

# FORMER RAND ESTATE AND JOHN STREET EAST CHARACTER STUDY

## Final Report

**March 15, 2024**



# TABLE OF CONTENTS

<b>1.0 INTRODUCTION</b>	<b>1</b>
1.1 STUDY PURPOSE AND OBJECTIVE	2
1.2 STUDY AREA AND SURROUNDINGS	3
1.3 CHARACTER STUDY PROCESS	6
<b>2.0 CULTURAL HERITAGE REVIEW</b>	<b>9</b>
2.1 HERITAGE STATUS AND HERITAGE ATTRIBUTES WITHIN THE STUDY AREA	10
2.2 HERITAGE STATUS AND HERITAGE ATTRIBUTES SURROUNDING THE STUDY AREA	22
2.3 HISTORIC DOCUMENTATION AND LITERATURE REVIEW	22
2.4 BRIEF SUMMARY OF AREA HISTORY	24
2.5 HERITAGE CHARACTER	25
2.6 SUMMARY	25
<b>3.0 POLICY CONTEXT</b>	<b>27</b>
3.1 CONSERVATION OF CULTURAL HERITAGE	29
3.2 ENVIRONMENTAL CONSERVATION	30
3.3 PROTECTION OF AGRICULTURAL LANDS	31
3.4 HOUSING DIVERSITY	32
3.5 AREA-SPECIFIC POLICIES	33
3.6 CURRENT ZONING	34
3.7 SUMMARY	35
<b>4.0 CHARACTER ANALYSIS</b>	<b>37</b>
4.1 ADJACENCIES AND EDGES	39
4.2 CULTURAL AND NATURAL HERITAGE	40
4.3 NEIGHBOURHOODS	41
4.4 LANDSCAPE BUFFERS	41
4.5 SUMMARY	42
4.6 OPPORTUNITIES AND CHALLENGES	43
<b>5.0 CONCLUSIONS AND RECOMMENDATIONS</b>	<b>45</b>
5.1 CONCLUSIONS	46
5.2 RECOMMENDED HERITAGE AND DEVELOPMENT FRAMEWORK	48
5.3 RECOMMENDED PRINCIPLES, POLICIES AND ZONING DIRECTION	50
5.4 ADDITIONAL DESIGN GUIDANCE	54
<b>APPENDICES</b>	
SUMMARY OF PUBLIC ENGAGEMENT	
DRAFT AMENDMENT TO IN-FORCE OFFICIAL PLAN	
DRAFT AMENDMENT TO COUNCIL-ADOPTED OFFICIAL PLAN	





# 1.0

---

## INTRODUCTION

# 1.0 INTRODUCTION

In 2022, the Town of Niagara-on-the-Lake initiated the Former Rand Estate and John Street East Character Study following many previous studies focused on the area's cultural heritage and specifically the former Randwood Estate, also known as and generally referred to in this report as the former Rand Estate. Home to Indigenous peoples until European settlement in the 18th century and originally developed as residential estates in the 19th century, the Study Area today features historic residential and agricultural buildings and post-war residential subdivisions within a landscape of mature trees, other vegetation, fields and formal, built elements. Concrete and stone walls surround the former Rand Estate, and four large properties it once contained have been proposed for development, two for approved tourism-related commercial uses and two for a residential neighbourhood. The Study Area also includes the former Brunswick Place estate, which has been maintained as a residential estate.

Anticipating future redevelopment, the Town's recently adopted Official Plan requires a study to be completed for a large portion of the area to determine appropriate land use designations and policies. The Character Study fulfills this requirement, building upon the many previous heritage reports for the former Rand Estate and taking a broader, future-focused approach to the area. It identifies policies and other tools to guide change that conserves the area's natural and cultural heritage, and overall character, while aligning with other public objectives and landowner interests.

The Town of Niagara-on-the-Lake acknowledges that the Study Area and surrounding lands were home to Indigenous peoples for millennia before European settlement. This Character Study focused on the existing conditions of the Study Area and how the area developed through the 19<sup>th</sup> and 20<sup>th</sup> centuries. Additional research or archaeological assessments may reveal a direct connection with Indigenous communities. The Town will strive to consult with Indigenous communities moving forward, so that input can inform future development policies.

## 1.1 Study Purpose and Objective

The purpose of the Character Study is to define the character of the area and identify appropriate policies, regulations and design criteria for the subject lands, in the context of abutting established neighbourhoods, natural features, agricultural lands and existing cultural heritage landscapes and attributes.

There are three objectives for the Character Study:

1. Establish a planning framework that protects existing cultural and natural heritage features, as well as agricultural lands;
2. Establish land use and cultural heritage policies and other design guidance for potential development within the Study Area; and,
3. Define and recommend any additional implementation mechanism(s) or tools to address the area character.

## 1.2 Study Area and Surroundings

The Study Area, bounded by John Street East to the north, agricultural lands (vineyards) to the east, the Upper Canada Heritage Trail to the south, and Charlotte Street to the west, is located at the edge of Niagara-on-the-Lake's Old Town settlement area, and in fact straddles Old Town's urban boundary (see Figures 1 and 2). Historic military sites to the north, agricultural lands to the east and south, and urban development to the west have influenced the uses and character of the Study Area over the last two centuries.

The Study Area's existing land use and physical surroundings are diverse. The Butler's Barracks National Historic Site and the Fort George National Historic Site are to the north, linked by "The Commons", on the north side of John Street East. To the northeast is Paradise Grove, a forested area containing recreational trails. Vineyards and wineries are located to the east and south. To the west are low-rise residential neighbourhoods with a pattern typical of post-war suburban development.

The Study Area itself comprises the former Rand Estate and a second former estate property generally known as Brunswick Place. The subdivisions of Christopher Street and Weatherstone Court, accessed from Charlotte Street, were once part of the Rand Estate, and the remaining estate lands were subdivided into four properties—144, 176 and 200 John Street East and 588 Charlotte Street. Brunswick Place, at 210 John Street East, is located to the northeast, adjacent to the former Rand Estate. The Study Area crosses the Town's urban boundary by approximately 80 metres. Lands located outside the urban area are within the Greenbelt and subject to specialty crop policies. Mature trees are a prominent feature across much of the landscape, and One Mile Creek passes through the northern portion of the area, with a tributary to the south. Sections 2 and 4 of this report provide more information about existing uses and features in the Study Area.



**Figure 1:** Location Map

The Study Area is located at an urban-rural threshold within the Town, with the Butler's Barracks National Historic Site to the north, vineyards and wineries to the east and south, and low-rise neighbourhoods to the west.





**Figure 2:** Study Area

The former Rand Estate comprises 144, 176 and 200 John Street East and 588 Charlotte as well as the Christopher Street and Weatherstone Court subdivisions. The property at 210 John Street East is the former Brunswick Place Estate.





**Figure 3:** View of 144 John Street East looking south



**Figure 4:** View looking east along John Street East from Charlotte Street



**Figure 5:** View of 210 John Street East



**Figure 6:** View of 176 John Street East



**Figure 7:** View of stone wall on Charlotte Street



**Figure 8:** View of 588 Charlotte Street looking east from the Heritage Trail



**Figure 9:** View of Christopher Street



**Figure 10:** View of homes on Weatherstone Court



## 1.3 Character Study Process

The study team began the Character Study in October 2022 by reviewing relevant background information, including past studies, applicable provincial, regional and town policies, and heritage designation by-laws. Existing conditions within and surrounding the Study Area were also analyzed. Based on the team's review and analysis, draft planning principles, an initial heritage and development framework, and draft policy directions were prepared. This work was refined based on feedback from staff at the Town, Niagara Region, Niagara Peninsula Conservation Authority, the Niagara Parks Commission and Parks Canada.

The study findings, including the draft principles, framework and policy directions were then shared with representatives of the community group Save Our Rand Estate (SORE), as well as the owners of 144, 176 and 200 John Street East and 588 Charlotte Street, for feedback. This consultation was followed by a public information centre (PIC) on April 27, 2023, and a presentation to the Town's Municipal Heritage Committee (MHC) on June 7, 2023. This feedback informed further revisions and refinements to the emerging recommendations.

Below is a summary of stakeholder and public engagement events and activities.

