William's block with 161m (528ft) of frontage on John Street was called Brunswick Place while Robert's block, with 163m (535ft.) of frontage was called the Dickson Homestead and later renamed Woodlawn. William moved to Galt in 1829 and sold Brunswick Place to Captain Melville of the Niagara Harbour and Dock Company. However, Robert and his younger brother Walter continued to add to their property. Chewett's Plan of 1831 shows Captain Melville, Robert Dickson and Walter Dickson as owners of the frontage across from the Military Reserve along what is now John Street.

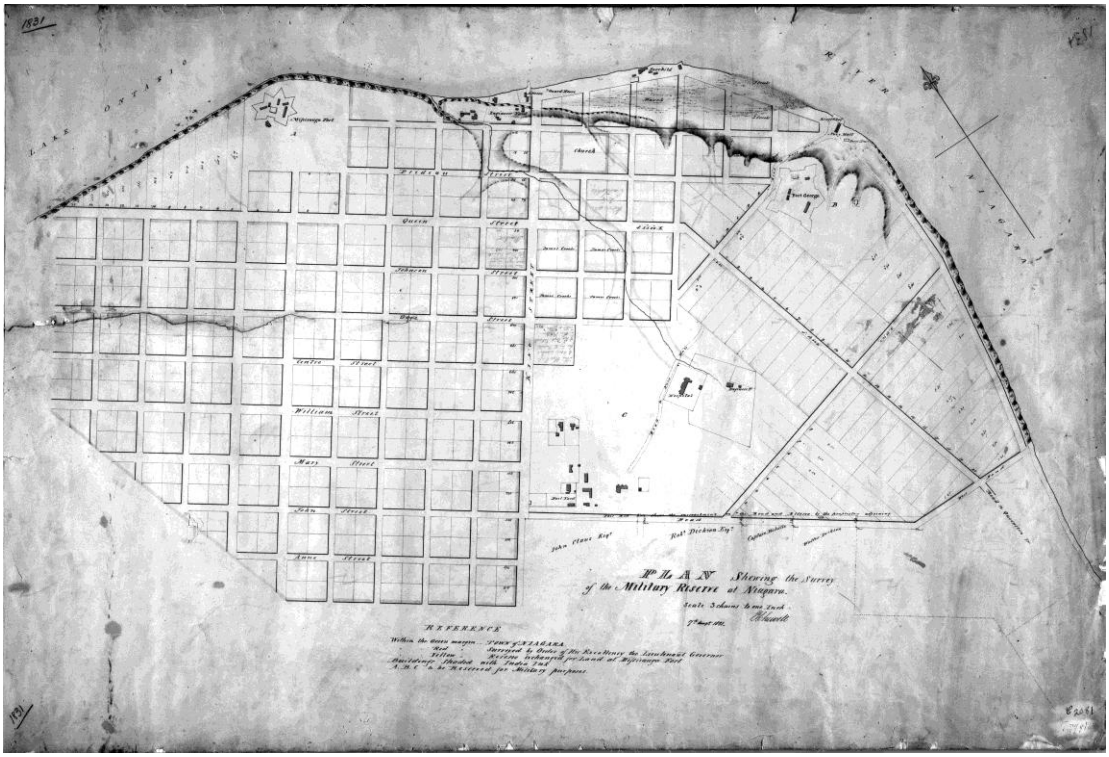


Figure12: Chewett's Plan, 1831: Maps, Data, GIS Library, Brock University

Robert Dickson was a lawyer, member of the Legislative Council and a Director of the Niagara Harbour and Dock Company. He built the house known as Woodlawn in 1822-1823. Because Robert's son died in infancy, he left his residence and lands to his wife Jane and, after her death, to his nephew William Dickson, son of Walter Dickson, owner of the neighbouring property called Rowanwood. Jane lived in the house until her death. William lived there briefly; but died in the mid-1860's. His father, Walter, who was a member of the Legislative Council and a Senator after Confederation, sold Rowanwood to Carol Robertson in 1866 and bought Woodlawn. He was the last Dickson to own the John Street properties.

b. The Lansing Family

Walter Dickson sold the 19 hectare (47 acre) property known as Woodlawn to General Henry Livingston Lansing in 1873. Lansing was an American, born in Rome, New York in 1818. Lansing was a business man and banker. He married Catherine Gibson, daughter of a wealthy banker. The couple moved to Buffalo in 1849 and had five (5) children. Lansing bought the property as a summer residence; but he and his family fell in love with the Town and two (2) of his sons, Livingston and Watts Sherman, eventually settled permanently in Niagara and are buried at St. Mark's Anglican Church cemetery. Livingston acquired Woodlawn when his father died. It may have been Henry Lansing who made the first changes to Randwood with the addition of a third storey. However, the major changes to the building and the property occurred under the auspices of George Rand I and other members of the Rand family.

Livingston Lansing sold Woodlawn to his niece, Catherine Macdonald, in 1905. George Rand I, a prominent American banker and philanthropist, bought 19 acres and the house from Catherine

in 1910. In 1919 he acquired Rowanwood from Benjamin Greening who had purchased it from the Lewis family, reuniting the two (2) properties for the first time since the 1860's. He renamed the estate Randwood.

c. The Rand Family

It was George Rand I and his son, George Rand II, who had the lasting visual impact on the cultural heritage landscape of the Rand Estate, which included, at that time, the core of the estate at 144-176 John Street as well as the properties at 200 John Street and 588 Charlotte Street and the Christopher and Weatherstone Court developments. He was responsible for the landscaping and major additions to the house, which he renamed Randwood. At the time of the purchase of Rowanwood in 1919, newspaper stories indicate that he had ordered a considerable amount of stone for making driveways and had plans to build cottages, a barn and other structures on Charlotte Street.

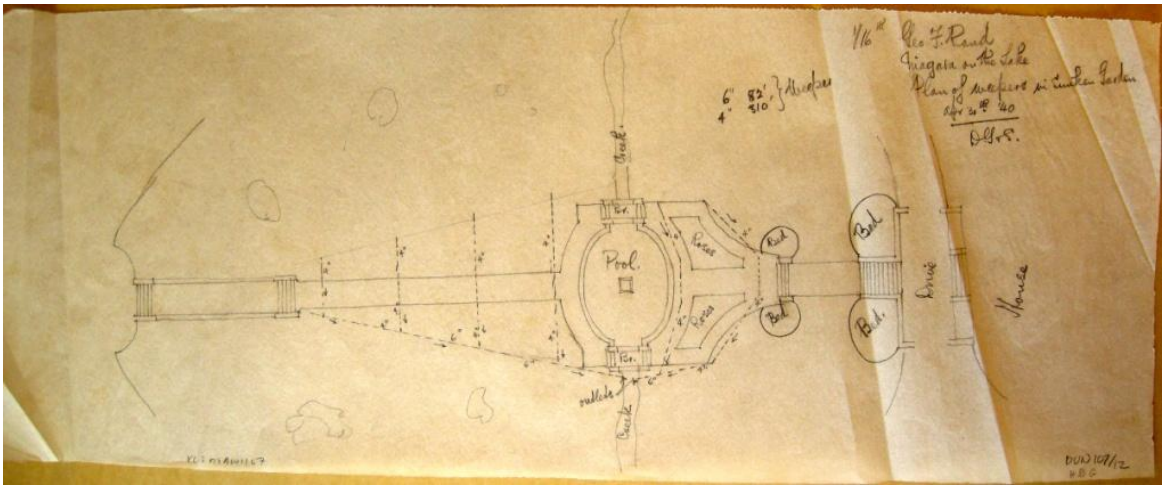


Figure13: School of Landscape Architecture Archives, University of Guelph

George Rand I met an untimely death in a plane crash in 1919. His eldest son, George Rand II, was Vice-president of Marine Midland Bank and founder of the Rand Capital Corporation. He inherited the estate and was appointed legal guardian to the other three (3) surviving children, who were minors. Rand continued to renovate and add to the property. Rowanwood was demolished. A prominent family of local masons, William, John and James Elliott worked on the brick, concrete and stone walls that define the original extent of the Rand Estate and are a distinctive feature of the John and Charlotte Street streetscape, although work on the wall may have begun as early as 1880 when the Lansings owned the property.

Figure14: Charlotte Street Wall Looking North

Figure 15: Rebuilt Entrance Pillar, Christopher Street

Figure 16: Stone Entrance Arch, 580 Charlotte Street

Figure17: Stone Entrance Arch and Gatehouse, 580 Charlotte Street

Figure18: 9 Weatherstone Court

Figure19: 9 Weatherstone Court

Mr. Rand also constructed stables and a cow barn and other farm related buildings on the property that is now 588 Charlotte Street. He engaged the prominent firm of Dunington-Grubb landscape architects to develop a landscape plan in the late 1920's, a portion of which remains

today on both the property at 144-176 John Street and at 200 John Street, including the formal vista from the entrance gates on John Street terminating in the building known as Randwood and the tea house and surrounding formal plantings on 200 John Street which were designed and built c.1928. There was also a milkhouse on the property at 9 Weatherstone Court and a formal gatehouse and stone entrance arch on Charlotte Street.

In 1922, Evelyn Rand, one of George Rand I's children, married Colonel Henry Sheets. As a wedding gift her brother built a new house on the property now known as the Sheets or Devonian House. This charming frame house was constructed as a summer residence in the Colonial Revival style and was accessed by a separate entrance from John Street.

Figure 20: Sheets (Devonian House)

Calvin Rand, son of George Rand II was born in Buffalo in 1929. He died in 2017. He studied philosophy at Columbia University after receiving a degree at Princeton University. He was a professor of Philosophy at the University of Buffalo form many years. Rand was a founder of the Niagara Institute for International Studies. Along with Brian Doherty, he was instrumental in the creation of the Shaw Festival. He continued to use the house during the summer and settled permanently at Randwood with his family from 1961 – 1964. In 1971 he leased Randwood to the Niagara Institute for seminar use in the fall, winter and spring, returning to the house during the summer. During this period he renovated the guest house located at 200 John Street and used it as his summer home.

d. The Niagara Institute and Devonian Foundation

The 5.26 hectares (13 acres) containing Randwood and the Sheets House was sold to the Devonian Foundation in 1971, and continued to house the Niagara Institute. The Foundation sold the property to William and Carol Fox in 1993, who renovated the Sheets (Devonian) House and the Coach House. Randwood was doubled in size with the addition of a solarium, music room, second kitchen and classrooms and offices. The tower was also enclosed. During

this period the property was used by the School of Philosophy with classes being held in the renovated building. The Foxes then sold to the Petersons who intended to turn the property into a hotel, spa and arts centre.

e. 200 John Street and 588 Charlotte Street

Commencing in the 1940's when the area that is now Christopher and Weatherstone Courts was conveyed by Evelyn Rand portions of the property along Charlotte Street were severed from the Rand Estate. In the 1950's Colonel Henry Sheets sold the milk house, stables and gatehouse to the Laidlaw family. The Laidlaws in turn sold the property in the late 1950's when it was converted to the Randwood Apartments. The property at 200 John Street was severed in 1971 by Calvin Rand. It is the site of the guest house, destroyed by fire and rebuilt as a summer residence; the garage; tea pavilion and pool; and the bath house. The property at 588 Charlotte Street, site of the stables and other farm buildings, which were renovated as a home by Henry Sheets Junior in 1956, was sold to in 1980 to Robert Dingman and Marnie Collins. In the 1970's Henry Sheets Junior severed 6.45 acres and the land was sold and developed as Weatherstone and Christopher Courts. The original milkhouse and stables is located on Weatherstone Court.

3. Site Analysis

a. 200 John Street

The property at 200 John Street is an irregularly shaped lot accessed by a long gravel driveway located within an 18m (60ft.) right-of-way. ***(Figure 21)*** It was once part of the remnants of the Rand Estate, including 144 and 176 John Street, and was severed from the property when Calvin Rand sold the estate to the Devonian Foundation in 1971. The majority of the property is located immediately behind the Rand Estate and is screened from that property by a natural fence of trees and hedges. The property contains the Rand Estate garage or carriage house with a second floor apartment; a reconstructed one storey guest house; the pool with its related tea house and a small temple-like structure set apart from the pool. The original purpose of this building is not clear though the interior was reconfigured to accommodate visitors at some point and now contains a bathroom and rudimentary kitchen. A Lord and Burnham greenhouse located on this property behind the summer residence has since been dismantled and donated to the School of Restoration Arts at Willowbank.

At the rear of the property is the stone wall which borders both the estate and the railway trail. The entrance accessing the railway line and the gazebo where the family would wait for the train is located in this area. Unfortunately, this gate was removed by a member of the Rand family shortly after the new owner purchased the property.

Because of the secluded nature of the lot, surrounded by high brick and concrete walls and the location of the buildings on the site, none of the structures on the property are visible from a public street or the railway trail, with the exception of the gazebo which can be glimpsed through the undergrowth.

Figure 21: Entrance to 200 John Street from John Street

Figure22: Entrance Gate to 200 John Street from Railway Trail

Figure23: Tea House, 200 John Street

Figure24: Pergola at Rear of 200 John Street

b. 588 Charlotte Street

The property at 588 Charlotte Street was part of the Rand Estate severed from the property in the 1950's when Henry Sheets Junior converted the stables and cow barn for domestic use. It is an irregularly shaped lot accessed by a long, narrow gravel driveway from Charlotte Street and contains a one storey stable or barn which once housed either Evelyn Sheets' horses or Calvin Rand Senior's prize cattle. The house includes a self-contained apartment that cannot

be accessed from the main living space. The building is a rambling generally u-shaped structure of the same general design as other outbuildings such as the garage at 200 John Street. The building has a series gables and a small original cupola and is clad in stucco. Some of the doors have diamond paned lights similar to those on the garage at 200 John Street. The building is generally in good repair, though it was extensively renovated by both the Sheets family and the Dingmans. There are also a number of small outbuildings surrounding the converted stable whose original purpose is not clear, though they were obviously related to the farming activities undertaken by the Rand family; and a pool which was constructed at a later date. In front of the house is a large lawn with a linear hedge and a modern wooden gazebo.

Figure25: Outbuilding at 588 Charlotte Street

The property is bordered on the east by Weatherstone Court, which was also part of the estate at one time. The Court is the site of a designated property, the former dairy and milkhouse for the estate. To the south, the lot is bordered by the stone wall adjacent to the railway trail. As with 200 John Street, the secluded nature of this property conceals the structures which cannot be viewed from a public street or the railway trail and are difficult to see from either 144 or 176 John Street.

There are no clearly discernible designed landscape features on the site with the exception of the stone wall that runs behind the property bordering the railway trail. The wall in this area appears to be in poor condition with gaps where it has collapsed and areas replaced by wooden fencing.

4. Adjacent Properties Designated Under Part IV of the OHA and/or Listed on the Register of Cultural Heritage Value and Interest

a. The Randwood Milkhouse and Stables – 9 Weatherstone Court, By-law 1971-88

Figure26: Milkhouse and Stables, Weatherstone Court

The Milkhouse and Stables are not adjacent to the Rand Estate as it exists today. They are close to the property known as 588 Charlotte Street. The property is designated under Part IV of the OHA for the eclectic shingle style of the building and that it typifies the type of model farm buildings designed to accompany an early 20th century estate. Unique features include the conical silo and the decorative stone walls, deep eaves and diamond paned windows. The building was heavily renovated when it was converted to a dwelling.

The property is also designated for its association with the prominent local citizens Peter Russell and William Dickson, although neither of them had anything to do with the construction of the building, and for connections with the Lansing and Rand families of New York. The designation applies to the entire exterior of the structure only. This is a relatively early designation by-law (1971-88) which should be revisited in light of the 2005 amendments to the OHA and the approval of Regulation 9/06 **(APPENDIX I).**

b. Brunswick Place – 210 John Street

The property at 210 John Street is not designated under Part IV of the OHA. It is listed on the Register of Properties of Cultural Heritage Value and Interest and is worthy of designation as a significant estate lot with connections to a number of prominent citizens of Niagara-on-the-Lake.

Figure27: Brunswick Place, 510 John Street, West Elevation

In 1798 William Dickson bought 160 acres fronting on John Street from Peter Russell. The site of Brunswick Place was given to his second son, William. William sold the 10 acres of land to Robert Melville, an officer at Fort George who became the first manager of the Niagara Harbour and Dock Company.