- **October 27, 2022:** A meeting with heritage consultants retained by SORE to inform them of the study process and timeline. The consultants shared perspectives on how the character study should approach future development scenarios in the context of a heritage landscape, such as reinforcing the importance of the landscape in considering the character of the Study Area.
- **November 2, 2022:** A meeting with the planning and urban design consultants retained by SORE. The consultants shared and described their proposed concept for 200 John Street East and 588 Charlotte Street. The consultants highlighted features such as access and circulation, built form and lot patterns, adaptive reuse of heritage buildings, and how the proposal overall responds to the heritage characteristics.
- **December 2, 2022:** A meeting with representatives of the owners of 144, 176 and 200 John Street East and 588 Charlotte Street, including their planning consultant, to inform them of the study process and timeline. The representatives provided an overview of the updates to the revised application for 200 John Street East and 588 Charlotte Street. There was discussion on how the proposal responds to designated heritage features.
- **December 13, 2022:** A meeting with staff from a range of departments at the Town, Niagara Region, Niagara Peninsula Conservation Authority and Niagara Parks Commission to present findings from the background review and potential policy directions. There was feedback and discussion on matters related to heritage, natural features and infrastructure.
- **April 27, 2023:**
  - A virtual public information centre (PIC) to present background information, the draft principles, the heritage and development framework, and potential policy directions. Questions from participants were addressed by the study team following the presentation. The most frequent themes in the questions were about building heights and density, compatibility with existing residential development, the mobility network and incorporating cultural heritage.
  - Following the public information centre, participants were encouraged to provide additional feedback through an online survey and "ideas board" via Social Pinpoint. Feedback from Social Pinpoint indicated strong support for many of the policies and key policy directions, with an emphasis on prioritizing natural heritage, compatibility and cohesion.
  - Additional details on the PIC and Social Pinpoint, and public feedback received, are included in the summary of public engagement appended to this report.

- **May 1, 2023:** A meeting with SORE representatives for feedback on the draft principles, heritage and development framework, and policy directions. The SORE representatives asked to clarify information on a range of matters such as how land uses and access have been considered in the study. There was also interest in how to allow for densification while ensuring built form and building heights are appropriate. Following the meeting, suggested revisions to the draft principles and policy directions were shared with the study team. Many of the suggested revisions were incorporated into the recommended principles and policies.
- **May 2, 2023:** A meeting with the planning consultant retained by the owners of 144, 176 and 200 John Street East and 588 Charlotte Street landowners for feedback on the draft principles, heritage and development framework, and policy directions. The landowners asked for clarification on the policy directions and requested that the mapping of environmental features be reviewed.
- **June 7, 2023:** A presentation to the Municipal Heritage Committee on the draft principles, heritage and development framework, and policy directions. There were questions and comments on the financial feasibility of maintaining heritage attributes, the planning of an active transportation and street network, and appropriate height limits for new buildings.
- **June 12, 2023:** A meeting with planning, urban design and heritage consultants retained by SORE for further feedback on the draft principles, heritage and development framework, and policy directions. The discussion was focused on reviewing the principles and policy directions in detail and providing further feedback or asking for clarification. Many of the suggested revisions were incorporated into the recommended policies.





# 2.0

---

## **CULTURAL HERITAGE REVIEW**

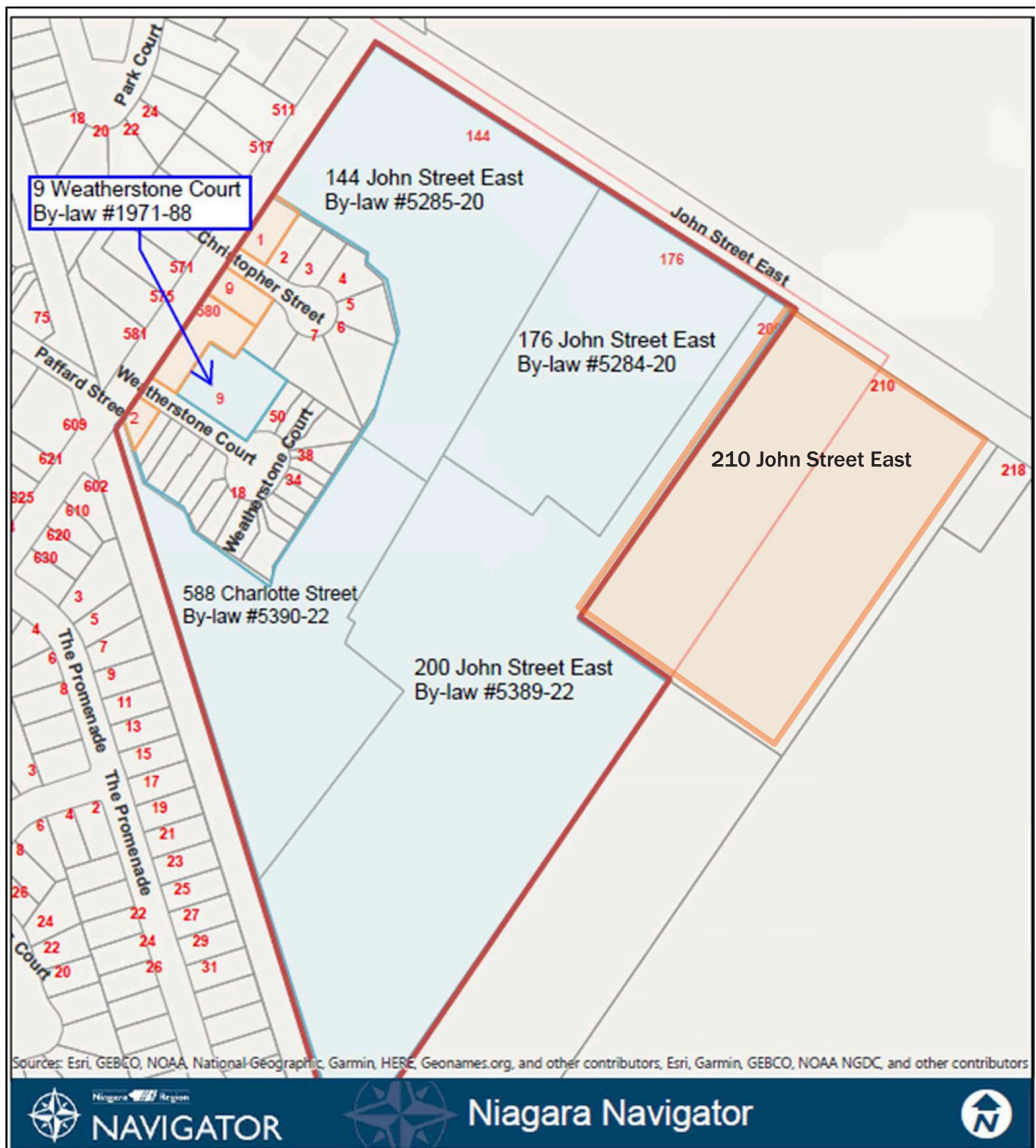
## 2.0 CULTURAL HERITAGE REVIEW

Developing planning policies for an area requires a full understanding of the area's existing conditions, including the existence of features of cultural heritage value, both within and adjacent to the lands being studied. The Study Area encompasses several properties, including 144, 176, 200 and 210 John Street East, 588 Charlotte Street, plus the entirety of Weatherstone Court (including 9 Weatherstone Court and 580 Charlotte Street) and the entirety of Christopher Street. While now severed and separate properties, together these properties (with the exception of 210 John Street East) were once historically known as the Rand Estate. The property at 210 John Street East was not only historically part of the original eighteenth century land grant but was also (following several changes in ownership) a former summer retreat similar to the neighbouring Rand Estate.

### 2.1 Heritage Status and Heritage Attributes within the Study Area

Most of the Study Area lands are identified as heritage resources through Designation By-laws under the Section 29 Part IV of the *Ontario Heritage Act*. A requirement of Designation By-laws is to clearly define a property's heritage value and to identify what specific elements contribute to that value. The values identified include built structures along with landscape features.

On pages 12-19 are descriptions of the designated properties, excluding 9 Weatherstone Court, taken from the Designation By-laws, along with photos of heritage attributes.



**Figure 11:** Map of Designation By-laws

The former Rand Estate is outlined in red; properties with Designation By-laws are shown in blue; and properties listed on the Town's Municipal Register of Properties of Cultural Heritage Value or Interest are shown in orange.

## 144 John Street East

### By-law 5285-20, Schedule 'B'

#### DESCRIPTION OF PROPERTY

The property is located on a corner lot, where John Street East intersects with Charlotte Street; the property generally follows an L-shaped plan. The property has vehicle access from John Street East marked by large red brick pillars that frame the entrance. There are multiple built structures associated with the property including: the main residential building (Devonian House or Sheet House) built in 1922, and the Coach House which was built c. 1860s. There are many mature trees on the property which represent a variety of species.

#### STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

The property known as 144 John Street East has cultural heritage value or interest for its design and physical values, its historic/associative values and its contextual values.

The property has physical/design value for its 1920s, two and one-half storey main residence, known as the Sheet House or the Devonian House, which is a representative example of Colonial Revival House which was built and used as a summer home from c. 1920-1980. The property's c.1860 coach house is a unique local example of a coach house with Gothic Revival details and the concrete, brick and stone wall located along John Street East and Charlotte Street is a rare local example of a surviving estate wall that delineated a local estate boundary.

The property has historical/associative value for its direct associations with Hon. Peter Russel and William Dickson who were early owners of the property. The property is also directly associated with George Rand I who purchased the property in 1919. The property is most associated with Evelyn Rand and Henry Sheets, who built the existing house and used the property as a summer home until 1980. Evelyn Rand was a noted equestrian. In addition, the property was associated with the Devonian Group (now part of the Devonian Group of Charitable Foundations) and The Niagara Institute (now part of the Conference Board of Canada) which used the property for conference, seminars and as a place of teaching. Parts of the surviving landscape reflects the work and design of Howard and Lorrie A. Dunington-Grubb. The couple pioneers in their field and well respected in the Canadian landscape architecture community.

The property has contextual value as it is important in defining, maintaining or supporting the character of an area. The large concrete, brick and stone walls that surround the property are important in defining the character of the John Street/ Charlotte Street area. It also 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. 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. Lastly, the property is a local landmark.

#### DESCRIPTION OF HERITAGE ATTRIBUTES

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

The property (as a whole):

- The concrete and stone wall which extends along John Street East and Charlotte Street
- The red brick pillars which mark the entrance to the property;
- 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.





**Figure 12:** The Sheets House at 144 John Street East (LHC, 2019)



**Figure 13:** Coach House (Wallace, LHC, 2017)

# 176 John Street East

## By-law 5285-20, Schedule 'B'

### DESCRIPTION OF PROPERTY

The property is located on John Street East and generally follows a rectangular property line. The property is accessed from John Street East through large red brick pillars and the gate which frame the entrance. There are multiple structures associated with the property including the main residence (Randwood), a wooden gazebo, and a modern brick pavilion. There are numerous landscaping features of note including the wooden

### STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

The property known as 176 John Street East has cultural heritage value or interest for its design and physical values, its historical/associative values, and its contextual values.

It has physical/design value because of its main residence which is a representative example of an evolved summer residence that has evidence of multiple architectural styles, such as Second Empire style, Italianate and Neo-Classical features. It also has physical/design value for its concrete, brick and stone wall found along John Street East which is a rare local example of an intact large wall which delineates the original estate boundary.

The property has historical/associative values due to its many historical associations. The property has direct associations with Hon. Peter Russel and William Dickson who were early owners of the property. It also has direct associations with the Rand Family who originally kept the property as a summer home. George Rand I purchased the property in 1910 and began modifying the existing residence and building many new structures on the estate grounds. The property remained in the Rand Family until 1976. In addition, the property is associated with the Devonian Group (now part of the Devonian Group of Charitable Foundations) and The Niagara Institute (now part of the Conference Board of Canada) which used the property for conference, seminars and as a place of teaching. The Niagara Institute was established by Calvin Rand in 1971 and they used the property from 1980 until 1993. Lastly, the property is associated with Canadian landscape architect team Howard Dunington 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 also has historical/associative value as it demonstrates or reflects their work and ideas.

The property has contextual value as it is important in defining, maintaining or supporting the character of an area. The large concrete, brick and stone walls that front the property are important in defining the character of the John Street area. The view from the entrance gate on John Street East showing the long central axis, lily pond and main residence also 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. 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. The property is a local landmark.

### DESCRIPTION OF HERITAGE ATTRIBUTES

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 Neoclassical features with its form, scale, and massing; and
- The mansard roof and enclosed brick tower.





**Figure 14:** View of the Lily Pond on 176 John Street East (LHC, 2019)



**Figure 15:** Wooden pergola (gazebo) (Wallace, LHC, 2018)



**Figure 16:** The Main Residence at 176 John Street East (LHC, 2019)



## 200 John Street

### By-law 5285-20, Schedule 'B'

#### 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 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





**Figure 17:** Carriage House (LHC, 2019)



**Figure 20:** Rear view of Calvin Rand Summer House (LHC, 2019)



**Figure 18:** View of Tea House and pool (LHC, 2019)



**Figure 21:** Bath Pavilion (LHC, 2019)



**Figure 19:** Remnants of the Whistle Stop (LHC, 2018)



**Figure 22:** Rail corridor gate at the Whistle Stop (LHC, 2018)



## 588 Charlotte Street

### By-law 5285-20, Schedule 'B'

#### **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/associative 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 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.



**Figure 23:** 588 Charlotte Street buildings (LHC, 2019)



**Figure 24:** Northern shed (LHC, 2019)



**Figure 25:** Former stables (Main House) (LHC, 2019)



Other properties within the Study Area are listed on the Town's Municipal Heritage Register of Properties of Cultural Heritage Value and Interest (the "Municipal Heritage Register"). These include 1 Christopher Street, 9 Christopher Street, 580 Charlotte Street and 2 Weatherstone Court. The specific elements identified in the listing include the brick, concrete and stone walls (the former estate boundary wall) and related arch and gateway features that define the original extent of the Rand Estate. Also listed on the Municipal Heritage Register is 210 John Street East (which has been known historically as Brunswick Place or Pinehurst),

which contains property that was historically linked to the Study Area lands prior to Rand family ownership. It contains a large estate residence, mature trees and accessory structures.

Mapping of the heritage attributes on the former Rand Estate property that contribute to the heritage value was previously prepared by LHC in 2021 (see Figure 26). This map, which accurately illustrates the location of the heritage attributes contained in the enacted Designation By-laws, was used as a reference for the Character Study.