In 1830, Melville built this three-bay, two story brick house with center hall and called it Brunswick Place. Other pre-1900 owners included Robert George Dickson, William's grandson, who renamed the estate Pinehurst because it contained 200 pine trees planted by Melville, and Buffalo barrister Herbert Bissell. Twentieth-century owners Charles and Harriet Grenier (1902-22) and Edward H. and Ruth Abbott Letchworth (1928-65) refurbished and extended Melville's home. From the 1930's through the 1950's, the Rands and the Letchworths made their part of John Street a centre of the summer scene in Niagara

The red brick house sits behind an elaborate white picket fence and is centred on an extensive well- landscaped estate lot. It is separated from the Rand Estate by the laneway into the property at 200 John Street. The building has a hip roof, prominent corner chimneys and Neo-classical details such as the portico with Tuscan columns and the entrance doorway with its elliptical fanlight and sidelights. A conservatory on the west side of the building was constructed at a later date.

c. 1 Christopher Street, 9 Christopher Street, 580 Charlotte Street and 2 Weatherstone Court

The properties at 1 and 9 Christopher Street and 588 Charlotte Street and 2 Weatherstone Court were added to the Register of Properties of Cultural Heritage Value and Interest in 2018 *"in recognition of the brick, concrete and stone walls and related arch and gateway features that defined the original extent of the Rand Estate"*.

Figure28: Gatehouse and Archway, Charlotte Street

Figure29: Wall at Christopher Street and Rebuilt Pillar

T

Figure 30: Stone and Concrete Wall along Charlotte Street Looking North

The wall, arch, gatehouse and gateway are significant cultural heritage resources related to the Rand Estate before it was partitioned. They help to define and delineate the full extent and impact of the Rand Estate as it existed in the first half of the 20th century and are clearly visible from the street. They are an important component of the cultural heritage landscape of the Rand Estate in its heyday and, taken as a whole, are important remnants of the period when wealthy summer visitors to the Town built commodious homes on large estate lots or converted old ones and stayed for the whole season.

d. The Commons (Fort George Military Reserve)

Figure31: Commons - View from John Street

The Commons is located directly across John Street from the Rand Estate and the laneway accessing the 200 John Street property. The approximately 115 hectares (285 acres) that constitute what remains of the original 444 acres is designated as a national historic site and is protected and managed by Parks Canada. It comprises a number of national historic sites within it including Fort George, Navy Hall and Butler's Barracks, the Officers' Quarters and the archaeological remains of the Indian Council House.[8]

This land is viewed by many residents as a public park and maintenance of the site as open space is passionately supported by many of the residents of the Town. While it has been considerably reduced in size over the years it is still an important green space and has been the site of many events and assemblies such as the Scout Jamboree, military encampments, parades and more recently, concerts. Views into and out of the commons are part of its significance as a heritage resource and a cultural heritage landscape. Possible impacts on this resource require evaluation.

[8] Richard D. Merritt, *On Common Ground, The Ongoing Story of the Commons in Niagara-on-the-Lake*, Introduction

5. Identification and Significance and Heritage Attributes of Properties

At the request of the Town of Niagara-on-the-Lake, the property owner was asked to undertake a Regulation 9/06 analysis of the properties at 144, 176 and 200 John Street and 588 Charlotte Street and to determine which features on each property are significant heritage attributes that should not be altered without Council's consent. This analysis was undertaken in May of 2018. Since that time, the Town of Niagara-on-the-Lake proceeded to serve the Notice of Intention to Designate these properties on the owner and the Ontario Heritage Trust and to publish the Notices in the local newspaper. The notices included a Statement of Significance and a list of heritage attributes.

This heritage impact assessment includes the Regulation 9/06 analysis undertaken by the owner for 200 John Street and 588 Charlotte Street with additional comments as they relate to the list of heritage attributes determined by the Town's staff, heritage committee and consultants.

1. Criteria for determining Cultural Heritage Value or Interest

Section 1(2) of Ontario Regulation 9/06 provides criteria as follows for the purposes of determining cultural heritage value or interest. A property may be designated if it meets one or more of the criteria listed in the Regulation.

Design or Physical Value

1. It is rare, unique, representative or early example of a style, type, expression, material or construction method; or
2. Displays a high degree of craftsmanship or artistic merit; or
3. Demonstrates a high degree of technical or scientific achievement.

Historical or Associative Value

1. It has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community; or
2. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or
3. Demonstrates or reflects the works or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

Contextual Value

1. Is important in defining the character of an area; or
2. Is physically, functionally, visually or historically linked to its surroundings; or
3. Is a landmark.

At the time this 9/06 Regulation review and analysis was undertaken, the Town of Niagara-on-the-Lake had not served Notices of Intention to Designate these properties or the properties at 144 and 176 John Street. This review has determined that all of the properties meet the criteria or designation under Part IV of the OHA. However, there is disagreement in terms of the identification of heritage attributes. In addition, the attributes identified in the Town's NOIDS are not clearly defined or identified. These matters are currently under adjudication before the Conservation Review Board.

NOTE: The images denoted as Figures in this section are attached as **APPENDIX IV** of this document.

2. 200 John Street – Calvin Rand Property

The property at 200 John Street is a remnant of the original Rand Estate which was severed from the main estate property in 1971 when the Rand Estate was sold to the Devonian Foundation. The estate had already been the subject of a series of severances. As early as the 1950's Colonel Sheets sold the original barns, stables and gate houses along Charlotte Street to the Laidlaw family of Toronto. This severance was one of several that occurred, resulting in the creation of a separate lot for the Milk House and Stables, separation of the formal entrance and gatehouses into the Randwood Apartments and development of Christopher and Weatherstone Courts.

The lot is separated from the 144-176 John Street by a row of trees and shrubs that is dense and impenetrable for most of the year. Access to the property is via a long 66 foot (20 metres) wide laneway that fronts on John Street. The main portion of property is not visible from either John Street or the railway trail.

Design or Physical Value

a. Built Heritage Resources

The property at 200 John Street contains two (2) buildings and three (3) structures. These are:

- A summer residence **(Figure 1)**
- A garage **(Figure 2)**
- A pool or bath house **(Figure 3)**
- A tea house with associated pool **(Figure 4)**
- A gazebo located to the rear adjacent to a gate in the concrete and cobblestone wall. **(Figure 5)**

The buildings are of different architectural styles and some, such as the tea and pool house, are representative of the designed landscape. While the summer residence has been rebuilt, the garage is relatively untouched. There are also additional the remnants of the designed landscape plantings surrounding the pool. The brick foundation of a greenhouse, which was

dismantled and relocated to Willowbank in Queenston in 2009, is located behind the house. **(Figure 6)**

b. Summer Home

The house, formerly a guest house, was reconstructed in the 1970's by Calvin Rand and used as his summer home when he severed the property and moved from Randwood in order to accommodate the Devonian Foundation. The reconstruction, carried out after a fire destroyed the original guest house, is in a contemporary style common in residential homes in the 1950's and 1960's. The building is a one storey structure clad in a smooth white stucco finish and is set directly on a low foundation. The basement, which was full of water when the house was accessed on March 6, 2018, was inaccessible during the site visit. The house consists of a traditional central gable-roofed structure with several additional units or sections to the rear and sides. These units have both flat roofs and unusual projecting half gables containing clerestory windows in the upper flat sections.

The windows throughout the building are predominately casement in configuration. There are sliding glass doors to the rear and at the front of the building. The main entrance consists of a substantial wooden door with simple single pane sidelights. It is located on the west side of the central structure. **(Figures 7, 8, 9, 10, 11)**

The interior of the house is plain and functional with simple six panel slab doors. There is a distinct absence of architectural details. The rear of the large brick fireplace projects awkwardly into the entrance hallway. The main living space is a large room with an open ceiling, wide pine plank floors and a large brick fireplace with a plain wooden mantel. The room opens to the outside through a wall of floor to ceiling sliding doors and windows. In design, mass and scale it is the most successful and pleasant room in the house. The kitchen is small with plain white walls and pre-fabricated cabinets. There are several bedrooms on both the east and west sides of the living room. None have any distinguishing architectural features. **(Figures 12, 13, 14, 15, 16, 17)**

Assessment of the house confirms that it is not a rare or unique example of a style, material or construction method and does not display a high degree of craftsmanship or merit. Any early features dating to the time of its original cottage have been removed or covered by later additions and interior renovations. There are no distinguishing interior or exterior attributes of cultural heritage value or interest associated with this structure. A report completed in July 2010 by Megan Hobson from the Willowbank School of Restoration Arts for the Documentation of Historic Places Program does not include the house in the assessment of heritage resources on the property.[9]

[9] Hobson, Megan: The Rand Estate, Documentation of Historic Places Program, Willowbank School of Restoration Arts, 2010.

c. Garage

This building was probably built in the 1920's, at the same time as the Sheets (Devonian) House, though there is no definitive date for its construction. It is a two-storey stucco-clad structure with a shallow gable roof and wide unenclosed eave overhangs in the Craftsman style popular from about 1905 until 1930. This vernacular style originated in southern California and spread quickly throughout the United States via pattern books and popular magazines. High-style interpretations are rare quickly fell out of favour. Few were constructed after 1930.[10]

There are three double entrance doors with diamond pane windows for vehicle access. These are surmounted by pediments. A central door gives access to the apartment above. The building is clad in grey stucco. A continuous string course delineates the break between the first and second floors. There are two additional entrances on the back or south side of the building. One leads to a small room that was used as a potting shed. The other is an additional entrance into the ground floor space. Second floor windows on the façade are confined to the east side of the building's façade and to the east and west elevations. These are 6-over-6 in configuration. **(Figures 18, 19, 20, 21)**

The first floor interior is currently used for storage. Clearly it has not been used to house cars or other equipment for many years. The walls and ceilings on the first floor are clad in bead-board and shiplap, some of which is stained and varnished and some of which is painted a dark green. There is a small brick fireplace with no mantel or surround and some enclosed storage. The floor, as expected, is concrete. **(Figures 22, 23, 24, 25)**

The second floor is an apartment which has been abandoned for some time. It originally housed a gardener; but was clearly used at a later date by other tenants. The space is divided into a rudimentary kitchen with some built-in cupboards, a living room, a bathroom and several small bedrooms. The floor, where it is exposed, consists of thin wooden boards. Stove holes in the ceiling with metal covers indicate that the space was heated with stoves at one time. A newer furnace is currently located on the lower level. A survey of the space indicates that several rooms have false ceilings and beaver board walls. The original ceiling is collapsing in a number of areas and paint is peeling from the walls. The apartment has been neglected and is not habitable. There are few distinctive features inside the building. The structure requires considerable renovation, though a survey recently carried out by structural engineers has determined that it is structurally sound. **(Figures 26, 27, 28, 29, 30, 31, 32, 33, 34, 35)**

This building was always intended as secondary or accessory building constructed for the utilitarian function of housing cars or other equipment, such as gardening supplies used in the maintenance of the Rand Estate. Although it is Craftsman in style, it not a rare, unique or early example of that style nor does it display any particular craftsmanship or artistic merit when

[10] McAlester, Virginia & Lee: A Field Guide to American Houses, Alfred A. Knopf, 1997, p.454

compared to other excellent examples Craftsman style buildings in Ontario.[11]. The structure has no significant interior or exterior attributes that would merit conservation..

d. Designed Landscape

The designed landscape of the Rand Estate consists of two (2) components; remnants of the formal Beaux-Arts landscape designed by the landscape architecture firm of Dunington-Grubb and other structures and features that were introduced into the landscape such as the pavilions and the wall that surrounds the property.

Beaux-Arts landscape design developed in the late 19th and early 20th century and emulated European Renaissance and Baroque landscapes. It was popular for large estate gardens. The style lasted through the Great Depression and began to lose favour in the 1940's.[12] However, Lorrie and Howard Dunington-Grubb continued to prefer this design approach throughout their careers.

Beaux-Arts gardens created "rooms" defined by linear allees and hedges, as well as by walls and Neo-classical garden pavilions. Classical sculptures served as focal points and long vistas with fountains and water features formed part of the design. The major design characteristics were symmetry, balance and elegance of detail.

The major features of the Dunington-Grubb landscape are on the Rand Estate at 144 and 176 John Street. They are the ornate cast iron entrance gate with pillars, the long allee, circular pool with sculpture and the stone pedestrian bridges on either side of the water feature and associated plantings and shrubs. The vista seen through the gates terminates at Randwood, creating a sense of grandeur that is still discernible by passersby as they walk along John Street.

Although drawings and plans found in the archives at the School of Landscape Architecture, University of Guelph, indicate that not all of these features were completed as designed, and much of the formal planting plan is overgrown or lost, there is enough evidence to show that much of the Dunington-Grubbs' landscape formal landscape design was executed on 144 and 176 John Street, making it a representative example of Beaux-Arts landscape design and displaying a high degree of craftsmanship.

The wall, which surrounds the property on two sides, along John and Charlotte Street and along the railway trail, is a significant component of the landscape creating a sense of mystery and enclosure permitting only the occasional glimpse of the landscape and buildings it encloses. The wall along John Street is composed of concrete punctuated by brick pillars and contains two (3) entrance gates; a wooden gate in deteriorated condition that provides access to the Sheets (Devonian) House; an elaborate wrought iron gate based on a Dunington-Grubb design that accesses the formal pathway leading to the pond and Randwood.; and the entrance to 200

[11] Blumenson, John: Ontario Architecture, Fitzhenry & Whiteside, 1990, p.176-179.
[12] Cultural Landscape Foundation, tclf.org

John Street framed by two brick entrance pillars constructed to resemble the existing entrance pillars and installed when the lot was severed from the main estate and the access driveway was enlarged.

The wall extends beyond the Rand Estate fronting on both Christopher and Weatherstone Court, where it is composed of concrete with embedded cobblestones. It marks the entrances to 588 Charlotte Street and Weatherstone and Christopher Courts before it turns the corner and extends along the railway trail. **(Figure 59, 60, 61)**

The remnants of the designed landscape on 200 John Street are no longer a clear extension of the landscape design located on the Rand Estate and are separated from the estate by a yew hedge and other shrubs which were planted along the border of the new lot when it was severed by Calvin Rand. The structures have deteriorated and the landscape is overgrown. Generally, these remnants are in poor condition. They will require considerable restoration and are worthy of conservation as examples of the Beaux-Arts garden design favoured by Lorrie and Howard Dunington-Grubb. The remaining features that can be confirmed and are documented include the landscaped area surrounding the pool and the adjacent tea house. Drawings housed in the School of Landscape Architecture archives at the University of Guelph illustrate the proposed design for these features.

The firm of Dunington-Grubb produced two (2) separate designs for the pool area. The first is undated. Based on existing physical evidence on the site, this design was not utilized. It was an elaborate plan with loggias, change rooms, pavilions and even a bandstand. **(Figures 36 & 37)** The second, dated April, 1928, accords closely with the remaining pool, tea house, the surrounding plantings, some of the herbaceous borders, the grass banks and the concrete bases that are probably the bases for the pergola columns which do not survive; but which are noted on the plan. Unfortunately, no detailed drawings for the pergola exist. Other landscape features, such as the formal planting beds of roses are also no longer extant. **(Figures 38, 39, 40, 41, 42, 43, 44)**

The small Neo-classical building that has been identified as a pool or bath house sits at some distance from the pool and is not clearly related to it or any other structure or design feature on the property. Currently there is no documentary evidence that the building is a pool house and no documentary evidence that it was part of the Dunington-Grubb landscape design. Nothing on the exterior or inside the building indicates such a use though it may have been used to store pool furniture and equipment in recent times... Research should be undertaken to determine its original function; if it has been moved from its original location; and if it would be appropriate to move it closer to the pool and tea house or elsewhere on the property. There is also no evidence that the building was part of the Dunington-Grubb design for the pool area. There are no drawings or plans of the building in the archives at Guelph, though the building was assessed and as-found drawings were produced by students at the School of Restoration Arts at Willowbank **(Figure 45).**

The structure is designed in the temple style with a Tuscan order portico and pediment above. It is clad in smooth white stucco. The portico is of wood. The shallow hip roof is flat at the peak. Examination of the building indicates that it may have had a small decorative parapet which is covered in shingles. Further investigation will be required to ascertain the existence of this parapet. A simple central entrance door gives access to the building. There are no windows on the façade. Windows on the north and south elevations are casement in configuration. **(Figures 46, 47, 48, 49, 50, 51, 52, 53)**

The interior of the pool house is a simple space with plastered walls and ceiling which is collapsing. It contains a rudimentary kitchen located in an alcove and a bathroom with a modern shower stall. At some point it appears to have been used for human habitation. However, the interior has no significant heritage attributes of note. The building is in a state of decay with rotting wood at the base and on the columns and collapsing ceilings and floors. It will require extensive restoration. However, it is a building with a great deal of charm and could be an asset to the landscape. **(Figures 54, 55, 56, 57, 58)**

At the rear of the property is the wall with applied cobblestones which extends along Charlotte Street and turns east at the railway trail, the site of the former steam train tracks. The wall marks the full extent of the Rand Estate as it existed during the tenure of that family. **(Figure 59)** The wall follows the tracks to an opening which contained an elaborate wrought iron gate between brick pillars of a similar design as those that front the property at 144-176 John Street dating them to period 1914 – 1919, according to the date stones inside the main entrance gate on John Street. These pillars will require restoration and repointing in order to conserve them. Unfortunately, the gate was removed by a member of the Rand family shortly after the current owner purchased the property. A new gate of similar design could be installed as a replacement. **(Figure 60, 61)**

Behind the wall and slightly to the left or west is a wooden gazebo on a stone bas which is in a deteriorated state and is overgrown with weeds and vines. This gazebo is purported to be the "station" at which the Rand family and their guests waited for the steam train. Any attempt to conserve it would require completely rebuilding the structure using new materials. While this could be undertaken, its value as it relates to the landscape design as a whole is questionable, since it is an isolated structure that is not connected with the Dunington-Grubb landscape design and is of little architectural significance.

Historical or Associative Value

While the property at 200 John Street is associated with the families who lived on the property over the years there is little evidence remaining of any association with the Dicksons, the earliest owners, or of the Lansings. The strongest association is with the Rands and the changes they made to the property over the years. These are secondary connections relating to the functional services of running the estate and farm. They are not significant to the larger community nor do the yield an understanding of the community or culture of Niagara-on-the-Lake. These functions and built features are, in fact, isolated from that community, hidden

behind the wall and shielded from the daily comings and goings of the Town. As the summer home of Calvin Rand during his period of closest connection to the growth and development of the Shaw Festival and who often entertained actors and dignitaries on the property, 200 John Street does have cultural rather than physical connections to the community.

The property also contains remnants of the designed Dunington-Grubb landscape. As previously discussed, these landscape architects are significant to the history of landscape design in Ontario. Remaining features such as the tea house, the plantings and pergola can be documented and are excellent examples of the formal Beaux-Arts style favoured by this team whose work in reflected in the gardens of a number of private homes throughout southern Ontario and whose public works can be found nearby in Niagara Falls and Hamilton. Through their work, writings and teaching, they had an impact on the development of the profession of landscape architecture. The founding of Sheridan Nurseries, which is still in existence, also had a lasting impact on the Province.

While the small building that was identified as the pool house cannot be attributed to the Dunington-Grubbs, it makes an interesting and picturesque contribution to the landscape. Its Neo-classical formality has stylistic characteristics that relate to the work of these two landscape architects. Additional research may uncover a connection.

Contextual Value

The property at 200 John Street was separated from the Rand Estate in the 1970's by Calvin Rand. A number of other pieces of the original property fronting on Charlotte Street were the subject of development applications and are now distinguishable as a former part of the estate only by the continuation of the cobblestone wall and the stone gateway and gatehouse that once marked the formal entrance.

At that time a separate private entrance on John Street was constructed which gave access to the property. Hidden behind the wall to the rear which fronts on the railway trail and from John Street by a long, winding driveway, the property, with the exception of the wall, does not define or support the character of the area nor is it functionally linked to surrounding properties. There are historical links with the 210 John Street and with Weatherstone and Christopher Courts which were once part of the estate; but these do not relate to its broader community context. Internally, the property has remnants of the Dunington-Grubb designed landscape on the property at 144-176 John Street. An examination of the drawings and plans produced by the landscape architects does not indicate that this landscape was part of a comprehensive and integrated landscape design for the property. Instead, it indicates that the Dunington-Grubbs were engaged as required to produce individual landscape plans as the need arose.

Summary

Analysis of the cultural heritage value or interest inherent in the property at 200 John Street indicates that any design or associative value is linked closely with the remnants of the

designed Dunington-Grubb landscape on the property. These remnants reflect the ideas of designers who made a significant contribution to the larger community of Ontario and whose work displays a high degree of artistic merit.

The garage and the summer home are not rare or unique in style, material or construction. The house was reconstructed in the late 20th century. The garage, while it contains a number of original features, is utilitarian and unremarkable. It has suffered from neglect. Adaptive re-use of the building would be difficult. Significant cultural heritage attributes are limited to designed landscape features, particularly those directly associated with the firm of Dunington-Grubb and to the wall which defines the original extent of the estate.

Significant Cultural Heritage Attributes

	INTERIOR	EXTERIOR
Summer House	None	None
Garage	None	None
Designed Landscape	N/A	• Tea Pavilion • Formal Plantings and Pergola surrounding the Pool. • Bathhouse • Wall and entrance pillars along John Street. • Wall, and Entrance Pillars along Railway Trail. • Entrance Pillars and wall on John Street

3. 588 Charlotte Street

The property at 588 Charlotte Street was severed from the Rand Estate in the 1960's. It is an irregularly shaped property, virtually landlocked and is accessed via a long driveway on Charlotte Street. It was sold in 1979 to owners who continued to live on the property until recently. These owners made extensive changes to the main structure on the property and to the surrounding landscape.

Design or Physical Value

a. Built Heritage Resources

There are five (5) buildings on the property. These are:

- The Former Stables or Barn **(Figure 62)**
- Four (4) separate outbuildings arranged around the former stables. **(Figure 63)**

b. Former Stables or Barn

The former stables may once have housed Evelyn Sheets' horses or Mr. Rand's prized cattle. It was constructed in 1936 and converted to a residential use in the 1950's by Henry Sheets Junior.[13] It is a rambling single storey building clad in smooth grey stucco and contains a main living space and a separate apartment. The building is configured with a central section and two (2) wings arranged at right angles creating an entrance courtyard. The wing to the right or west once contained a dovecote, which is still visible. The roof of the main building is predominantly side gable in configuration and there is large gable above the main entrance to the house. A wooden cupola is located on the peak of the roof above the entrance. All casement windows and doors are later additions with the exception of double wooden door in the east wing which has diamond paned windows. The building is the subject of extensive alterations. Stylistically it retains a few of its original Craftsman details and may have been constructed at the same time as the garage and the Sheets house in the 1920's. **(Figures 64, 65, 66, 67, 68, 69, 70)**

The interior of the structure has been altered beyond recognition effectively obscuring its original function for housing large animals when it was converted to domestic uses. There is a large central living space with a stone fireplace and second level gallery that affords access to a utility space and storage. The ceiling is open to the roof line. The kitchen was modernized, probably in the late 20th century. The ceiling here is also open to the roof line. A separate dining room is located in this area with later built-in cupboards. Double French doors lead from both the kitchen and the living room to the rear yard. The west wing houses bedrooms and washrooms. The east wing houses a separate apartment with kitchen, living room and bedroom. **(Figures 71, 72, 73, 74, 75, 76, 77, 78, 79)**

The only trace of the original stable or barn use is the four wooden Dutch doors which are covered over on the exterior; but which are visible inside the building. Originally these were entrances to individual stalls. **(Figure 72)** There is some original bead board panelling in the garage and some wooden ceilings, now painted over, still exist in the separate apartment. **(Figures 80, 81)** Any other original features are obscured by later alterations or have been removed or divided up to create new living spaces. The building is not a unique, rare of early example of a style or construction method. It is a utilitarian service building, originally constructed to Mrs. Sheet's horses or other animals and altered in the 1950's and again in the 1980's to accommodate residential uses.

c. Outbuildings

There are four (4) small stucco outbuildings arranged to the east and north of the central stable building. These are similar in design to the main building. They are simple utilitarian structures

[13] Joy Ormsby, Niagara Institute Property Background History, First Draft, May 1989.

that are vacant and appear to have been used in recent years for storage. Their original purpose cannot be determined from their size, mass or interior layout. These building have no particular artistic or architectural merit nor are they well-constructed or well-designed. They are in various stages of disuse and disrepair. **(Figures 82, 83, 84, 85, 86)**

d. Landscape

The landscape at 588 Charlotte consists of open, flat spaces interspersed with mature trees and shrubs. There is a pathway leading to 200 John Street and a long driveway that gives access through the wall from Charlotte Street. Features in the landscape are limited to the outbuildings clustered around the main building and to a gazebo of more recent construction. A survey of the landscape and the Dunington-Grubb drawings produced for the Rand Estate does not include any designs for this property and a 1934 aerial photograph confirms the lack of formal landscape features for this property although landscape features can be seen on 200 John Street (p.63). The entrance gates and the cobblestone and concrete wall do define the eastern and southern boundaries of the property, though a large portion has collapsed and been replaced by an expanse of wooden wall which is not particularly compatible or appropriate in relation to the original wall. **(Figures 87, 88, 89, 90, 91, 92, 93, 94).**

Historical or Associative Value

While the property is associated with Evelyn Sheets' love of horses and riding and of Mr. Rand's farming endeavours and was once part of the larger estate, it has no strong links with the dominant members of the Rand family such as Calvin Rand, who was instrumental in founding the Shaw Festival. Later owners severed the property from the main estate because it ceased to have a use or value to them. It does not yield any information that contributes to the understanding of the community; but is indicative of the separate and secluded nature of the property and its functions. There are no remnants of the designed Dunington-Grubb landscape and no features that illustrate the work or ideas of a builder or designer who is significant to the local community or the larger Provincial community. Here the landscape is natural and undefined. It has none of the characteristics or features of the formal Beaux-Arts design favoured by the Dunington-Grubbs.

Contextual Value

The property at 588 Charlotte Street is secluded from its neighbours. It has been a separate entity for close to 60 years and is surrounded to the east and south by the wall that once encompassed the whole estate. Access via a narrow private driveway entrance from Charlotte Street ensures that none of the property is visible from any point along a public street. The buildings and landscape are not functionally or visually linked to their surroundings and the property's secluded nature precludes any possibility of its ability to support the character of the area. The only defining feature is the wall which provides additional separation and which encloses not only this property but also a number of properties on Charlotte Street, the property at 200 John Street and the Rand Estate at 144-176 John Street.

Summary

The buildings on the property at 588 Charlotte Street have no significant design or physical value. They are secondary utilitarian buildings and are not particularly well built or well designed. The stables suffered from major alterations in the 1960's and continued to be altered substantially throughout the 20th century. Little of the original interior or exterior features remain. There is also no trace any Beaux-Arts landscape design on this property. Instead, trees have been planted and a pool has been constructed in an unstructured, naturalistic manner. The property is secluded and difficult to access. It is not part of the surrounding landscape or community. Those unfamiliar with the site do not know the buildings on the site exist because they are effectively cut off from their surroundings. Only the wall that encloses the property indicates that it was once part of the larger estate, just as the wall defines the properties that constitute Weatherstone and Christopher Court and the former stone entrance and gatehouse which were also once a part of the estate and are now effectively separate entities.

Significant Cultural Heritage Attributes

	INTERIOR	EXTERIOR
House	None	None
Outbuildings	None	None
Landscape	N/A	Concrete and cobblestone wall Entrance pillars on Charlotte Street

There are no significant cultural heritage attributes on the property worthy of conservation with the exception of the wall which surrounds the property on two (2) sides and the entrance pillars. These should be conserved not only at 588 Charlotte Street but also at Weatherstone and Christopher Courts.

4. 9/06 Regulation Evaluation - Conclusion

Based on the 9/06 assessment of cultural heritage value or interest, the property at 200 John Street can be considered for designation under Part IV of the Ontario Heritage Act because it meets two (2) of the criteria for designation. The remnants of the Dunington-Grubb designed landscape represent a high degree of artistic merit and reflect the work and ideas of the firm of Dunington-Grubb landscape architects. However, the property does not support the character of the area and is not visually linked to its surroundings. If this property is designated, the significant heritage attributes should be limited to those relating to the designed landscape that can be documented and are illustrated in the Dunington-Grubb designs in the School of Landscape Architecture, University of Guelph. The buildings on the property have little or no historic or stylistic merit.

Based on the 9/06 assessment of cultural heritage value or interest the property at 588 Charlotte Street does not meet any of the criteria with the exception of the wall which surrounds the property and defines the original extent of the Rand Estate. This property would merit designation under Part IV of the Ontario Heritage Act for that reason and for its associative value with the Rand family.

6. Evaluation of Heritage Impacts of the Subdivision

Policy 2.6.3 of the PPS states that Planning authorities shall not permit *development* and *site alteration* on *adjacent lands* to *protected heritage property* except where the proposed *development* and *site alteration* is evaluated and it has been demonstrated that the *heritage attributes* of the *protected heritage property* will be *conserved*.

The Planning Act, the Growth Plan, 2017 and the Region of Niagara Official Plan also contain policies that encourage the conservation of significant and protected heritage properties. The Region's Official Plan includes additional policies for requiring heritage impact assessments to evaluate the impact of new development on cultural heritage resources.

The Regional Official Plan encourages municipalities to:

- support the identification and conservation of significant built heritage resources and significant cultural heritage landscapes;
- Recognize the importance of quality design; and
- Conserve significant built heritage resources and cultural heritage landscapes within the unique community context of every site.

The Town of Niagara-on-the-Lake's Official Plan's development goals and objective state that:

- New development or redevelopment should be appropriately located, is compatible with surrounding land uses, retains to the greatest extent feasible desirable natural features and uses land in an efficient manner;
- Existing housing and existing residential areas are preserved and improved;
- Infill residential development on vacant or under-utilized parcels of land in residential areas where such development is permitted will be compatible with existing uses and contribute to the more efficient use of sewers and water and community facilities; and
- New development will be well designed and that the development will have visually distinctive forms.

Growth management policies in the Official Plan state that intensification and/or redevelopment should be consistent with:

- The existing and/or planned built form and heritage of the property and surrounding neighbourhood;
- The existing and/or planned natural heritage areas of the site and within the surrounding neighbourhood; and
- Compatible and integrate with the established character and heritage of the area.
- In circumstances where a proposed development supports the Town's intensification target but does not support the compatibility policies of the Plan, the compatibility policies will prevail.

The Town of Niagara-on-the-Lake has determined that 200 John Street and 588 Charlotte, as well as 144 and 176 John Street, are significant cultural heritage resources, and has served

NOIDs on both properties under Part IV of the OHA on the owner and the Ontario Heritage Trust and by publishing these notices in the newspaper. Additionally, several properties in the vicinity have been listed on the Register as non-designated properties and the area has been assessed for its significance as the John Street Summer Homes Character Area. Listing on the Register and identification of the character area acknowledges that the Town considers these properties to be significant and may be worthy of designation either individually or as components of a cultural heritage landscape. .

The *Standards and Guidelines for the Conservation of Historic Places in Canada* states that "*any action or process that results in a physical change to the character-defining elements of an historic place must respect and protect its heritage value and provides a number of general standards for the preservation, rehabilitation and restoration of historic places in Canada."*

The Ministry of Tourism, Culture and Sport has provided Info Sheet #5 to assist in the analysis of heritage impacts including destruction of significant heritage attributes; unsympathetic alterations; alterations that create shadows; isolation of heritage attributes, obstruction of significant views; change in land use; new development in open spaces; land disturbances that may affect archaeological resources.

The impacts of the proposed development on the properties at 200 John Street and 588 Charlotte Street are assessed in relation to these policies and documents. Any impacts on the neighbouring properties listed on the Register as well 144 and 176 John Street and 9 Weatherstone Court, which is designated under Part IV of the OHA, are also considered.

Provincial, Regional and Local Policies

With respect to the provincial, regional and local policies relating to the conservation of the heritage attributes of protected heritage property and the conservation of significant heritage properties that may not be designated under the OHA or may have archaeological significance; the heritage attributes of 200 John Street will be physically impacted by the proposed subdivision development.

A number of the buildings and structures on both properties will either be removed or moved to alternate locations within the development in order to conserve them. Some, such as the pergola at the entrance to the railway trail on 200 John Street, are beyond repair and, if required, will have to be rebuilt. A minimal amount of the original building materials survive intact, particularly the wooden portion of the structure. As a result, conservation will entail reproducing a replica of the pergola or leaving it as a ruin with suitable interpretation. The wall will remain in situ and will be restored and repaired. All brick pillars will be restored, repaired and repointed by a qualified mason.

Based on the Regulation 9/06 analysis in this assessment, the impacts on 588 Charlotte Street are minimal. Impacts on the Commons and on properties fronting on Charlotte Street will also be minimal. The subdivision development will be confined within the existing Rand Estate walls.

The impacts on 210 John Street are mitigated by the buffer created by the Greenbelt Plan area (Block 61) and by the entrance road from John Street which will continue to be heavily treed and landscaped.

1. Analysis of Heritage Impacts Based on Ministry of Tourism, Culture and Sport Info Sheet #5

1. Destruction of any, or part of any, significant heritage attributes or features.	588 Charlotte Street – No significant heritage attributes or features will be destroyed. The wall and entrance pillars will remain and will be repaired. The Town of Niagara-on-the-Lake has identified one of the outbuildings as a heritage attribute. The 9/06 analysis in this report does not identify it as an attribute. 200 John Street – The Town has identified the wall and pillars, the whistle stop pergola, the house, the tea pavilion and pool, the bath house, the carriage house and the wall and red pillars as significant heritage attributes as well as unspecified surviving elements of the Dunington-Grubb landscape. The 9/06 analysis in this report does not identify the carriage house, the pergola and the house as a significant heritage attributes and limits the surviving elements of the Dunington-Grubb landscape to those that can be documented. These are the tea pavilion and the plantings immediately surrounding the pavilion. The tea house will remain in situ and the wall and pillars will remain and will be repaired as required. The bath pavilion, though it has not been identified as a surviving element of the Dunington-Grubb landscape, will be moved to a suitable location on the property and restored. If required, the pergola can be reconstructed using new materials.
2. Unsympathetic or incompatible alterations	None of the existing built heritage resources identified in this report will be unsympathetically altered. However, the bath pavilion will be moved to an alternate site and restored. The tea house and surrounding plantings will be restored in will remain in situ. The pool has been altered and renovated over the years. It will be filled in and appropriately commemorated.