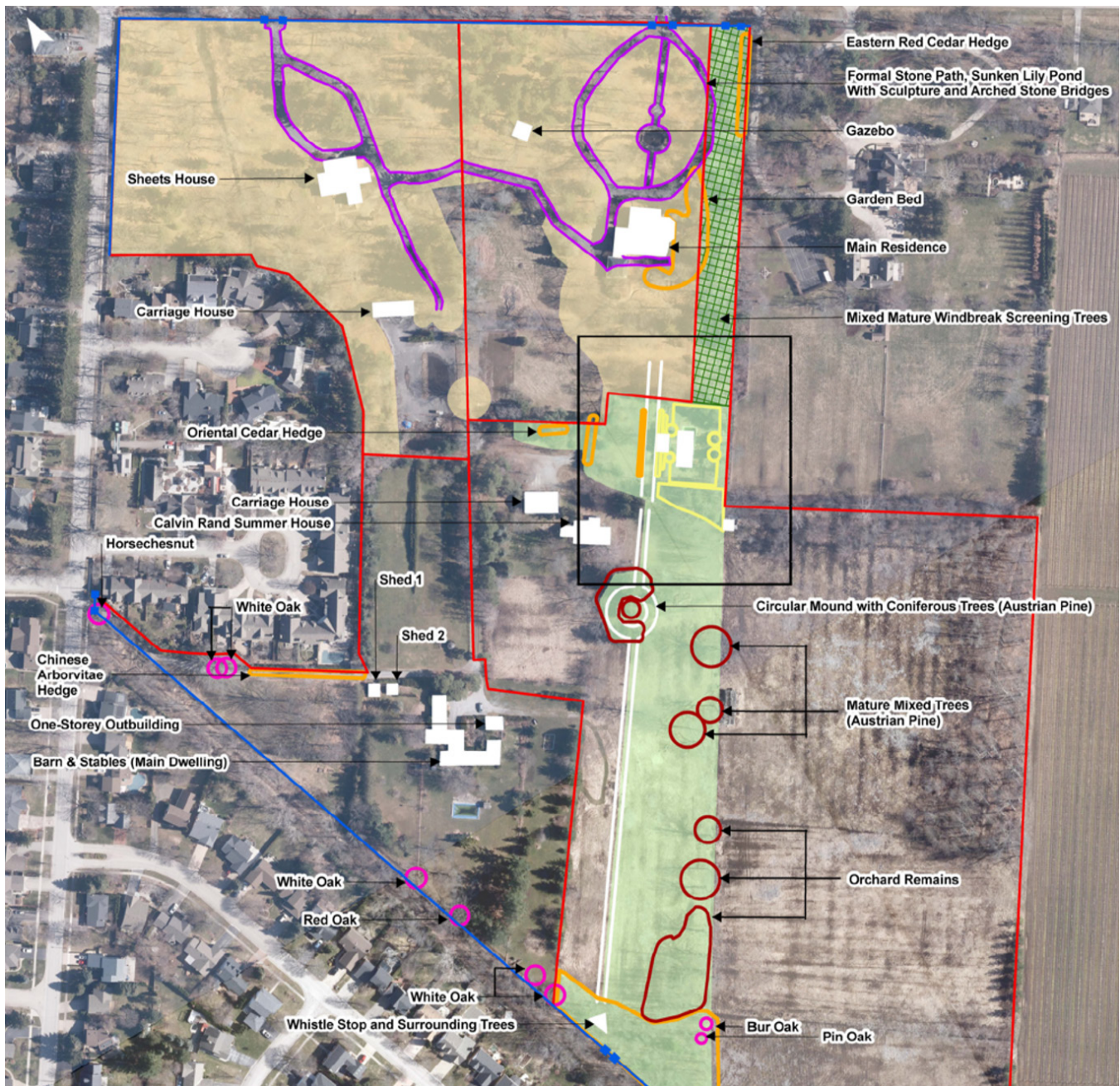


Figure 26: Former Rand Estate Heritage Attributes (LHC, 2021)





<b>Legend</b>		<b>TITLE</b> Rand Estate Heritage Attributes	
	Property Lines	<b>CLIENT</b> Town of Niagara-on-the-Lake	
	Removed in November 2018 after the Service of the NOIDs	<b>PROJECT</b> Conservation Review Board Hearing	
	Dunington-Grubb Designed Landscape	<b>PROJECT NO.</b> LHC0119	
	Mature Trees and Plantings	<b>CONSULTANT</b>	
	Gate Wall & Posts/Pillars	YYYY-MM-DD 2021-07-05	
<b>NOTE(S)</b> 1. All locations are approximate.			
		PREPARED LHC	
		DESIGNED JG	
		FIGURE # ##	

Figure 27: Heritage Attributes in Pool Complex (LHC, 2021)

## 2.2 Heritage Status and Heritage Attributes surrounding the Study Area

In addition to the properties within the Study Area, there are adjacent properties that are also recognized as heritage resources. The Study Area lies south of The Commons, approximately 285 acres of open parkland space that connects the federally-owned Butler's Barracks and Fort George – two National Historic Sites.

South of the site is the Upper Canada Heritage Trail. The former railway corridor for the Michigan Central Railway is now a multi-use recreational trail that connects to a larger trail network.

## 2.3 Historic Documentation and Literature Review

The Character Study benefited from the wealth of existing documentation on the history and heritage of the Study Area; there is a long history of documentation on the heritage values of the entire Study Area and its immediate surroundings. A review of the existing documentation reveals that all of the properties have been previously researched and inventoried – indeed, extensive historical research has been undertaken over the course of the last 35 years.

As part of the Character Study, existing documentation dating back to 1985 was reviewed. Many of these past studies and reports were prepared by the Town of Niagara-on-the-Lake (either in-house or by consultants retained by the Town) – for example the 2018 Estate Lots Study of Niagara-on-the-Lake and the 2018 Cultural Heritage Evaluation Reports for 144, 176, 200 John Street East and 588 Charlotte Street. Other studies and reports were prepared by consultants retained by property owners as supporting documentation provided as part of development applications – for example the 2010 Heritage Impact Assessment Report for the Randwood/Romance Property and the 2017 Heritage Impact Assessment Report for 144-176 John Street, 200 John Street and 588 Charlotte Street.

Each of these past studies or reports, regardless of their intended purpose, included background historical information developed using primary, archival documentation. Most of the reports are appropriately footnoted to confirm the validity of the source of information.

From a review of all these reports, it is evident that successive reports have built upon previous reports and/or have been updated (as new research comes to light), ultimately culminating in the most comprehensive reports prepared as recently as 2022.

Given the existence of these previous reports, no original historic research was undertaken as part of this current project. For the purposes of this report, the summary of the area's history (provided in the following sub-section) is a brief synopsis of the historical accounts contained in these reports. The authors of these previous reports are hereby credited with the primary research.

## HISTORIC DOCUMENTATION

#	DATE	DOCUMENT
1	1985	Niagara on the Lake Estate Lots, Plan and Zoning by-law
2	1989	Randwood Estate Report (Niagara Institute Property Background History)
3	1989	Randwood Estate Report
4	2010	Heritage Impact Assessment Report: Randwood: The Romance Property
5	2017	HIA: 144-176 John Street, 200 John Street, and 588 Charlotte Street
6	2018	Niagara-on-the-Lake: Estate Lots Study, Final Report
7	2018	Cultural Heritage Evaluation Report: 144, 176, 200 John Street East and 588 Charlotte Street
8	2020	HIA: 200 John Street and 588 Charlotte Street for Draft Plan of Subdivision
9	2021	OLT Witness Statement
10	2021	Cultural Heritage Evaluation Report: 200 John Street East
11	2021	Cultural Heritage Evaluation Report: 588 Charlotte Street
12	2021	CRB: Cultural Heritage Evaluation Report: 200 John Street and 588 Charlotte Street
13	2021	CRB: Rand Estate: Visual Evidence
14	2021	CRB: Rand Estate: Visual Evidence
15	2021	CRB Witness Statement: Notice of Intention to Designate 200 John Street East
16	2021	CRB Witness Statement: Notice of Intention to Designate 200 John Street East
17	2022	Building Condition Assessment: The Bath House, 200 John Street
18	2022	Building Condition Assessment: The carriage House, 200 John Street
19	2022	Building Condition Assessment: The Guest House, 200 John Street
20	2022	Building Condition Assessment: The Tea Pavilion, 200 John Street
21	2022	Building Condition Assessment: The Whistle Stop, 200 John Street
22	2022	Building Condition Assessments: 588 Charlotte Street
23	2022	HIA Addendum: 200 John Street and 588 Charlotte Street Draft Plan of Subdivision
24	2022	Conservation Plan: Freestanding Boundary Walls, the Randwood Lanes
25	2022	Urban Design Brief: 200 John Street East and 588 Charlotte Street
26	2023	Heritage Commemoration Plan: 200 John Street East and 588 Charlotte Street

DATE	DESIGNATION BY-LAWS
1971	By-law 1971-88: 580 Charlotte Street
2020	By-law 5284-20: 176 John Street East
2020	By-law 5285-20: 144 John Street East
2022	By-law 5389-22: 200 John Street East
2022	By-law 5390-22: 588 Charlotte Street (now municipally addressed as 9 Weatherstone Court)
2018	Heritage Register Report - 1 Christopher Street, 9 Christopher Street, 580 Charlotte Street, 2 Weatherstone Court

## 2.4 Brief Summary of Area History

The Study Area, like most of the lands constituting Niagara-on-the-Lake, has a long and layered history from its First Nations occupations through to post-colonial settlements.

While the history of the Study Area lands relates to events that influenced the overall development of Niagara-on-the-Lake (and was owned and/or occupied by very prominent members of the early community), the existing physical attributes located in the Study Area lands primarily relate to the twentieth century occupation of the lands by the wealthy American Rand family, beginning with the banker George F. Rand I. Like many other Niagara-on-the-Lake estate properties, the Rands used the lands as a summer retreat. Much of the heritage value of the Study Area stems from the Rand occupation. This includes the built and natural features (although the earliest portions of the building at 176 John Street East, known as Randwood, predate the Rand occupation). Thus, the lands that constitute the Study Area are very much tied to the period in Niagara-on-the-Lake's history of summer retreats. The social and cultural significance of the Rand family (notably Calvin Rand's impact on the founding of the Shaw Festival and his support of the Niagara Institute) adds to the heritage value of the site.

As fully documented in many of the aforementioned research reports, the Rand Estate property and the adjacent 210 John Street East property constitute a small portion of one of the original Loyalist properties, that being the 160-acre land grant made to the Honourable Peter Russell in 1796. The details of the ownership and occupation of the lands from Russell to the Honourable William Dickson (and subsequently his family) and then to Henry Livingston Lansing (and subsequently his descendants) is fully documented in the previous reports (notably Ormsby 1989 and LHC 2021).