	All existing identified heritage attributes will be repaired and restored. This report has determined that the carriage house is not a heritage attribute. This report has determined that the house has no cultural heritage value and will be demolished. The wall will be retained and restored and the existing entrance to the railway trail will be maintained and the pillars will be repointed and restored. If required, a facsimile of the gate that was removed by the Rand family can be constructed and reinstalled. The pergola at the railway trail entrance is a ruin. It can be left in place as a ruin or replaced with like materials.
3. Alterations that create shadows that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings	<u>588 Charlotte Street</u> The proposed subdivision will not create shadows either on the wall or on the surrounding area. It will not alter natural features. No plantings have been identified on this site. The viability of natural features such as any existing streams or natural areas will not be impacted since construction will not be permitted in these areas and these areas will be used for park purposes and open space. <u>200 John Street</u> The proposed subdivision will not create shadows either on the wall or the surrounding area. It will not create shadows on the surviving elements of the Dunington-Grubb landscape or other features that will be moved. All development will be confined to the area behind the wall. The surviving elements of the Dunington-Grubb landscape will be restored and replanted.
4. Isolation of a heritage attributes from the surrounding environment or context	Any surviving heritage attributes on both 588 Charlotte Street and 200 John Street are already isolated from the surrounding environment and are located behind the wall which marks the extent of the original Rand Estate. The wall will not be isolated. It will remain in situ. Any buildings or structures that can be moved will be moved to other areas of the property and will not be isolated from the surrounding environment or context.
5. Direct or indirect obstruction of significant views or vistas within, from or of built and natural features	There will not be any obstruction of significant views or vistas to either 200 John Street or 588 Charlotte Street. Both properties are largely hidden behind high brick, concrete and

	stone walls and views and vistas into both properties are limited to long entrance driveways with brick entrance pillars. These long driveway entrances will be maintained. The views or vistas within the properties will be impacted by the construction of the houses in the subdivision which will block the open views across fields and lawns to the walls beyond. Views outward from these properties are already obstructed by natural fencing and the wall, which will remain in situ.
6. Change in land use	Land use will change from a heritage perspective. The properties currently contain a number of buildings and structures including two residences. Several of these structures and remnants of the Dunington-Grubb designed landscape are located 200 John Street where the significant cultural heritage resources are concentrated. Although the lands are zoned RD and currently permit a single residence, the municipality anticipates that the lands will be redeveloped. The proposed subdivision consists of single and semi-detached residences which are compatible with the surrounding residential neighbourhood of single detached residential units. The surrounding existing residential dwellings will not be altered. Two residential dwellings on the property, the summer home on 200 John Street and the house on 588 Charlotte Street, will be removed to accommodate new dwellings. Neither house is a significant cultural heritage resource. Significant structures such as the tea house and pool pavilion will be conserved in situ. All existing and/or planned natural heritage areas of the site will be conserved. The existing wall will remain and will completely enclose the development. The wall has been a feature of the neighbourhood for over 100 years. Conserving the wall and locating all new development inside the wall ensures continued compatibility and integration with the established character and heritage of the area.
7. New development or site alteration to fill in formerly open spaces	The proposed new subdivision will result in site alteration and formerly open spaces will be filled in by roads and dwellings. This will have an impact on the properties at 200 John

	Street and 588 Charlotte Street. In order to mitigate this impact, the design of the subdivision provides for the retention of a large area of open space at the entrance to 588 Charlotte Street. An additional .17ha (.42 acres) of park is provided at the southeast corner of the subdivision and Block 161, which is in the Greenbelt, will be retained as open area.
8. Land disturbances that may affect an archaeological resource	An archaeological survey has been completed. If deeply buried archaeological resources are discovered during excavation, all work will stop and a licensed archaeologist will be engaged in accordance with Section 48(1) of the Ontario Heritage Act to carry out additional archaeological field work. This survey will be completed before construction commences.

2. Analysis of Heritage Impacts Based on the General Standards for Preservation, Rehabilitation and Restoration, Standards and Guidelines for the Conservation of Historic Places in Canada

1. Conserve the heritage value of an historic place. Do not move, replace of substantially alter its intact or repairable character- defining elements. Do not move a part of an historic place if its current location is a character defining element.	200 John Street - The identified significant cultural heritage attributes of the property will be conserved, such as the tea house and surrounding plantings and pool pavilion. However, some significant elements will be moved in order to conserve them. While this is not the best solution, it does ensure those significant elements will be conserved and interpreted. The surrounding wall which is a character defining element of the property will be conserved and restored. The entrance from the railway trail will also be conserved and the gate which was taken by the Rand family can be reproduced. The pergola is a ruin. It is probably not repairable. A copy could be reproduced using any remaining materials. If this is done, it is important to construct the pergola at the entrance to the trail because of its association with the railway and the train. 588 Charlotte Street – There are no character-defining elements on the property. The wall and entrance pillars will be retained and restored.
2. Conserve changes to an historic place that, over time, have become	Changes to the historic place over time are not character-defining elements. If anything,

character-defining elements.	changes such as the development of Christopher and Weatherstone Courts and the severance of the lots at 588 Charlotte Street and 200 John Street have detracted from the character-defining elements of the former Rand Estate.
3. Conserve heritage value by adopting an approach calling for minimal intervention.	Development of a subdivision on the property will result in considerable intervention with respect to the heritage value of the properties at 588 Charlotte Street and particularly at 200 John Street. Houses, streets and services will be constructed and structures of heritage value will have to be moved. Heritage value will be conserved as much as possible. Buildings and structures that must be moved will be relocated, restored and interpreted. The wall, which is a defining feature of both properties, will be conserved and restored. The tea house will be restored in situ and the surround elements of the Dunington-Grubb landscape that can be verified will be conserved and restored in accordance with the extant plans and drawings.
4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never existed.	Not applicable.
5. Find a use for an historic place that requires minimal or no change to its character-defining elements.	The use proposed, a plan of subdivision, will result in significant change to the character-defining elements. However, the Town anticipated that the properties at 588 Charlotte Street and 200 John Street would be redeveloped when the property was zoned RD (Residential Development) Zone and a 20m (66ft.) laneway was provided to give access to 200 John Street as early as the 1970's.
6. Protect and, if necessary, stabilize an historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.	Mitigation measures will be used to protect significant built heritage resources during construction and while structures are being relocated. A Temporary Protection Plan and a Conservation strategy will be developed and implemented. If deeply buried archaeological resources are discovered during excavation, all work will stop and a licensed archaeologist will be engaged

	in accordance with Section 48(1) of the Ontario Heritage Act to carry out additional archaeological field work. This survey will be completed before construction commences.
7. Evaluate the existing condition of the character-defining elements to determine the appropriate intervention. Respect heritage value when undertaking an intervention.	A restoration, repair program/ conservation strategy will be undertaken by a qualified restoration architect and a qualified restoration engineer to determine the existing condition of the character-defining elements and the appropriate intervention and to ensure the structural soundness of the buildings and structures if they are moved to other sites on the property.
8. Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts where there are surviving prototypes.	Recognized conservation methods will be used to restore and maintain the exteriors of any buildings and any structures on the property. of the house. A mason with experience in restoring historic brick and stone walls and foundations will be employed to restore the wall which extend around both properties.
9. Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention.	All interventions will be made to preserve character-defining elements and will be documented when buildings and structures are moved and restored. Qualified restoration trades will be employed to carry out the intervention and will be overseen by a qualified professional engineer and/or architect.
10. Repair rather than replace character-defining elements.	Only character-defining elements that are beyond repair will be replaced. Replacement will be in-kind using like materials as much as possible.
11. Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.	All new buildings and/or additions will be separate structures. The houses in the subdivision will be clearly distinguishable from any buildings and structures that are retained.
12. Create any new additions or related new constructions so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future.	Not applicable. It is unlikely that the new houses in the subdivision will be removed in the future and alterations to the property will not be reversible.

3. Impacts of Plan of Subdivision

a. 588 Charlotte Street

A NOID was served on the owner of the property and the Ontario Heritage Trust and the notice was published in the newspaper on August 16, 2018. The property was once part of the larger Rand Estate which also included Weatherstone Court, Christopher Court and 200 John Street. If there were remnants of the designed Dunington-Grubb landscape on the lot, they have since disappeared.

A review of the 1934 aerial photograph of the property and surroundings does not show any formal plantings or garden structures. Photographs taken in 2013 and 2018 emphasize the lack of formal plantings. The wall at the rear of the property still survives, though it is in a deteriorated state. Some sections are shored up, some have disappeared and some have been replaced with wooden fencing. The wall, which is an important attribute of the cultural heritage landscape, will be retained along the rear of the property and repaired as necessary. It will not be impacted by the proposed subdivision and will be conserved, maintaining the historic appearance and views along the trail. It will continue to define the boundary and full extent of the Rand Estate before it was partitioned. Visual impact of the proposed subdivision will also be minimized. It will be confined entirely behind the surrounding wall and the long laneway entrance from Charlotte Street will be maintained as emergency access to the subdivision. The laneway is surrounded by a treed park and is intended as a Storm LID area. Existing trees and green space will be retained to ensure that its natural character will be conserved.

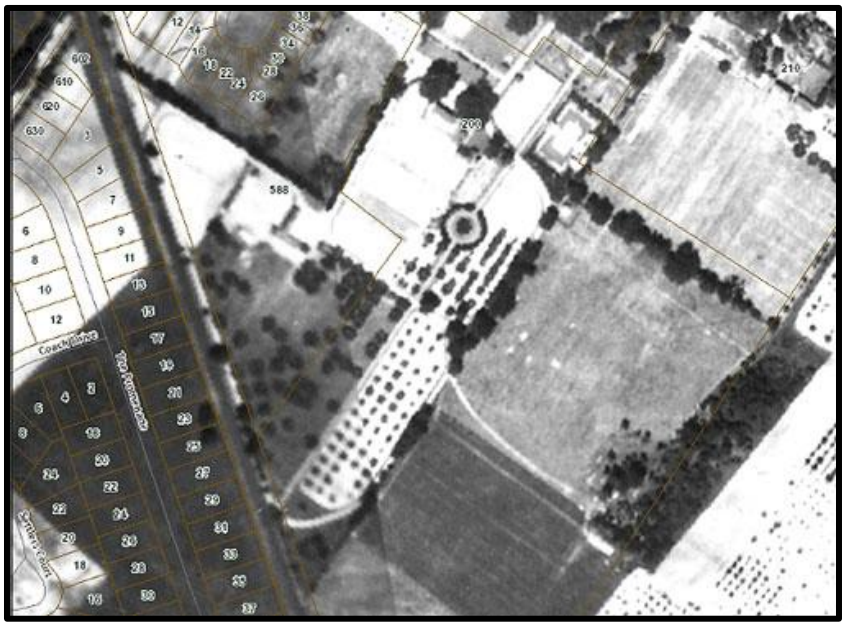


Figure32: Aerial Photograph, 1934

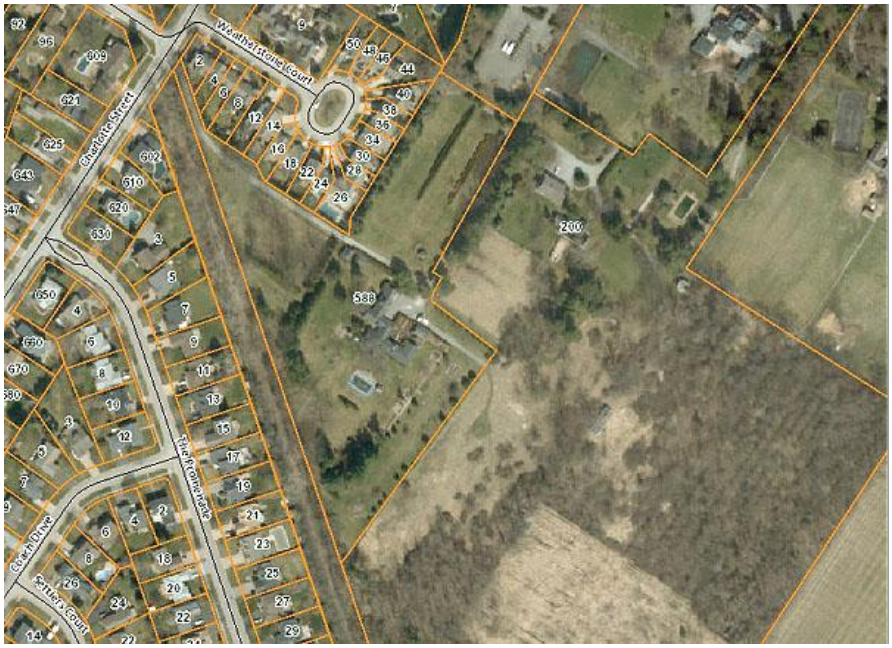


Figure33: Aerial Photograph, 2010, Niagara Navigator

Figure34: Aerial Photograph, 2013, Niagara Navigator

Figure35: Aerial Photograph, 2018, Niagara Navigator

There is a building on the site, a former stable or barn, which will be removed when the subdivision is approved. Stylistically the stable resembles other outbuildings on the former Rand property such as the carriage house on 200 John Street and the Milkhouse and Stable on Weatherstone Court. It was adapted for domestic use by the Sheets family. Based on a comparison of the 1934 and the 2015 aerial photograph, the stables appear to have been the subject of a number of later additions. While the building will be demolished, other examples of the remnant estate outbuildings, including the gatehouse on Charlotte Street and the Milkhouse on Weatherstone Court are good examples of the estates outbuildings. These are visible to the public from the street. This structure and the surrounding structures have lost much of their context as outbuildings within the larger Rand Estate. Impacts can be mitigated by careful measurement and documentation of the structure before demolition. The stone wall which borders the rear of this property will be retained to define the extent of the original estate.

b. 200 John Street

A NOID has been served on the owner and the Ontario Heritage Trust and the notice was published in the newspaper on August 16, 2018. The property was once part of the larger Rand Estate which also included Weatherstone Court, Christopher Court and 200 John Street.

Figure36: Pillars and Gate, Railway Trail

The property is accessed from John Street via a long winding driveway that is heavily treed and landscaped. The driveway entrance is situated between two (2) brick pillars in the existing Rand Estate wall. The pillars are similar to the other brick pillars along the wall; but appear to be of newer construction and were probably built when the driveway access was created in the 1970's. The proposed subdivision will not impact this driveway or the appearance of the wall and entrances on John Street. The driveway and pillars will be maintained as access to the subdivision which will not be visible from John Street. It may be necessary to widen this entrance when the subdivision is approved. If this is necessary, the pillars will be dismantled and reconstructed.

The wall at the rear of the property contained the wrought iron gate that provided the Rand family with access to the railway line. The gate was removed by a member of the Rand family. It could be reproduced and reinstalled. The pillars, which are seriously deteriorated, will be retained and repaired as will the wall, screening the subdivision from the trail and defining the full extent of the Rand Estate before it was severed in the mid 20th century.

There is a small gazebo just inside the family gate which is reputed to have provided shelter for the family when waiting for the train to take them to school. This gazebo, with its stone base and wooden supports, is in extremely poor condition. Any attempt at repair would result in replacement of most of the wooden components. The best solution, under these circumstances, is documentation and removal. However, the structure could be retained as a ruin and appropriately interpreted.

There are four structures on the 200 John Street property.

- The guest house
- The garage
- The tea house
- The pool house

The guest house has been modernized and no longer retains any of the details that are noticeable on the garage, the stables and the milkhouse at Weatherstone Court. As such, it has lost much of its context and will be demolished when the plan of subdivision is approved.

The garage is in poor condition and is no longer in use. It has lost both its purpose and its context within the original Rand Estate. It should be measured, documented and demolished.

Figure 37: Tea House & Pool

The 1934 aerial photograph reveals a number of elements of the formal garden design, which was an integral part of the cultural heritage landscape, extended south into the 200 John Street property. Many of these elements, with the exception of the tea house and surrounding plantings were lost or so overgrown that they were no longer discernible in the landscape as formal plantings. The gradual disappearance of these features, including what may have been a memorial garden is documented in a series of aerial photographs. More recently, the Lord and Burnham greenhouse was removed and taken to the School of Restoration Arts at Willowbank.

Two remnants of the Dunington-Grubb design remain, however. These are the pool and the tea house and surrounding plantings. They are significant artifacts of this landscape that should be retained and restored, though the pool, which has been altered over the years, may have to be filled in for safety. They will be left in situ as the Standards and Guidelines recommend.

The bath house, for which there is little documented evidence, is a charming building. The intention is to move it to one of the parks provided in the subdivision and to restore it for another use to be determined.

c. 9 Weatherstone Court – Milkhouse and Stables

The Milkhouse and Stables are designated under Part IV of the OHA. The PPS states that such protected properties will be conserved and that the impact of development adjacent to these properties will be assessed and mitigated.

The property is part of the Weatherstone Court residential development which is located inside the stone wall that continues along Charlotte Street and delineates the full extent of the Rand Estate before it was subdivided. As such, it is not immediately adjacent to the proposed subdivision and is buffered from it by other residential properties located on the court. The subdivision will have no impact on the Milkhouse and Stables and will not result in any changes to its current setting and surroundings.

d. The Commons

The proposed subdivision will not impact the Commons. The subdivision is situated to the rear of the properties at 144 and 176 John Street. Views to and from the development cannot be seen from the Commons and the semi-detached and single detached dwelling units will not be limited in height. They will not be visible from John Street.

e. Charlotte Street Properties

The Charlotte Street properties on Weatherstone Court including the designated Milkhouse and Stables will be buffered from the proposed subdivision by the park at the entrance to 588 Charlotte Street and a.11.65m (32,2ft) wide stream and buffer strip is located to the rear of the properties on Weatherstone Court (Block 162).

f. 210 John Street

Any impacts on 210 John Street are mitigated by the existing driveway which will continue to separate it from the Randwood properties; by retention of the Tea Pavilion and Dunington-Grubb plantings; the existing driveway entrance to the subdivision from John Street and the .17 ha (.42 acre park and open space provided by Block 160 which abuts the rear property line of 210 John Street. The large Greenbelt Plan area (Block 161) will not be developed, further mitigating any impacts on this property.

g. 144 and 176 John Street

The properties at 144 and 176 John Street are approved for commercial hotel development. The previously approved development would have impacted the property at 210 John Street because of the proximity of the proposed hotel and spa addition to the existing driveway entrance to 200 John Street. The subdivision will extend into the rear of this property. However, formal landscaping in the style of Dunington-Grubb located at the rear of the proposed hotel building will mitigate impacts on the properties at 144 and 176 John Street. Open treed lawns and the existing pergola to the rear of Randwood will be retained ensuring

that there is a sufficient green space buffer between the subdivision and the existing and proposed buildings on the John Street hotel properties.

7. Mitigation and Conservation Methods

Following are the mitigation and conservation recommendations for the proposed subdivision development application on 120 John Street and 588 Charlotte Street.

1. These properties are in the zone of archaeological potential, an archaeological survey was prepared and any mitigation measures will be completed to the satisfaction of the Ministry of Tourism, Culture and Sport. If deeply buried archaeological resources are discovered during excavation, all work will stop and a licensed archaeologist will be engaged in accordance with Section 48(1) of the Ontario Heritage Act to carry out additional archaeological field work. This survey will be completed before construction commences.
2. The stone wall along the railway trail and along John Street will be repaired and restored. The family gate and brick pillars will also be retained and restored. The brick pillars at the entrance to 200 John Street, which were constructed in the 1970's, will be dismantled to provide for a wider entrance. They will be reconstructed using the same bricks to ensure that the entrance to the property from John Street retains the same appearance.
3. There are three (3) possible mitigations relating to the existing buildings and structures which constitute the heritage attributes on 588 Charlotte Street and 200 John Street.
   (a) Once the draft plan of subdivision is approved some or all of the structures determined in this report to be heritage attributes will be demolished, documented, photographed, measured and commemorated in the areas set aside as park, with the exception of the tea pavilion and surrounding plantings which will remain in situ.
   (b) Once the subdivision is approved, the structures determined to be heritage attributes in this report will left in situ and the subdivision will be redesigned to permit them to remain in their original locations.
   (c) Once the subdivision is approved, the structures determined to be heritage attributes in this report that can safely be moved will be relocated to the park areas, restored and suitably commemorated.

   The owner has challenged the designation both in the Courts and to the Conservation Review Board including the list of heritage attributes in the NOIDs. The matter of designation and what features constitute heritage attributes is outstanding and ongoing. If required, the Plan of Subdivision and could be revised to address the outcome of the heritage process or dealt with through conditions.

   Demolition of all of the structures on the property which are determined in this report to be heritage attributes associated with the Rand family would not be a good or acceptable approach from the standpoint of heritage conservation, especially if an adaptive reuse and/or site can be found for them in an alternate location on the property.

   With the exception of the tea pavilion and surrounding plantings, leaving the structures in situ is not an acceptable solution since it would hamper development of an efficient and

well-designed development. This is especially relevant if an adaptive reuse cannot be found for them and they continue to be isolated from each other and serve no useful purpose. Commemoration will also be problematic and disjointed making it difficult to understand and interpret the evolution of the estate as a whole.

Recommended Mitigation – (c)

This involves moving the structures, with the exception of the tea pavilion and surrounding plantings, which are determined to be heritage attributes to parkland within the development; conserving and restoring the their exterior elements; and providing interpretation and commemoration of the entire site within the park is the best solution for these structures and for the Rand Estate. Ideally they can be accessed by the community of Niagara-on-the-Lake and an adaptive reuse can be found for some of these structures enabling them to become useful assets for the residents of the subdivision and the neighbourhood.

4. All buildings that are not heritage attributes will be demolished during construction of the subdivision will be documented, photographed, measured and commemorated.

5. The tea house and surrounding plantings will be restored in accordance with the Dunington-Grubb drawings and plans. The bath house will be conserved and moved to one of the parks in the subdivision. It will be restored by qualified restoration specialist and appropriately interpreted as part of the larger designed cultural heritage landscape of the Rand Estate. An appropriate adaptive re-use for the structure will be determined by the property owner.

6. Appropriate interpretive plaques and images will be provided to show the evolution of the Rand Estate and the buildings, structures and designed landscape features.

7. An urban design brief will be provided for the houses to be constructed on the site to ensure that they are compatible with neighbouring residential properties and that they well-designed and have visually distinctive forms in keeping with Growth Management policies in the Town's Official Plan.

8. A Conservation and Temporary Protection Plan will be developed and provided to the Town of Niagara-on-the-Lake for review. The conservation plan will:
    - Identify the conservation principles appropriate for the type of cultural heritage resource being conserved;
    - Analyze the cultural heritage resource, including documentation, description of cultural heritage value or interest, assessment of condition and deficiencies and discussion of historical and proposed uses;
    - Recommend conservation measures and interventions and qualifications of those responsible for conservation work; and
    - Monitor the cultural resource and develop a long-term reporting structure.

9. A qualified landscape architect will develop the restoration plans for any Dunington-Grubb landscape features that are to be retained. The landscape architect will also develop an overall landscape plan for the subdivision and parkland that is stylistically compatible with the Dunington-Grubb oeuvre.
10. An arborist will be engaged to assess and identify any remaining trees on the property. Any significant and healthy trees will be retained and incorporated into the development.

8. Implementation and Monitoring

A detailed implementation and monitoring plan is not provided with this heritage impact assessment. A Conservation and Temporary Protection Plan will be developed and approved before the subdivision plan is approved by the Town of Niagara-on-the-Lake. It will be developed by the professionals involved including architects, engineers and construction managers with the assistance of a heritage planner or other heritage professional.

The Conservation and Plan will:

- Identify the cultural heritage significance of the site, and
- Set out a strategy for the management of the site that conserves the heritage attributes of the site.

The temporary Protection Plan will:

- Identify potential risks:
- Outline measures to reduce the potential for damage to the heritage attributes during construction in the area adjacent to those attributes.
- Document the condition of the heritage property before work commences and identifies potential risks resulting from nearby construction.

The proposed development will be assessed and reviewed by local and Regional agencies and by the Municipal Heritage Committee and the Urban Design Committee. This will ensure that the significant heritage resources, the streetscape, the wall and any archaeological resources are protected and that qualified restoration specialists are employed to work on the sensitive built heritage resources on all three properties. It will also ensure that the design of the proposed addition is compatible with the surrounding heritage resources; but that it is clearly a later addition to the site and reflects the ongoing evolution of the property. An arborist and landscape architect should also review and monitor all landscaping work to be carried out on the property to ensure that both the designed and picturesque landscape are protected and conserved.

9. Conclusion and Conservation Recommendations

The Rand Estate is a significant cultural heritage landscape that includes both important built heritage resources and remnants of a formal landscape designed by the firm of Dunington-Grubb, pioneers in the profession of landscape architecture in Canada. The majority of the surviving elements of this design are located on 176 John Street.

The estate dates back to the founding of the Town and was owned by such significant early citizens as Peter Russell, Governor Simcoe's successor; William Dickson, a prominent lawyer and merchant and member of the Legislative Council; General Lansing, a prominent New York businessman and Civil War general, George Rand I and George Rand II, also prominent New York businessmen who made a lasting impact on the estate; and Calvin Rand, who, with Brian Doherty, helped to found the Shaw Festival.

The estate is indicative of the large lots and homes built by wealthy summer visitors in the late 19th and early 20th centuries. At one time it was a much more self-sufficient and cohesive entity with a milkhouse, and stables and other farm-related outbuildings. However, over the years the estate was subdivided and some of the buildings on the site were adapted for other uses. Others were abandoned and allowed to deteriorate. The property at 200 John Street was severed and the guest house became a home for Calvin Rand. The lot at 588 Charlotte was also severed and the stables became a home for descendents of Evelyn Sheets and of other owners who made changes to the structures and landscape. The gatehouse and stone entryway became an enclave of private homes and apartments. The milkhouse also became a private home and is now part of the small subdivision known as Weatherstone Court. Christopher Court was also developed as a small subdivision. The hotel/restaurant and the proposed subdivision mark the continued evolution of the site. Only the wall remains as an important artifact that continues to delineate and define the full extent of the Rand Estate.

Based on an analysis of the significant heritage attributes of the properties at 200 John and 588 Charlotte Street are identified in this report. All documented heritage resources that comprise the documented Dunington-Grubb landscape and the significant built heritage resources that have been identified and confirmed in this report as heritage attributes with cultural heritage significance will be repaired, restored if necessary, conserved either in situ or in an alternate location, and appropriately interpreted to tell the history of the estate and, in particular, the impact of the Rand family on the development of the property.

The structures of significant heritage value, such as the tea house and bath house, which are remnants of the Dunington-Grubb landscape design; and the stone wall which defines the full extent of the original Rand Estate, have been recommended for conservation and repair. Where impacts are apparent, mitigation has been recommended as indicated.

Appendices

Appendix I Designation By-law – Randwood Milkhouse & Stables (1971-88)

Appendix II Notices of Intention to Designate 200 John Street & 588 Charlotte Street

Appendix III Draft Plan of Subdivision

Appendix IV Images

ONTARIO HERITAGE TRUST

An agency of the Government of Ontario

FIDUCIE DU PATRIMOINE ONTARIEN

Un organisme du gouvernement de l'Ontario

This document was retrieved from the Ontario Heritage Act e-Register, which is accessible through the website of the Ontario Heritage Trust at **www.heritagetrust.on.ca.**

Ce document est tiré du registre électronique. tenu aux fins de la *Loi sur le patrimoine de l'Ontario,* accessible à partir du site Web de la Fiducie du patrimoine ontarien sur **www.heritagetrust.on.ca.**

CORPORATION

OF THE

TOWN OF NIAGARA-ON-THE-LAKE

BY-LAW NO. 1971-88

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS THE RANDWOOD MILKHOUSE AND STABLES, 580 CHARLOTTE STREET, BEING PART 2 ON PLAN 30R-5540, NIAGARA-ON-THE-LAKE AS BEING OF ARCHITECTURAL AND HISTORICAL VALUE AND INTEREST

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O. 1980, Chapter 337 authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of architectural or historic value or interest; and

WHEREAS the Council of the Corporation of the Town of Niagara-on-the-Lake has caused to be served on the owners of the lands and premises known as The Randwood Milkhouse and Stables, 580 Charlotte Street, being Part 2 on Plan 30R-5540, Niagara-on-the-Lake, and upon the Ontario Heritage Foundation, notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in the same newspaper having general circulation in the municipality once for each of three consecutive weeks; and

WHEREAS the reasons for designation are set out in Schedule "B" hereto; and

WHEREAS no notice of objection to the proposed designation has been served on the Clerk of the municipality;

THEREFORE the Council of the Corporation of the Town of Niagara-on-the-Lake enacts as follows:

1. THERE is designated as being of architectural and historic value and interest the real property known as The Randwood Milkhouse and Stables, 580 Charlotte Street, being Part 2 on Plan 30R-5540, Niagara-on-the-Lake, more particularly described in Schedule "A" hereto.

2. THE municipal solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule "A" hereto in the proper land registry office.

3. THE Clerk is hereby authorized to cause a copy of this by-law to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and to cause notice of the passing of this by-law to be published in the same newspaper having general circulation in the municipality once for each of three consecutive weeks.

READ A FIRST TIME THIS 26th DAY OF September, 1988

READ A SECOND TIME THIS 26th DAY OF September, 1988

READ A THIRD TIME AND PASSED THIS 26th DAY OF September, 1988

LORD MAYOR J. MARINO

TOWN CLERK R. G. HOWSE

SCHEDULE "A"

TO BY-LAW NO. 1971-88

THE RANDWOOD MILKHOUSE AND STABLES

580 CHARLOTTE STREET, NIAGARA-ON-THE-LAKE

ALL AND SINGULAR those lands and premises, situate, lying and being in the Town of Niagara-on-the-Lake, formerly in the County of Lincoln, now the Regional Municipality of Niagara, Province of Ontario, and being part of Parcel Block A-1 in the Register for Section M-100,

BEING Part 2 on a Reference Plan deposited in the Registry Office for the Registry Division of Niagara North as Plan 30R-5540.

SCHEDULE "B"

TO BY-LAW NO. 1971-88

STATEMENT OF THE REASONS FOR THE PROPOSED DESIGNATION

The Randwood Milkhouse and Stables, c.1919
580 Charlotte Street
Part of Block A, Plan M-100, being Part 2 on Plan 30R-5540
Town of Niagara-on-the-Lake, Ontario

The Randwood milkhouse and stables, built in 1919 for George F. Rand I, are recommended for designation for architectural and historical reasons. Eclectic in style, they are constructed in the shingle style of the time and typify model farm buildings designed to accompany an estate in the early twentieth century. The two buildings constitute a significant architectural entity and notable aspects of the co-ordinated design include the low, rambling form creating a sequestered courtyard and a silo dressed as a "chateauesque" tower with a conical crown accenting one corner. The rough-cast stucco walls, combined with decorative stone treatment and flared eaves on the long, sloping roofs bridge the taste of the Romanesque and Colonial revivals as do some of the major gable windows, the gable forms and small diamond paned windows, the latter both Queen Anne Revival and Tudor precedents.

The property on which the stables and milkhouse stand is historically significant because of its association with several notable owners who were prominent in the early development of Upper Canada and the Niagara area particularly: the Honourable Peter Russell, Simcoe's successor as Administrator of Upper Canada; the Honourable William Dickson; and General Henry Lansing. The stables and milkhouse are significant because of their connection with the Rand family. Mrs. Evelyn Sheets, daughter of George F. Rand I, was a keen equestrian vitally interested in the stables. A son, George F. Rand II, raised prize cattle and the milkhouse was his interest. The Rand family, noted in the United States for its business acumen and political connections, especially with President F. D. Roosevelt, was one of the most influential of those American families who spent summers in Niagara-on-the-Lake early in this century and who repaired and renovated some of the Town's fine homes.

This designation is to include the entire exterior facade of both the stables and milkhouse.

The cultural heritage value or interest associated with the property is represented in following heritage attributes:

The property:

- The long central axis from John Street East;
- The Victorian wooden gazebo;
- The metal entrance gate framed with red brick pillars;
- The surviving elements of the Dunington-Grubb landscape including the formal stone path, sunken lily pond with sculpture, arched stone bridges; and
- The concrete and stone wall which extends along John Street East.

Main residence:

- The three-storey brick building with Second Empire, Italianate and Neo-classical features with its form, scale, and massing; and
- The mansard roof and enclosed brick tower.

Further information respecting the proposed designation is available from Planning Staff. Any person may, not later than the 17th day of September, 2018, send by registered mail or deliver to the Clerk of the Town of Niagara-on-the-Lake notice of their objection to the proposed designation, together with a statement of the reasons for the objection and all relevant facts. If such a Notice of Objection is received the Council of the Corporation of the Town of Niagara-on-the-Lake shall refer the matter to the Conservation Review Board for a hearing.