George Rand I, a prominent American banker and philanthropist, began acquiring portions of the Study Area lands at the outset of the twentieth century, ultimately amassing around 50 acres. Numerous buildings, structures and landscape features have been developed on the lands that constitute the Study Area, ultimately resulting in a unique amalgam of features that is indicative of its history as the Rand Estate, at one time, a secluded family compound (variously wooded or landscaped) surrounded by a perimeter wall of brick and stone. The Rands added to existing buildings (notably Randwood, the house at 176 John

Street East); constructed new structures (one example being the Sheets House at 144 John Street East); and tended to the planned and natural landscapes. A notable contribution of the Rand occupation was their collaboration with the famed landscape architecture firm Dunington-Grubb. Meanwhile, on the adjacent 210 John Street East, a number of successive owners (many also American) occupied the estate property with its grand house variously named Pinehurst or Brunswick Place.

Beginning in the 1940s, the Rand family began to sever the original family estate, the result being that the current Study Area is now comprised of a number of separate properties. The severances began with lots along Charlotte Street, lands that would eventually (in the 1970s and 1980s) be developed by Charlotte Court Developments Limited as two small residential subdivisions that include Christopher Street and Weatherstone Court. These properties included some of the Rand-family buildings, specifically the former milkhouse, stables and gatehouse. Subsequent severances in the 1970s further subdivided the lands, creating new properties at 200 John Street East and 588 Charlotte Street. The various buildings and structures on these former Rand properties were often renovated and altered due to a change of use. For example, the Rand barns and stables, once severed from the main property at 176 John Street East, were repurposed for residential use on a newly created 588 Charlotte Street property.

The Rand ownership of the lands ultimately diminished beginning in the 1970s and a subsequent layer of history began, with a succession of owners for each of the distinct properties. While relatively minor physical alterations to the various properties took place over the decades of the 1970s, 1980s and 1990s (with the exception of the Christopher Street and Weatherstone Court sub-division developments), the character of the single-family owned estate (albeit in separate ownerships) remained relatively stable over the past several decades.



## 2.5 Heritage Character

As noted above, the heritage attributes of the properties that together constitute the Study Area have been identified through the designation or listing on the Town's Municipal Heritage Register of Properties of Cultural Heritage Value and Interest. While these identifications look at the properties as distinct entities, the Character Study and recommended planning policies cross property boundaries. For this reason, the heritage character takes into account the site as a whole and considers the importance of the contiguous nature of the values from property to property.

When the identification of property with cultural heritage value includes aspects of the landscape (such as in the case of the Study Area), the property falls into the category of a cultural heritage landscape. According to the Provincial Policy Statement (2020), a Cultural Heritage Landscape is defined as:

*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 together 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 Ontario Heritage Act, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms.*

It is under the analysis of a cultural heritage landscape that the features found on the respective properties in the Study Area become interconnected and their conservation becomes interdependent. For example, the property at 200 John Street East is part of the rear of the former Rand Estate (the house of the estate now being at 176 John Street East) and is therefore an important part of the overall estate design, that is, the Dunington-Grubb features (for example) are historically connected to the adjacent estate house. Similarly the outbuildings and fields at 588 Charlotte Street take their meaning from the Rand Estate house at 176 John Street East due to their very nature of being the hobby farm for the Rand family. The former rail corridor that marks the southern boundary of the Study Area is a reminder of the transportation route for the Rand family between Niagara and Buffalo.

As summarized in the LHC June 2021 report on 200 John Street East:

*The interconnected design of all the properties as part of one estate is still legible. The four main properties, 144 John Street East, 176 John Street East, 588 Charlotte Street and the Property (200 John Street East), can be readily understood as a single estate owned by members of the same family for decades. These four properties, (along with) the Milkhouse, the Wall and the gatehouse are an integral part of the larger significant Cultural Heritage Landscape that was the former Rand Estate which is part of the larger John Street East Summer Homes Character Area Cultural Heritage Landscape.*

Each property tells a portion of the evolving history and the individual recognized heritage attributes are the features that conserve that history.

## 2.6 Summary

The Study Area's heritage value and associated attributes have been clearly identified and solidified through the designation process under the Ontario Heritage Act; or through the identification by the Town of non-designated properties of cultural heritage value or interest.

The approach taken for the Character Study was to consider the lands that constitute the Study Area as a contiguous whole. That is, while the properties have been variously severed, the historical use of the former summer estates (Rand and Brunswick Place) provided the basis for assessing the character of the lands.

Existing heritage policies for the approach to planning cultural heritage landscapes guided the development of area-specific policies recommended in Section 5. In addition, given the identification of these lands as cultural heritage resources, the Standards and Guidelines for the Conservation of Historic Places in Canada also serve as guidelines for best practices for conservation, specifically the "Guidelines for Cultural Landscapes."



**3.0**

---

**POLICY**

**CONTEXT**

## 3.0 POLICY CONTEXT

Under Ontario's policy and regulatory framework for planning and development, the Study Area is subject to land use policies at the provincial, regional and municipal levels of government. Although the recommendations of this study may result in amendments to the Town of Niagara-on-the-Lake's Official Plan, they should align with general policies in the plan and must conform with applicable provincial and regional policies.

The study team reviewed relevant policies in the following documents.

- Provincial Policy Statement (PPS), 2020 – The PPS is a provincial document that provides policy direction on matters of provincial interest throughout Ontario. The Planning Act requires that all decisions on land use planning in Ontario be consistent with the PPS.
- Growth Plan for the Greater Golden Horseshoe, 2020 - The Growth Plan is a provincial document that generally directs where and how municipalities within the Greater Golden Horseshoe (GGH) will grow to 2051 and beyond.
- Greenbelt Plan (2017) – The Greenbelt Plan is a provincial document intended to ensure future growth in the GGH protects valuable ecological and hydrological features and agricultural lands.
- Niagara Official Plan (2022) – The Niagara Official Plan guides planning in Niagara Region. It provides more detailed directions at the regional level for growth management and includes policies that address a broad range of topics such as the protection of resources, land use and compatibility, and the development of complete communities.

- Niagara-on-the-Lake Official Plan (2017 in-force plan and 2019 Council-adopted plan) – The Town's Official Plan provides planning direction at the local community level. Town Council adopted a new Official Plan in October 2019; however, Niagara Region has not yet approved it, so the previous Official Plan remains in force. In the policy review summarized below, more emphasis is placed on the new Official Plan since it reflects Council's current intent for land use planning in the Town.

The summary of key policies relevant to this study is organized by four themes that run through the policy documents at all levels. This is followed by a summary of site-specific policies and an overview of the area's current zoning.

### 3.1 Conservation of Cultural Heritage

The Province, the Region and the Town emphasize the importance of conserving significant cultural heritage. Both built heritage and cultural landscapes are intended to be conserved, and development activity near significant heritage resources is not permitted unless it has been demonstrated that the resources will be conserved and any negative impacts will be mitigated.

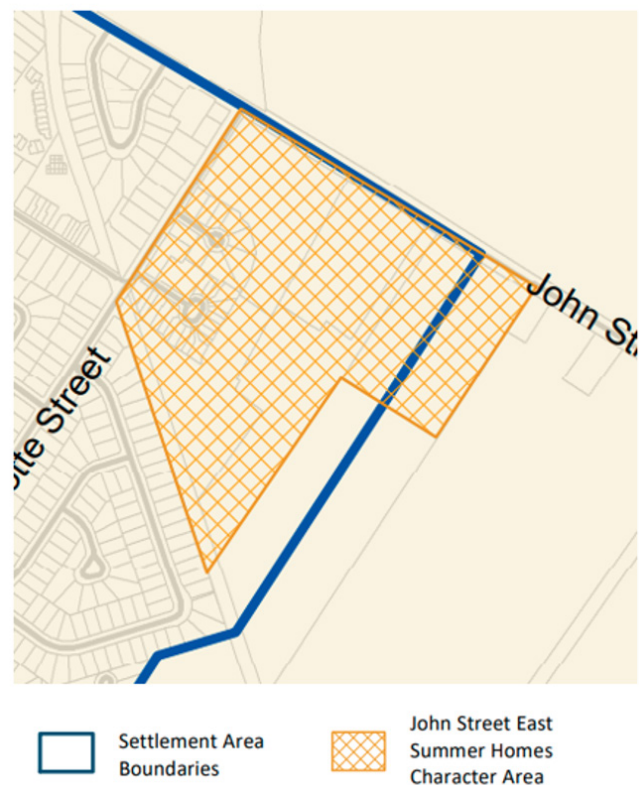
Policy 2.6.1 of the **PPS** direct that significant built heritage resources and significant cultural heritage landscapes be conserved. This is reinforced by Policy 2.6.3, which does not permit development and site alteration on lands adjacent to a protected heritage property unless the proposed changes demonstrate that heritage attributes will be conserved.