Dated at the Town of Niagara-on-the-Lake the 23rd day of August, 2018.
Peter Todd, Town Clerk

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER 0.18

AND IN THE MATTER OF THE LANDS AND PREMISES KNOWN MUNICIPALLY AS **200 JOHN STREET EAST (LT 145 RCP 692 NIAGARA EXCEPT PT 1 TO 9, 30R8436; TOWN OF NIAGARA-ON-THE-LAKE),** IN THE TOWN OF NIAGARA-ON-THE-LAKE IN THE PROVINCE OF ONTARIO

NOTICE OF INTENTION TO DESIGNATE

TAKE NOTICE that the Council of the Corporation of the Town of Niagara-on-the-Lake intends to designate the property, including the lands and building known municipally as **200 JOHN STREET EAST** as a property of cultural heritage value or interest under Part IV of The Ontario Heritage Act, R.S.O. 1990, Chapter 0.18.

Description of Property

The property is located on John Street East and found behind 176 John Street East. There are two entrances to the property. The main entrance is accessed from a long gravel driveway located on John Street East and the secondary entrance is a pedestrian entrance located at the rear of the property and accessed from the old rail line which is now part of Heritage Trail. Both entrances are marked with large red brick pillars; however, the one on John Street is believed to have been built at a later date. There are multiple built structures associated with the property which include the carriage house (aka the garage), the guest house, remnants of a greenhouse, the teahouse and pool, the pool pavilion, a wooden gazebo (Whistle stop), and the concreted and stone wall. There are many mature trees on the property.

Statement of Cultural Heritage Value or Interest

The property known as 200 John Street East has cultural heritage value or interest for its design and physical values, its historical/associate values, and its contextual values.

The property known as 200 John Street East has design and physical value because of its tea house and pool pavilion (c. 1928) which are a unique example of a design by Howard and Lorrie Dunington-Grubb. The pool is an early example of its kind, and may have been the first pool in Niagara-on-the-Lake. The extant wood gazebo (Whistle stop) is a unique and rare surviving example of a Whistle stop station used privately. The brick and stone wall found at the entrance of John Street East and at the rear of the property is a rare local example of a large wall which delineated an original estate boundary.

The property has historical/associative values due to its direct association with Hon. Peter Russel and William Dickson who were early owners of the property. It also has direct associations with the Rand family, who were a prominent family in Niagara-on-the-Lake. George Rand I purchased the property in 1910 and built the carriage house c. 1919, and commissioned the tea house and pool c. 1928. The tea house and pool have direct association with Howard and Lorrie Dunington-Grubb, who are well known and respected Canadian landscape architects. The property is most associated with Calvin Rand, son of George Rand II. Calvin Rand played a direct role in the establishment of The Shaw Festival, which has grown into an international attraction and a significant cultural feature of the community. Calvin Rand also founded the Niagara Institute in 1971. The property also reflects the ideas and work of Howard and Lorrie Dunington-Grubb. The couple designed and worked on various areas and landscapes on the property. The couple were pioneers and well respected in the Canadian landscape architect community.

The property has contextual value. The large concrete, brick and stone walls which surround part of the property is important in defining the character of the area. It is physically, functionally, visually or historically linked to its surroundings. The property was originally part of the larger estate known as Randwood, which was owned by the Rand family from 1919 until 1980. The property was used as part of a small-scale farming operation during the Rand ownership. It forms part of a larger significant cultural heritage landscape that includes all the grounds of the original estate. The property is visually and historically linked to the surrounding properties.

Description of Key Heritage Attributes

The cultural heritage value or interest of the property is represented in following heritage attributes:

The Property:

- The tea house and pool;
- The surviving elements of the Dunington-Grubb landscape;
- The one storey, rectangular bath pavilion;
- The extant wooden gazebo/whistle stop; and
- The wall and red pillars located at the rear of the property and on John Street East.

Carriage House:

- The two-storey carriage house with hipped roof;
- The asymmetrical façade with three large French style door openings on the main floor; and
- The original rectangular diamond patterned windows.

The Calvin Rand Summer House (the Guest House)

- Entire exterior of the dwelling

Further information respecting the proposed designation is available from Planning Staff. Any person may, not later than the 17th day of September, 2018, send by registered mail or deliver to the Clerk of the Town of Niagara-on-the-Lake notice of their objection to the proposed designation, together with a statement of the reasons for the objection and all relevant facts. If such a Notice of Objection is received the Council of the Corporation of the Town of Niagara-on-the-Lake shall refer the matter to the Conservation Review Board for a hearing.

Dated at the Town of Niagara-on-the-Lake the 23rd day of August, 2018.
Peter Todd, Town Clerk

- The concrete and stone wall which is extend
- The red brick pillars which mark the entrance f
- The mature trees and plantings and boxwood b
- The surviving elements of the Dunington-Grubl

The Devonian House or Sheets House:

- The two and a half storey frame building;
- The gable roof and three attic dormers; and
- The two-storey open porch supported by wood

The Coach House:

- One and half storey massing;
- The steep gable roof with decorative bargeboa
- The early windows on the ground floor north el south elevations.

Further information respecting the proposed designatio than the 17th day of September, 2018, send by registe the-Lake notice of their objection to the proposed des objection and all relevant facts. If such a Notice of Obje of Niagara-on-the-Lake shall refer the matter to the Co

Dated at the

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O.

AND IN THE MATTER OF THE LANDS AND PREMIS **(LOT 156 RCP 692 NIAGARA; PART LOT 145 RCP 69 R0413742, T/W R0413742 (PT 13, 30R1792 EXCEPT** OF NIAGARA-ON-THE-LAKE IN THE PROVINCE OF ONTA

NOTICE OF INTE

TAKE NOTICE that the Council of the Corporation of t property, including the lands and building known munic heritage value or interest under Part IV of The Ontario H

Description of Property

The property is located behind 176 John Street East brick pillars frame the gravel driveway. The property and concrete wall runs along the rear edge of the prop property including the main residence with additional w gazebo. There is a large in-ground pool at the rear o adjacent to the pool for pool equipment. There is a sma the south of main residence. There are many mature tr

Statement of Cultural Heritage Value or Interest

The property known as 588 Charlotte Street has cultura its historical/associate values, and its contextual value

The property has design and physical value because of the property and Charlotte Street which is a rare loc boundary. The property has historical/associative valu William Dickson who were early owners of the proper Niagara-on-the-Lake. George Rand I, purchased the and outbuildings to support a small scale farming op Jr (Evelyn Rand's son) who owned and lived on the p contextual value because of its large concrete, brick a of the area, including the streetscape on Charlotte S surrounding properties. The property was original part by the Rand family from 1919 until 1980. The property the Rand ownership. It forms part of a larger significa of the original estate.

Description of Key Heritage Attributes

The cultural heritage value or interest of the property i

- The stone wall located along the rear of t
- The red brick pillars and stone wall locat
- Main Dwelling and Sheds; and
- The one storey rectangular outbuilding w doors with ornate diamond shaped windo

Further information respecting the proposed designati than the 17th day of September, 2018, send by regist the-Lake notice of their objection to the proposed de objection and all relevant facts. If such a Notice of Obj of Niagara-on-the-Lake shall refer the matter to the C

Dated at the

;
:cape including the formal stone path,
;; and
ın Street East.

:talianate and Neo-classical features with its form,

ailable from Planning Staff. Any person may, not later
ail or deliver to the Clerk of the Town of Niagara-on-
ın, together with a statement of the reasons for the
s received the Council of the Corporation of the Town
tion Review Board for a hearing.

f Niagara-on-the-Lake the 23rd day of August, 2018.
Peter Todd, Town Clerk

CHAPTER 0.18

OWN MUNICIPALLY AS **200 JOHN STREET EAST**
WN OF NIAGARA-ON-THE-LAKE), IN THE TOWN OF

TO DESIGNATE

/n of Niagara-on-the-Lake intends to designate the
as **200 JOHN STREET EAST** as a property of cultural
Act, R.S.O. 1990, Chapter 0.18.

176 John Street East. There are two entrances to the
veway located on John Street East and the secondary
property and accessed from the old rail line which is
ge red brick pillars; however, the one on John Street
le built structures associated with the property which
, remnants of a greenhouse, the teahouse and pool,
ncreted and stone wall. There are many mature trees

eritage value or interest for its design and physical
s.

d physical value because of its tea house and pool
by Howard and Lorrie Dunington-Grubb. The pool is
ol in Niagara-on-the-Lake. The extant wood gazebo
istle stop station used privately. The brick and stone
of the property is a rare local example of a large wall

ect association with Hon. Peter Russel and William
direct associations with the Rand family, who were a
rchased the property in 1910 and built the carriage
1928. The tea house and pool have direct association
own and respected Canadian landscape architects.
orge Rand II. Calvin Rand played a direct role in the
an international attraction and a significant cultural
gara Institute in 1971. The property also reflects the
couple designed and worked on various areas and
well respected in the Canadian landscape architect

and stone walls which surround part of the property
cally, functionally, visually or historically linked to its
state known as Randwood, which was owned by the
s part of a small-scale farming operation during the
eritage landscape that includes all the grounds of the
to the surrounding properties.

sented in following heritage attributes:

scape;

perty and on John Street East.

le door openings on the main floor; and
s.

ailable from Planning Staff. Any person may, not later
ail or deliver to the Clerk of the Town of Niagara-on-
on, together with a statement of the reasons for the
s received the Council of the Corporation of the Town
ation Review Board for a hearing.

of Niagara-on-the-Lake the 23rd day of August, 2018.
Peter Todd, Town Clerk

- The mature trees and plantings and boxwood hedge; and
- The surviving elements of the Dunington-Grubb landscape.

The Devonian House or Sheets House:
- The two and a half storey frame building;
- The gable roof and three attic dormers; and
- The two-storey open porch supported by wooden paired square post.

The Coach House:
- One and half storey massing;
- The steep gable roof with decorative bargeboard trim; and
- The early windows on the ground floor north elevation and the first and second floor east elevation and south elevations.

Further information respecting the proposed designation is available from Planning Staff. Any person may, not later than the 17th day of September, 2018, send by registered mail or deliver to the Clerk of the Town of Niagara-on-the-Lake notice of their objection to the proposed designation, together with a statement of the reasons for the objection and all relevant facts. If such a Notice of Objection is received the Council of the Corporation of the Town of Niagara-on-the-Lake shall refer the matter to the Conservation Review Board for a hearing.

Dated at the Town of Niagara-on-the-Lake the 23rd day of August, 2018.
Peter Todd, Clerk

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER 0.18

AND IN THE MATTER OF THE LANDS AND PREMISES KNOWN MUNICIPALLY AS **588 CHARLOTTE STREET (LOT 156 RCP 692 NIAGARA; PART LOT 145 RCP 692 NIAGARA PART 1 TO 9, 30R- 8436; S/T RO718339, S/T RO413742, T/W RO413742 (PT 13, 30R1792 EXCEPT PT 5, 30R8436); NIAGARA-ON-THE-LAKE),** IN THE TOWN OF NIAGARA-ON-THE-LAKE IN THE PROVINCE OF ONTARIO

NOTICE OF INTENTION TO DESIGNATE

TAKE NOTICE that the Council of the Corporation of the Town of Niagara-on-the-Lake intends to designate the property, including the lands and building known municipally as **588 CHARLOTTE STREET** as a property of cultural heritage value or interest under Part IV of The Ontario Heritage Act, R.S.O. 1990, Chapter 0.18.

Description of Property

The property is located behind 176 John Street East and accessed from Charlotte Street where two large red brick pillars frame the gravel driveway. The property follows an irregular property line and a large brick, stone and concrete wall runs along the rear edge of the property. There are multiple built structures associated with the property including the main residence with additional wing, a detached outbuilding, two small sheds, and a wooden gazebo. There is a large in-ground pool at the rear of the main residence; a small purpose-built outbuilding is adjacent to the pool for pool equipment. There is a small pet cemetery enclosed in a white wooded fence located to the south of main residence. There are many mature trees associated with the property.

Statement of Cultural Heritage Value or Interest

The property known as 588 Charlotte Street has cultural heritage value or interest for its design and physical values, its historical/associate values, and its contextual values.

The property has design and physical value because of its concrete, brick and stone wall located along the rear of the property and Charlotte Street which is a rare local example of a large wall that delineates an original estate boundary. The property has historical/associative value due to its direct associations with Hon. Peter Russel and William Dickson who were early owners of the property, well as the Rand family, who were a prominent family in Niagara-on-the-Lake. George Rand I, purchased the property in 1910, and his son George Rand II built stables and outbuildings to support a small scale farming operation. The property is also associated with Henry Sheets Jr (Evelyn Rand's son) who owned and lived on the property throughout the mid-20th century. The property has contextual value because of its large concrete, brick and stone walls which are important in defining the character of the area, including the streetscape on Charlotte Street. The property is visually and historically linked to the surrounding properties. The property was original part of the larger estate known as Randwood, which was owned by the Rand family from 1919 until 1980. The property was used as part of a small-scale farming operation during the Rand ownership. It forms part of a larger significant cultural heritage landscape that includes all the grounds of the original estate.

Description of Key Heritage Attributes

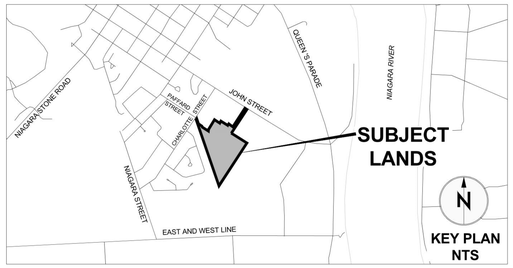
The cultural heritage value or interest of the property is represented in following heritage attributes:

- The stone wall located along the rear of the property;
- The red brick pillars and stone wall located at the entrance on Charlotte Street;
- Main Dwelling and Sheds; and
- The one storey rectangular outbuilding with hipped roof and overhanging eaves and large French doors with ornate diamond shaped windows associated with the original estate.

Further information respecting the proposed designation is available from Planning Staff. Any person may, not later than the 17th day of September, 2018, send by registered mail or deliver to the Clerk of the Town of Niagara-on-the-Lake notice of their objection to the proposed designation, together with a statement of the reasons for the objection and all relevant facts. If such a Notice of Objection is received the Council of the Corporation of the Town of Niagara-on-the-Lake shall refer the matter to the Conservation Review Board for a hearing.

Dated at the Town of Niagara-on-the-Lake the 23rd day of August, 2018.
Peter Todd, Town Clerk

Z:\Projects\JS.NL Solmar John and Charlotte NOTL\Mapping\CAD\4 – DRAFT PLAN\June 29 2020\2020-06-29_Draft_Plan.dwg



SOLMAR® DEVELOPMENT CORP

DRAFT PLAN OF SUBDIVISION
SOLMAR
FILE #

LOTS 145 and 156
REGISTRAR'S COMPILED PLAN 692 and LOT 14
PLAN M-11
TOWN OF NIAGARA-ON-THE-LAKE
REGIONAL MUNICIPALITY OF NIAGARA

OWNERS CERTIFICATE
I HEREBY AUTHORIZE SGL PLANNING & DESIGN INC. TO SUBMIT THIS PLAN FOR APPROVAL.

SIGNED _____ DATE: _____
Solmar (Niagara 2) Inc.

SURVEYORS CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE CORRECTLY AND ACCURATELY SHOWN.

SIGNED _____ DATE: _____
SHAN GOONEWARDENA, O.L.S.
R-PE SURVEYING LTD

ADDITIONAL INFORMATION
(UNDER SECTION 51(17) OF THE PLANNING ACT) INFORMATION REQUIRED BY CLAUSES A,B,C,D,E,F,G,J & L ARE SHOWN ON THE DRAFT AND KEY PLANS.