The **Growth Plan for the Greater Golden Horseshoe** incorporates guiding principles that include the conservation and promotion of cultural heritage resources to support the social, economic, and cultural well-being of all communities. This is directed in Policy 4.2.7.1 that provides cultural heritage resources will be conserved in order to foster a sense of place and benefit communities.

Echoing the PPS, Policy 6.5.1.1 of the **Niagara Official Plan** requires significant cultural heritage resources to be conserved to foster a sense of place and benefit communities. Policy 6.5.1.5 does not permit development and site alteration on protected heritage property or adjacent lands unless it demonstrates that the heritage attributes of the protected heritage property are conserved.

Section 18 of the **in-force Niagara-on-the-Lake Official Plan** identifies policies for heritage conservation. Section 18.4 provides policies that encourage conservation and require Council to use its legislative authority to designate, regulate, and control the alteration or demolition of heritage properties. These policy directions are reinforced and expanded in the cultural heritage policies within Section 7 of the adopted **Niagara-on-the-Lake Official Plan**. The policies within Section 7.1 emphasize the protection of cultural heritage resources and requires the Town to establish policies and procedures to ensure development and site alterations conserve heritage attributes and mitigate impacts. Considerations and potential impacts of development on heritage resources are listed out, and on-site retention of Built Heritage Resources are to be considered a first priority, with demolition only permitted in exceptional circumstances. The policies within Section 7.2 state that the Town will use all tools available to protect cultural heritage landscapes.

Policy 7.2.3.8 of the **adopted Official Plan** identifies most of the Study Area as the John Street East Summer Homes Heritage Character Area (see Figure 28) and lists heritage attributes specific to the site. The policy sets out requirements for development and site alterations, including a vegetation plan and potentially a commemoration plan, to ensure the conservation of specific heritage values and attributes as a Cultural Heritage Landscape. The maintenance and conservation of mature vegetation and the existing stone walls are required.



**Figure 28:** John Street East Summer Homes Character Area  
Most of the Study Area is located within the John Street East Summer Homes Character Area, as identified in the adopted NOTL Official Plan.

## 3.2 Environmental Conservation

All levels of policy recognize the importance of environmental conservation. Land use patterns are to ensure that as communities grow, environmental health and climate resilience remain a priority in planning. Development must be buffered from environmental features such as streams and woodlands or otherwise demonstrate no negative impact on the features.

Under the policies in Section 2.1 of the **PPS**, the diversity and connectivity of natural features in an area should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas. Development and site alteration shall not be permitted on lands adjacent lands to a natural heritage features unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

One of the goals of the **Greenbelt Plan** is to protect, maintain and enhance natural heritage, hydrologic and landform features, areas and functions (1.2.2.2). The goal is supported by the plan's natural heritage system policies in Section 3.2.2. The lands outside of the urban area boundary are designated as Greenbelt Plan Area and Greenbelt Plan Natural Heritage System.

The **Growth Plan for the Greater Golden Horseshoe** also contains policies on protecting the Natural Heritage System. However, where the policies of the Growth Plan address the same, similar, related, or overlapping matters as the Greenbelt Plan, those in the Growth Plan do not apply unless provided otherwise.

The **Niagara Official Plan** identifies multiple environmental features within the Study Area, including a Highly Vulnerable Aquifer and components of the Natural Environment System such as Other Woodlands and Permanent and Intermittent Streams. Policies within 3.1.5 apply to the lands within the urban area boundary and sets out buffer requirements to natural heritage features and limit development to certain uses such as conservation, recreation, and existing agricultural uses. The policies within 3.1.9 apply to the lands outside of the urban area boundary and set out buffer requirements for non-recreational uses adjacent to streams and natural heritage features. Development within natural heritage features is only permitted for conservation and recreation uses and limited expansion of existing uses. Policies within 3.1.11 state that development is only permitted in Other Woodlands where it has demonstrated that there will be no negative impacts.

Under the **in-force Niagara-on-the-Lake Official Plan**, the portion of One Mile Creek that passes through the Study Area is designated Conservation. Section 16.3 permits forestry, fisheries management, wildlife management, waterfowl production, floodplains, environmental protection and parks as main uses in Conservation areas. Section 6.15 applies to lands adjacent to Conservation areas, stating that Proposed uses shall be sensitive to and minimize any impact on the natural environment.

These policies are continued within the **adopted Niagara-on-the-Lake Official Plan**, where Section 4.15 limits uses to conservation and recreation, and Section 8 sets out policies limiting other uses within the Natural Heritage System.

### 3.3 Protection of Agricultural Lands

The portion of the Study Area outside of the urban area boundary is consistently designated for agricultural or other rural uses.

Policy 2.3.1 of the **PPS** directs the protection of prime agricultural areas for long-term use for agriculture. In addition, Policy 2.3.3.1 sets out that permitted uses in these areas are agricultural uses, agriculture-related uses and on-farm diversified uses.

Under the **Greenbelt Plan**, the lands outside of the urban area boundary are designated as Niagara Peninsula Tender Fruit and Grape Areas (Specialty Crop Area) and include elements if the designated Natural Heritage System. Policies within 3.1.2 and 3.2.2 promote agriculture-related uses. Non-agricultural uses are limited and discouraged and must avoid or limit negative impacts on the lands. Urban area expansion is not permitted on these lands.

The **Niagara Official Plan** designates the lands outside of the urban area boundary as Specialty Crop Area. Policies within 4.1.3 require non-agricultural uses to address respective policies within the Greenbelt Plan and do not allow for redesignation for non-agricultural uses. Where agricultural and non-agricultural uses interface, adverse impacts will be avoided or minimized and mitigated by incorporating measures as part of new or expanding non-agricultural uses.

Under the in-force **Niagara-on-the-Lake Official Plan**, most of the lands outside of the urban area boundary are designated as Agricultural. Section 7.3 permits agriculture and conservation as main uses. Secondary uses such as wineries, home industries and farm dwellings are also permitted, subject to conditions to limit impacts on the surrounding lands.

These policies are reinforced within the adopted **Niagara-on-the-Lake Official Plan**, where policies within Section 3.2 generally limit uses to agriculture, agriculture-related uses, on-farm diversified uses, and recreational uses.



**Figure 29:** Greenbelt Plan Schedule 2 - Niagara Peninsula Tender Fruit and Grape Area



### 3.4 Housing Diversity

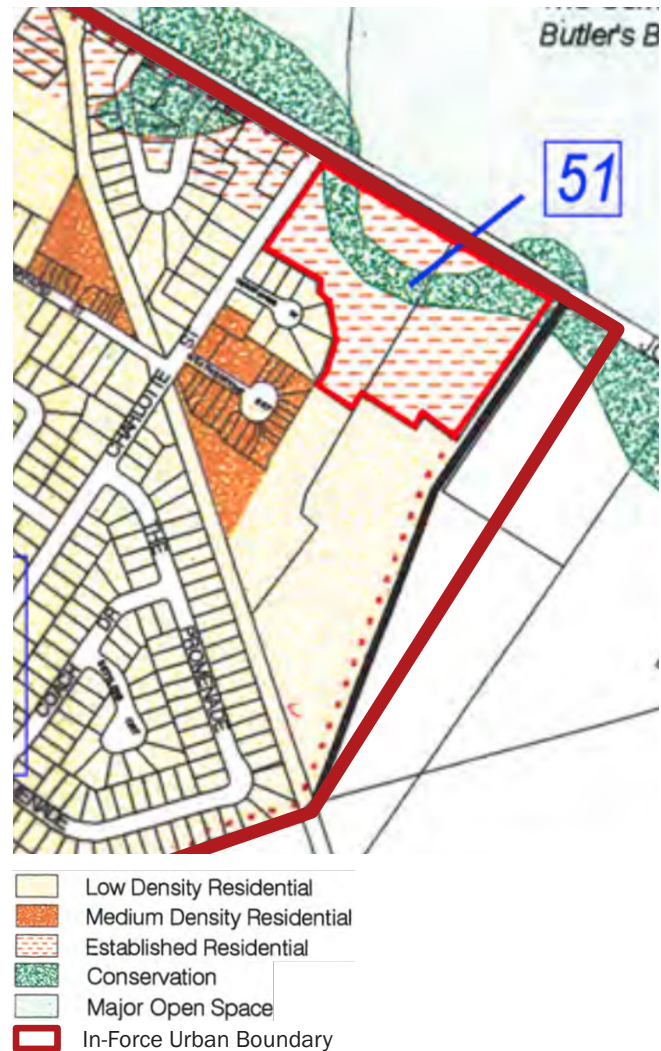
All levels of policy emphasize the importance of developing complete communities that accommodate a mix of uses and housing options. Land use designations at the local level support the development of a range of residential forms.

Policy 1.1.1 of the **PPS** provides that healthy, liveable and safe communities are sustained by promoting efficient development and land use patterns, and accommodating an appropriate affordable and market-based range and mix of uses, including residential types. Policy 1.4.3 requires planning authorities to provide for an appropriate range and mix of housing options and densities by permitting and facilitating all types of residential intensification and all housing options required to meet the social, health, economic and well-being requirements of current and future residents; and promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities.

The **Growth Plan for the Greater Golden Horseshoe** directs development to settlement areas and states that the policies within the Growth Plan will support the achievement of complete communities with a diverse range and mix of housing options, including additional residential units and affordable housing, and a more compact built form (2.2.1.4).

Policy 2.2.1.1 of the **Niagara Official Plan** directs planning to support a diverse range and mix of housing types, unit sizes, and densities; opportunities for intensification; and opportunities for the integration of gentle density and a mix and range of housing options that considers the character of established residential neighbourhoods. The land are considered built-up area and are intended to accommodate some intensification.

The in-force **Niagara-on-the-Lake Official Plan** applies Low Density Residential and Medium Density Residential designations to the Study Area (see Figure 30). Low Density Residential permits residential forms up to duplexes, and Medium Density Residential allows multi-unit housing such as townhouses and apartments. Established Residential permits uses similar to those in Low Density Residential area, with additional considerations for character and heritage buildings. The Town's Official Plan also identifies the lands as built-up area.



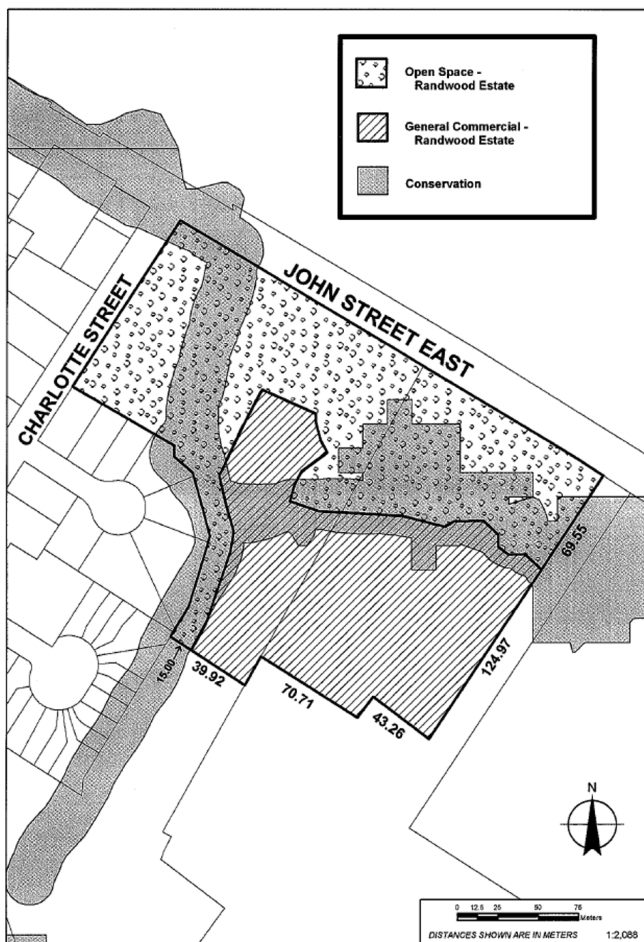
**Figure 30:** In-Force Town Official Plan Land Use Map  
Most of the Study Area is designated for residential uses in the in-force NOTL Official Plan.



### 3.5 Area-Specific Policies

In December 2011, Council adopted Official Plan Amendment (OPA) 51 and redesignated the land uses for the properties at 144 and 176 John Street East (see Figure 31). OPA 51 permits a range of hospitality-related commercial uses in the designated General Commercial (Randwood Estate) area within the 144 and 176 John Street East properties, including a hotel, spa, arts and learning centre, conference centre and restaurant. The policy also requires several measures to help ensure commercial uses minimize impacts on abutting residential uses.

Uses permitted in the Open Space (Randwood Estate) area within the 144 and 176 John Street East properties are restricted to pedestrian and carriage pathways; existing buildings and structures; stormwater management facilities; parking lots; walls along John and Charlotte Streets; accessory buildings and structures to main uses in the General Commercial (Randwood Estate) designation.

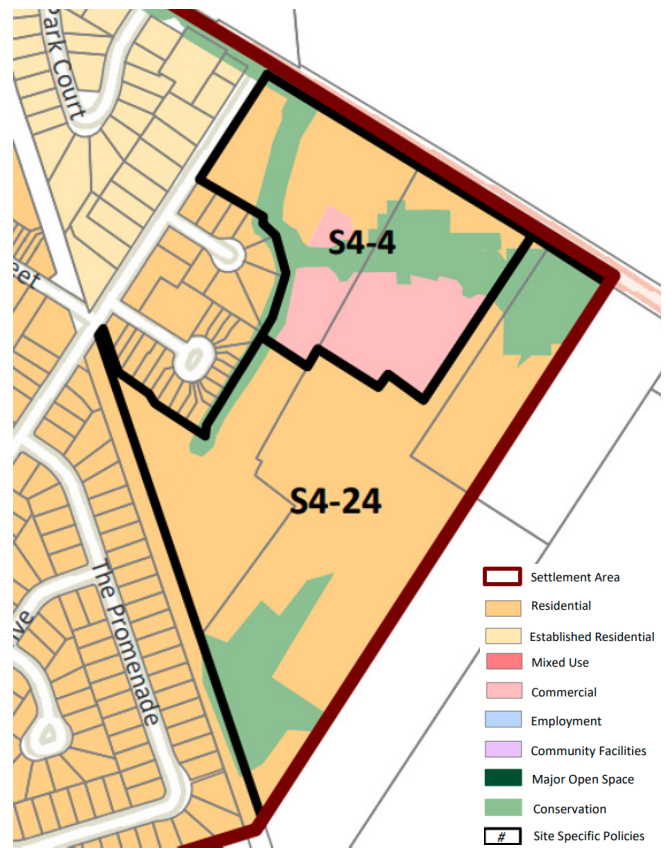


**Figure 31:** Map of Lands Redesignated by OPA 51  
Official Plan Amendment (OPA) 51 redesignated the lands at 144 and 176 John Street East to permit hospitality-related commercial uses.

The adopted **Niagara-on-the-Lake Official Plan** designates most of the Study Area “Residential” (see Figure 32). This permits a range of low-rise residential uses, such as detached and duplex dwellings, townhouses and walk-up apartments.

Site-specific policy S4-4 carries forward the land use policies within OPA 51 for the properties at 144 and 176 John Street East, including the permitted uses and conditions associated with the development of the lands. The lands that were designated as Open Space (Randwood Estate) in OPA 51 are redesignated as Residential – Randwood Estate, but the permitted uses and conditions remain the same.