H)MUNICIPAL AND PIPED WATER TO BE PROVIDED
I) SILTY CLAY, SILTY CLAY TILL, SANDY SILT, SANDY SILT TILL
K)SANITARY AND STORM SEWERS TO BE PROVIDED

LAND USE SCHEDULE

LAND USE	LOT / BLOCK #	AREA (ha)	AREA (ac)	UNITS
RESIDENTIAL SEMI DETACHED HOMES	2-34	1.54	3.81	66
RESIDENTIAL SINGLE DETACHED HOMES	1,35-158	4.03	9.96	125
PARK	159 - 160	0.89	2.20	
NATURAL HERITAGE	161	0.17	0.42	
GREENBELT PLAN AREA & EASEMENT	162	3.63	8.97	
STREAM & BUFFER	163	0.12	0.30	
HOTEL	164-165	0.07	0.17	
ROAD & OPEN SPACE	166	0.47	1.16	
WALKWAY	167	0.01	0.02	
ROAD R.O.W.		1.41	3.48	
TOTAL	**167**	**12.34**	**30.49**	**191**

SGL Planning & Design Inc.
416-923-6630 sglplanning.ca

SCALE 1: 1,000
(24x36)
July 7, 2020

N

APPENDIX IV: Images

200 John Street – Former Calvin Rand Property

Figure 1: 200 John Street, Summer Home

Figure 2: 200 John Street, Garage

Figure 3: 200 John Street, Pool House

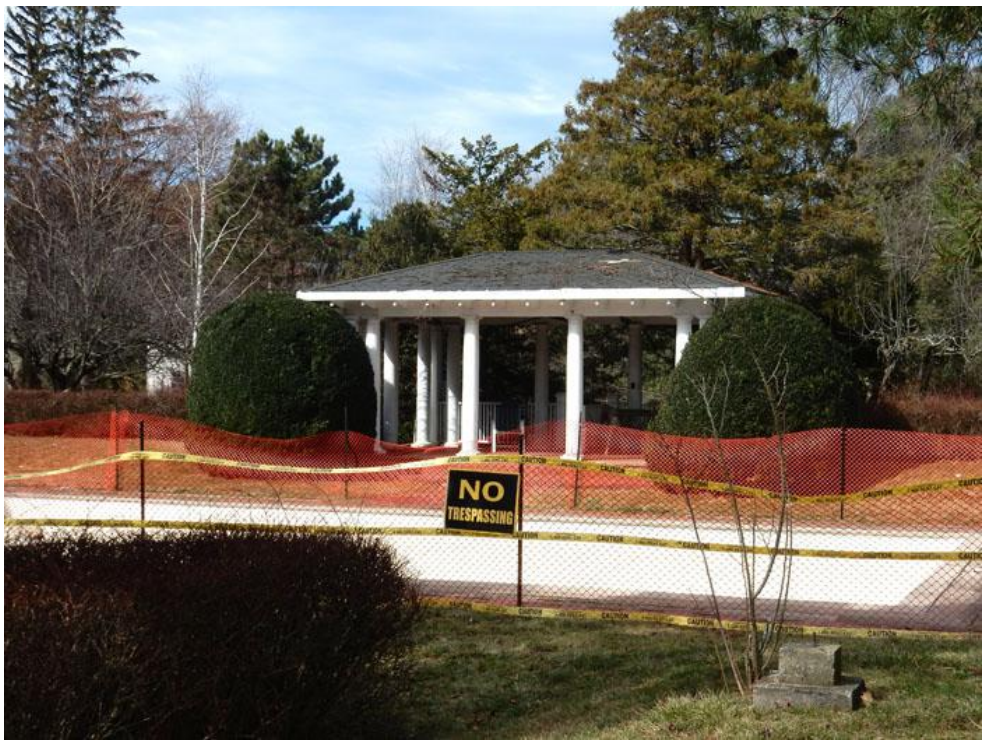


Figure 4: 200 John Street, Tea House & Pool

Figure 5: 200 John Street, Gazebo

Figure 6: 200 John Street, Remnants of Greenhouse Foundation

Calvin Rand's Summer Home

Figure7: 200 John Street, Summer Home, Façade

Figure 8: 200 John Street, Summer Home, Facade

Figure 9: 200 John Street, Summer Home, East Side

Figure10: 200 John Street, Summer Home, Rear Elevation

Figure11: 200 John Street, Summer Home, West Elevation

Figure12: 200 John Street, Summer Home, Entrance Hall

Figure13: 200 John Street, Summer Home, Kitchen

Figure14: 200 John Street, Summer Home, Main Living Space

Figure15: 200 John Street, Summer Home, Fireplace in Main Living Space

Figure16: 200 John Street, Summer Home, Principal Bedroom

Figure17: 200 John Street, Cupboards & Shelves in Study

Garage

Figure18: 200 John Street, Garage, Facade & East Elevation

Figure19: 200 John Street, Garage, Rear Elevation

Figure20: 200 John Street, Garage, East Elevation

Figure21: 200 John Street, Garage, Car Entrance Door Detail

Figure22: 200 John Street, Garage, Ground Floor

Figure 23:200 John Street, Garage, Ground Floor Looking West

Figure24: 200 John Street, Garage, Brick Fireplace

Figure25: 200 John Street, Garage, Ground Floor Storage Cupboards

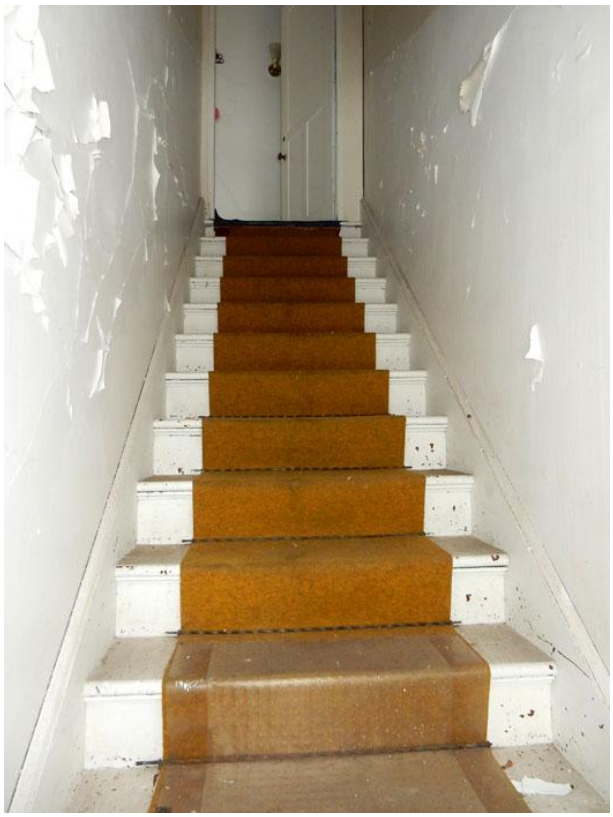


Figure26: 200 John Street, Garage, Apartment Entrance Stairs

Figure27: 200 John Street, Garage, Apartment Kitchen

Figure 28: 200 John Street, Garage, Apartment Kitchen

Figure 19 200 John Street, Garage, Apartment Living Room

Figure30: 200 John Street, Garage, Ceiling Damage

Figure 31: 200 John Street, Garage Apartment, Bathroom Ceiling Damage

Figure32: 200 John Street, Garage Apartment, Bedroom

Figure 33: 200 John Street, Garage Apartment, Bedroom Ceiling Damage and Beaver Board Walls

Figure34: 200 John Street, Garage Apartment, Bedroom Beaver Board Walls

Figure 35: 200 John Street, Garage Apartment, Beaver Board Walls, False Ceiling and Ceiling Damage

Designed Landscape

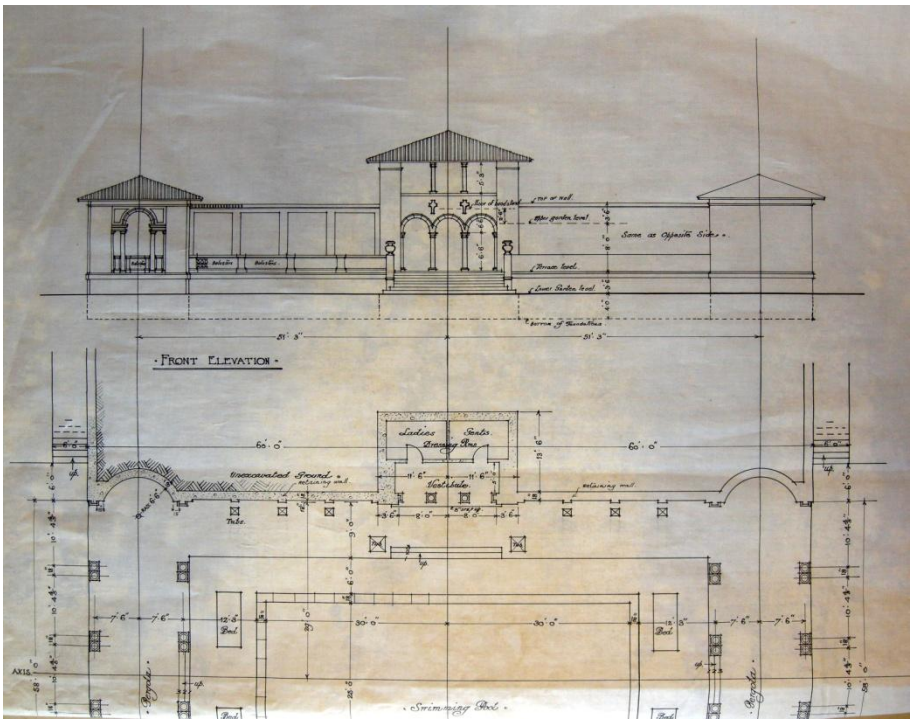


Figure 36: 200 John Street, Designed Landscape, First Pool and Pavilion Design, Undated

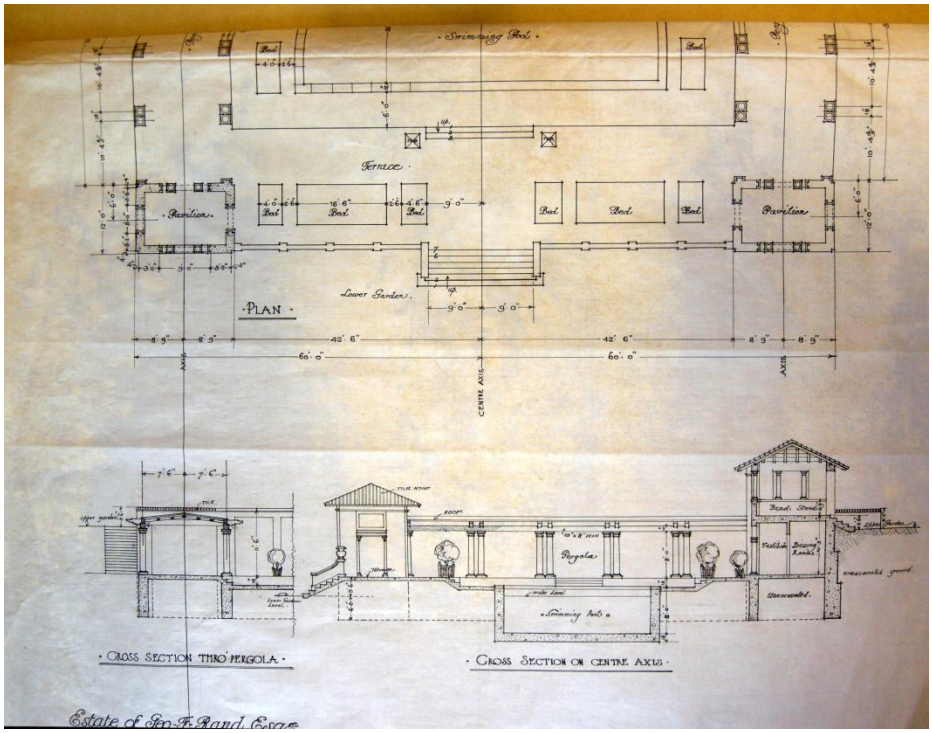


Figure37: 200 John Street, Designed Dunnington-Grubb Landscape, First Pool and Pavilion Design, Undated

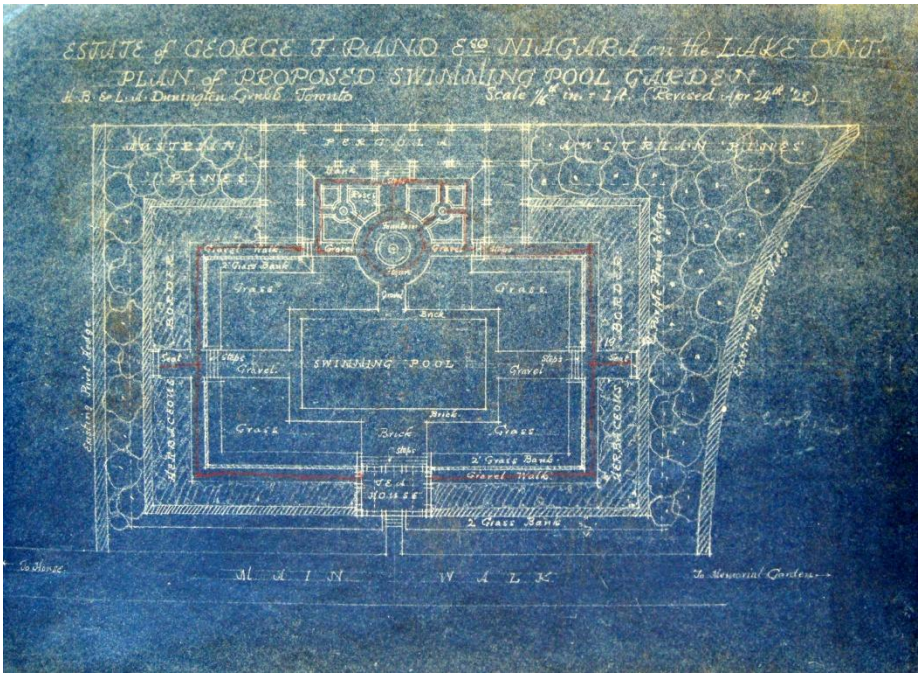


Figure38: 200 John Street, Designed Dunnington-Grubbe Landscape, Pool & Tea House Design, 1928

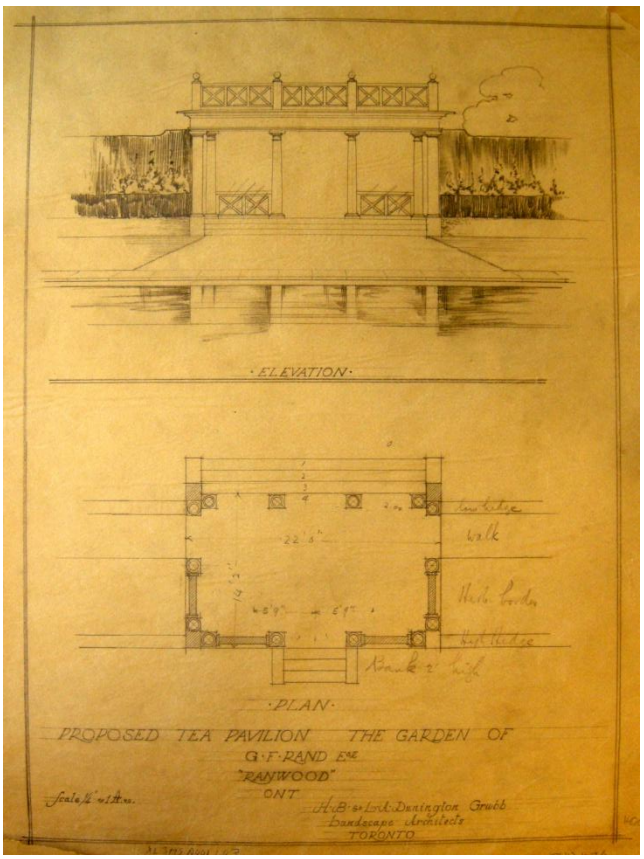


Figure 39: 200 John Street, Designed Dunnington-Grubb Landscape, Tea House Design, 1928

Figure40: 200 John Steet, Designed Landscape, Tea House & Pool

Figure41: 200 John Street, Designed Landscape, Tea House

Figure42: 200 John Street, Designed Landscape, Stone Steps to Tea House

Figure43: 200 John Street, Designed Landscape, Brick Steps, Tea House

Figure44: 200 John Street, Designed Landscape, Tea House, Pool & Pergola Bases

Figure45: 200 John Street, Landscape, Pool House

Figure46: 200 John Street, Pool House, Facade

Figure 47: 200 John Street, Pool House, Portico

Figure48: 200 John Street, Pool House, Pediment

Figure49: 200 John Street, Pool House, Portico

Figure50: 200 John Street, Pool House, Portico Floor

Figure51: 200 John Street, Pool House, North Elevation

Figure52: 200 John Street, Pool House, South Elevation

Figure 53: 200 John Street, Pool House, West Elevation

Figure54: 200 John Street, Pool House, Interior

Figure55: 200 John Street, Pool House, View of Washroom

Figure 56: 200 John Street, Pool House, Casement Window

Figure 57: 200 John Street, Pool House, Kitchen Unit

Figure58: 200 John Street, Pool House, Ceiling Damage

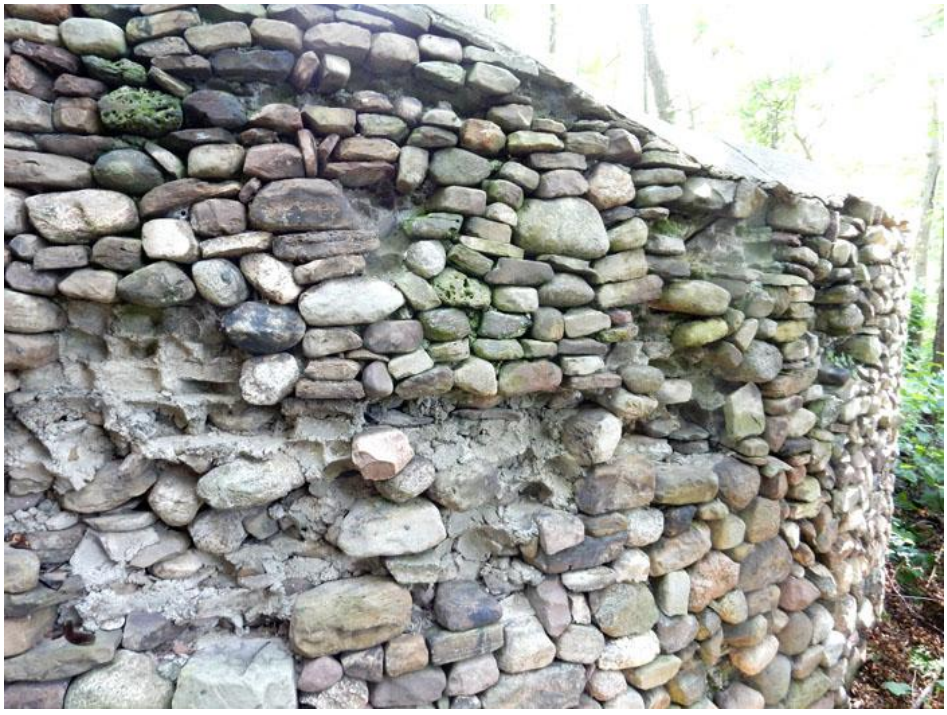


Figure59: Cobble Stone Wall, Railway Trail

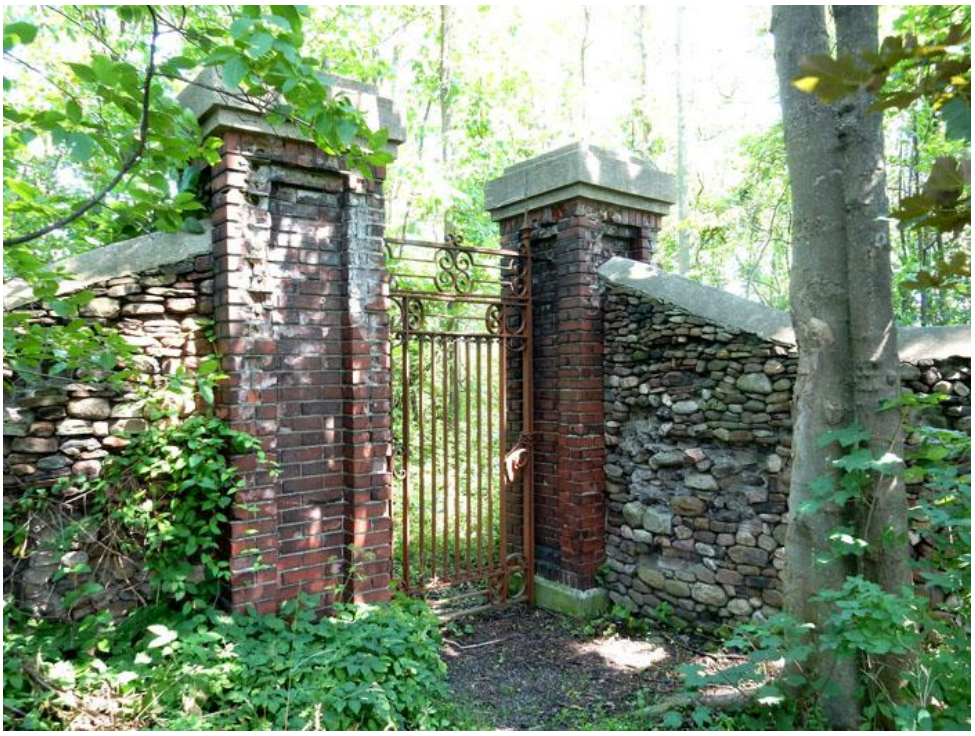


Figure60: 200 John Street, Gate & Pillars, Railway Trail

Figure61: 200 John Street, Pillar, Railway Trail

588 Charlotte Street

Figure62: 588 Charlotte Street, Former Stables

Figure 63: 588 Charlotte Street, Outbuildings

Former Stables or Barn/House

Figure64: 588 Charlotte Street, Stable/House, Façade & Courtyard

Figure65: 588 Charlotte Street, Stable/House, Garage & West Wing

Figure 66: 588 Charlotte Street, Stables/House, Garage & West Wing

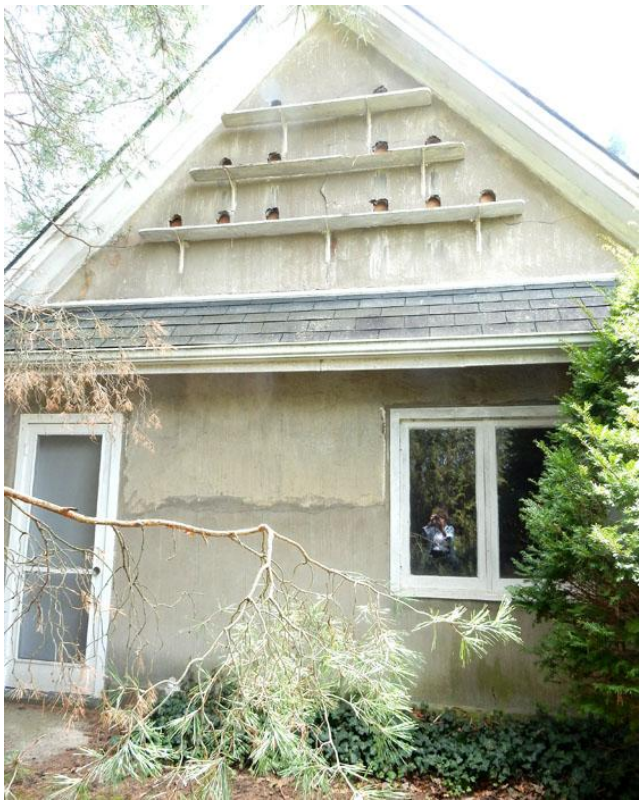


Figure67: 588 Charlotte Street, Dovecote

Figure68: 588 Charlotte Street, Rear Elevation

Figure69: 588 Charlotte Street, Stables/House, Apartment Wing

Figure70: 588 Charlotte Street, Stables/House, Apartment Wing

Figure71: 588 Charlotte Street, Stables/House, Living Room

Figure72: 588 Charlotte Street, Stables/House, Living Room & Horse Stall Doors

Figure73: 588 Charlotte Street, Stables/House, Kitchen

Figure74: 588 Charlotte Street, Stables/House, Kitchen

Figure 75: 588 Charlotte Street, Stables/House, Dining Room Cupboard

Figure76: 588 Charlotte Street, Stables/House, Master Bedroom

Figure77: 588 Charlotte Street, Stables/House, Apartment Living Room

Figure78: 588 Charlotte Street, Stables/House, Apartment Living Room

Figure79: 588 Charlotte Street, Stables/House, Kitchen

Figure80: 588 Charlotte Street, Stables/House, Apartment Bedroom Ceiling

Figure 81: 588 Charlotte Street, Stables/House, Garage

Outbuildings

Figure82: 588 Charlotte Street, Outbuilding One

Figure83: 588 Charlotte Street, Outbuilding One, Interior

Figure84: 588 Charlotte Street, Outbuilding Two

Figure85: 588 Charlotte Street, Outbuilding Two, Interior

Figure86: 588 Charlotte Street, Outbuilding Three with Outbuilding One in Background

Landscape

Figure87: 588 Charlotte Street, Lawn in Front of House

Figure88: 588 Charlotte Street, Pathway to 200 John Street

Figure89: 588 Charlotte Street, Gazebo in Front of House

Figure90: 588 Charlotte Street, Rear Lawn with Pool & Pool House

Figure91: 588 Charlotte Street, Rear Lawn with Pool & Pool House

Figure92: 588 Charlotte Street, Cobblestone Wall on Railway Trail, Wooden Replacement Where Wall has Collapsed

Figure93: 588 Charlotte Street, Wooden Replacement Wall

Figure94: 588 Charlotte Street, Lawn & Entrance Driveway, Cobblestone Wall in Distance

Bibliography

Books

Blumenson, John, Ontario Architecture: A Guide to Style and Building Terms 1784 to the Present. Fitzhenry and Whiteside, 1990.

Butler, Nancy, Richard Merritt, Michael Power ed., The Capital Years, Niagara-on-the-Lake, 1792-1796. Dundurn Press, Toronto and Oxford, 1991.

Kalman, Harold, A History of Canadian Architecture, Volume 1. Oxford University Press, Toronto,1994.

McAlester, Virginia and Lee, A Field Guide to American Houses. Alfred A. Knopf, New York, 1997.

McCrae, Marion and Anthony Adamson, The Ancestral Roof, Domestic Architecture of Upper Canada. Clark, Irwin & Company Limited, Toronto, 1967.

Merritt, Richard D., On Common Ground. Dundurn, Toronto, 2012.

Stokes, Peter John, Old Niagara-on-the-Lake. University of Toronto Press, Toronto, 1971.

Articles & Reports

Bray, Carl, *Estate Lots Study, Final Report,* August 2018.

Hobson, Megan, *The Rand Estate, Documentation of Historic Places Program,* Willowbank School of Restoration Arts, 2010.

Ormsby, Joy, *Niagara Institute Property, Background History, First Draft,* May 1989.

Ontario Heritage Trust. *Cultural Heritage Landscapes – An Introduction.*

Web Sites

The Cultural Landscape Foundation, tclf.org.

LEAH D. WALLACE, MA MCIP RPP

15 Brock Street, RR#3, NIAGARA-ON-THE-LAKE, ONTARIO LOS 1J0
Telephone: 905-468-0582 Cell/Text: 905-941-1950
leahdw@sympatico.ca

CURRICULUM VITAE

PRESENT POSITION

Consulting Heritage Planner
Niagara-on-the-Lake

EDUCATION

University of British Columbia
Master of Arts, 1978

University of Guelph
Honours B.A., 1973

PROFESSIONAL MEMBERSHIPS

Ontario Professional Planners Institute (OPPI)
Canadian Institute of Planners (MCIP)

CAREER HISTORY

2016 – Present	Consulting Heritage Planner
2012 – 2016	Senior Planner, Town of Niagara-on-the-Lake
2000 – 2012	Heritage Planner, Town of Niagara-on-the-Lake
1994 – 2000	Contract Heritage Planner Hynde Paul Associates Incorporated, St. Catharines
1984 – 1994	Planning Consultant Robert J. Miller & Associates Ltd., Mississauga
1979 – 1984	Editor and Division Manager Longmans Canada, Toronto

APPOINTMENTS AND AWARDS

2017 - Present	Member, Board of Directors, Lower Grand River Land Trust, Cayuga Ontario (Ruthven Park)
2007 - 2014	Member, Niagara-on-the-Lake Citizens' War of 1812 Bicentennial Committee and the Niagara Region Bi-national Bicentennial Working Group
2006 – 2019	Faculty Member, Willowbank School of Restoration Arts, Queenston
2002 – 2004	Municipal Sector Focus Group on Changes to the Ontario Heritage Act, Provincial Consultations, Ministry of Culture
2002	Member, Bi-national Coordinating Committee, First Bi-national Doors Open, Niagara Region
2000 – Present	Chair, Ruthven Park Building Conservation Committee Lower Grand River Land Trust
1999	Heritage Community Program Recognition Award, Ontario Heritage Foundation (Trust)
1997 – 2000	Member, Ruthven Park Building Conservation Committee Lower Grand River Land Trust, Cayuga
1997 – 2002	Member, Bay Area Artists for Women's Art Hamilton-Burlington
1989 – 2000	Member and Chair (1991–1997), Local Architectural Conservation Advisory Committee Town of Flamborough

PUBLICATIONS AND PRESENTATIONS

Presenter, Ontario Heritage Conference (Ottawa), Municipal Grant Programs and Bill C323, Ontario Heritage Trust Session, 2017

Article, *Up in Flames*, Ontario Planning Journal, January/February 2015

Article, *Heritage Conservation Districts*, Heritage Matters Journal, March 2010

Contributing Author, One Hundred Years One Hundred Artefacts, Niagara Historical Museum, 2007
Field Session Manager, National Trust for Historic Preservation (Buffalo, New York National Conference), Mobile Workshop – Adaptive Re-use of Culturally Sensitive Properties, Canadian Experiences

CIDA Sponsored Walking Tour and Public Planning Session, Niagara-on-the-Lake for Visitors from Xi'an, China Studying the Reconstruction of an Ancient Urban Area
Article, *Heritage Conservation Districts*, Heritage Matters Journal, March 2010

Presenter, Heritage Planning in Niagara-on-the-Lake in association with the Ministry of Culture and the Regional Municipality of Niagara, Association of Municipal Clerks and Treasurers of Ontario Conference

Restoration Case Study: Ruthven Park National Historic Site – Course Presented to Students at the School of Restoration Arts, Willowbank

Presenter, Heritage Conservation Districts – The Good, the Bad & the Ugly Canadian Association of Professional Heritage Consultants Conference

Presenter, Protecting Special Places: Tax Relief Incentives for Heritage Properties, OPPI/OALA Conference – Power of Place

Presenter, Co-curator, The Sacred Sites Tour, Art Gallery of Hamilton, An Architectural Evaluation of the Sacred Sites, The Art Gallery of Hamilton, Lecture Series

The Sacred Site Project, Research Project Exploring the Contemporary and Historical Relationships between Artists and Faith Communities in Hamilton-Wentworth, Art Gallery of Hamilton

Presenter, ARCHINET, An Interactive Guide to Canadian Building Styles Paper presented at Continuity with Change, the 1997 Community Heritage Ontario Conference, Huronia

Presenter, Flamborough and Its Community Identity, Wentworth North Riding Association Town Hall Meeting

Presenter, Suitable Housing for Arts Groups: The Planning Process, The Art of Coming Together Conference, Hamilton Artists Inc.

PROJECTS

ARCHINET, An Interactive Guide to Canadian Building Styles

Architectural and Historical Appraisal of the National Fireproofing Company of Canada (Halton Ceramics Limited) Burlington, Ontario, Architectural Conservancy of Ontario and the Burlington Local Architectural Conservation Advisory Committee

Municipal Register of Properties of Cultural Heritage Value or Interest (inclusion of non-designated properties), Town of Niagara-on-the-Lake, Project Manager,

Community Vision Statement, Town of Niagara-on-the-Lake, Project Manager

Queen-Picton Streets Heritage Conservation District Expansion Study and Draft of Revised District Plan, Town of Niagara-on-the-Lake

Dock Area Public Realm and Urban Design Master Plan, Project Manager

Official Plan Review; Community Engagement Sessions, Background Reports, Heritage Policies, Third Draft of Official Plan, Project Manager

Heritage Impact Assessment, Plan of Subdivision, 1382 Decew Road, City of Thorold

Heritage Impact Assessment, Hotel Expansion, 124 on Queen Hotel and Spa, Old Town, Town of Niagara-on-the-Lake

Heritage Permit and Minor Variance Application, 7 Queen Street (Exchange Brewery), Town of Niagara-on-the-Lake

Heritage Impact Assessment, Randwood Estate, Hotel Development, 144-176 John Street, Old Town, Town of Niagara-on-the-Lake

Heritage Impact Assessment, 200 John Street & 588 Charlotte Street, Proposed Plan of Subdivision, Old Town, Town of Niagara-on-the-Lake

Heritage Impact Report, 1317 York Road, Consent Application, St. Davids, Town of Niagara-on-the-Lake

Heritage Impact Assessment, 240-246 Main Street East, Plan of Subdivision Application, Town of Grimsby

Heritage Impact Report, 705 Nashville Road, Proposed Demolition, (Kleinburg-Nashville Heritage Conservation District), City of Vaughan
Heritage Impact Assessment, 6320 Pine Grove Avenue, Severance Application, City of Niagara Falls

Built Heritage Assessment and Recommendations, 133 Main Street East (Nelles House), Town of Grimsby

Heritage Impact Assessment, 133 Main Street East, Application for Official Plan and Zoning By-law Amendments, Town of Grimsby

Heritage Impact Assessment, 95 Cline Mountain Road, Niagara Escarpment Commission Development Permit Application, Town of Grimsby

Peer Review, Proposed Development, Guelph Avenue, City of Cambridge

Heritage Designation Evaluation, 4105 Fly Road, Campden, Town of Lincoln

Heritage Impact Assessment, 4918 King Street, Beamsville, Town of Lincoln

Conservation Plan, 9-11 Queen Street, Town of Niagara-on-the-Lake

Heritage Impact Report, 1389 Progreston Road, Former Town of Flamborough, City of Hamilton

Heritage Impact Report, 3627 Campden Road, Campden, Town of Lincoln

Heritage Impact Assessment, 4918 & 4922 King Street, Beamsville, Town of Lincoln