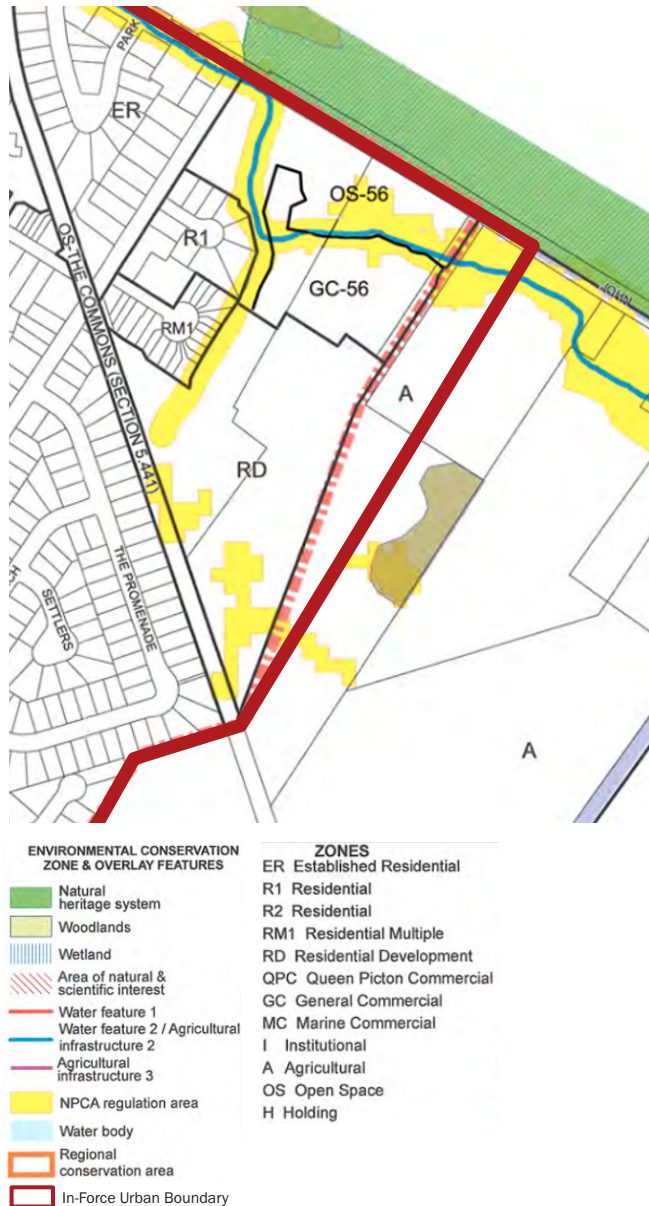
Site-specific policy S4-24 states that the portions of 200 and 210 John Street East and 588 Charlotte Street shall not be developed until such time as a study has been completed to determine the appropriate land use designation for the lands.



**Figure 32:** Council-Approved Town Official Plan Land Use Map  
The Study Area is designated for residential, commercial, and conservation uses in the adopted NOTL Official Plan.

### 3.6 Current Zoning

Zoning By-law 4316-09, as amended, applies to the entire Study Area as shown in Figure 33.



**Figure 33: Zoning Map**

The Study Area is generally zoned for residential uses, with site-specific policies at 144 and 176 John Street East as per Zoning By-law 4316-09, as amended.

Multiple properties are zoned for residential uses. The properties surrounding Christopher Street are zoned R1 Residential which, among other uses subject to conditions, permits the existing single detached dwellings. The properties surrounding Weatherstone Court are zoned RM1 Residential Multiple, which permits townhouses, multiplex dwellings and apartment buildings.

The lands at 588 Charlotte Street and a portion of 200 John Street East are zoned RD Residential Development. This zone only permits existing uses and is intended for future residential development, with the appropriate residential zoning to be implemented through a zoning by-law amendment.

The properties at 144 and 176 John Street East and a portion of 200 John Street East are zoned GC-56 General Commercial and OS-56 Open Space. The site-specific provisions under the GC-56 zoning permit the following: art gallery; artist studio(s) and learning centre; conference centre; hotel with a maximum of 106 rooms; outdoor patio; and restaurant. There are a range of applicable zoning requirements that establish minimums for landscape open space (50%) and setbacks (see Figure 34) and maximums for lot coverage (12%), height (17.35 metres) and the size of permitted main uses (e.g., 200 rooms for a hotel, 200 seats for a restaurant), among other requirements. A minimum of 250 parking spaces are required.

The OS-56 zoning permits the uses permitted under site-specific policy S4-4 in the adopted Official Plan, with a limit on parking space set at 50.

The property is zoned General Commercial – Randwood Estate (GC-56) Holding (H) Zone and Open Space – Randwood Estate (OS-56) Holding (H) Zone through site-specific By-law 4316T-11 which amended Zoning By-law 4316-09, as amended. The Holding (H) Zone is included to require a future site plan control process and shall not be lifted from the General Commercial – Randwood Estate (GC-56) Holding (H) Zone and Open Space – Randwood Estate (OS-56) Holding (H) Zone until such time as the applicant has received site plan approval from the Town of Niagara-on-the-Lake.

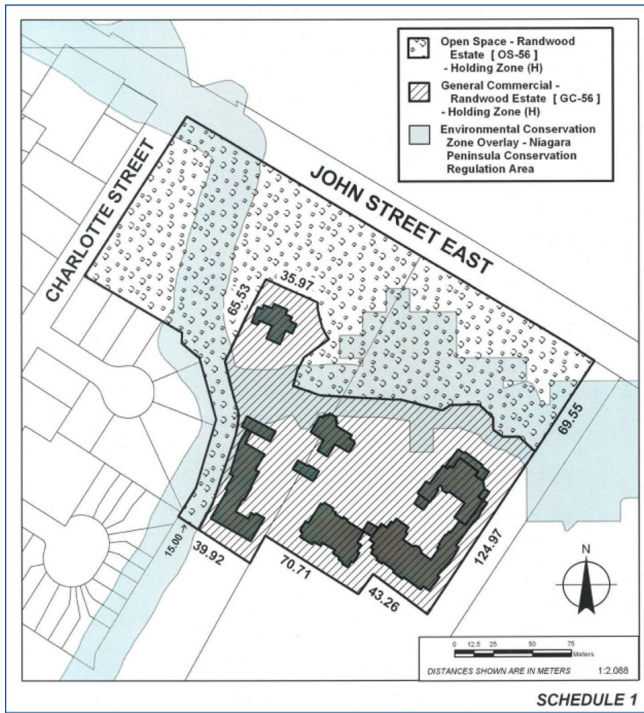
The portion of 200 John Street East and 210 John Street East outside the urban boundary is zoned A Agricultural, which permits a range of rural uses such as farms, greenhouses, agriculture-related uses, and farm produce storage. Limited and small-scale residential uses such as a one-family dwelling, small scale tourist accommodation, and a group home are also permitted.

### 3.7 Summary

When applied to the Study Area, the land use policies of the Province, Niagara Region and the Town send a clear message: conserve and integrate significant cultural heritage; conserve and protect significant natural features; and preserve land in the Greenbelt for agricultural and other rural uses. There's also another consistent message: use land efficiently within settlement areas and develop compact communities with a mix of housing types.

These policy objectives can all be satisfied within the Study Area through careful analysis of its existing characteristics, which is the focus of the next section.

Any new Official Plan policies adopted for the area must respect both existing uses and permitted uses, namely the commercial uses permitted on the 144 and 176 John Street East properties. The character study, however, provides an opportunity to consider whether residential uses may also be appropriate on these lands.



**Figure 34:** Map identifying zones with site-specific zoning (144 and 176 John Street East)



**Figure 35:** Map indicating setback requirements for 144 and 176 John Street East





**4.0**

---

**CHARACTER  
ANALYSIS**

# 4.0 CHARACTER ANALYSIS

The distinctive qualities and features of an area define its overall character and the places within it. The Study Area has varied qualities and many notable features, as described below, all of which need to be considered in developing planning policies and guidelines for the area.



Figure 36: Defining Features of the Study Area

## 4.1 Adjacencies and Edges

In analyzing the character of an area, the immediate surroundings and their impact on one's experience of the area must be considered, particularly when the character of adjacent areas is not expected to change significantly. Depending on where and how someone is experiencing a place, what surrounds it might form a backdrop or foreground to views of the place, or in other ways become part of the sensory experience. Conversely, the character of an area may affect the character and experience of places that surround it.

The Study Area is distinctive for not only what it contains but also for what borders it. On the north side of John Street East is “The Commons”—open space that connects the Butler’s Barracks National Historic Site to the Fort George National Historic Site and is managed by Parks Canada. The Commons is a park-like landscape of lawn and trees, with most of the trees aligned along pathways that frame historic military training grounds. This landscape and that of the Study Area complement one another and reinforce the overall heritage character of Old Town’s east side, one dominated by mature trees and green space. John Street East itself, the seam between these two landscapes, has a rural character, with just two lanes, no shoulders, swales on both sides and a narrow sidewalk against the properties on the south side.

East of the Study Area, on the north side of John Street East is the natural landscape of Paradise Grove, also managed by Parks Canada. In contrast, the lands south of

John Street East are predominantly agricultural—vineyards dotted with wineries and well-treed residential estates. The Two Sisters Vineyards Estate Winery abut the Study Area, maintaining much of the rural setting within which the Rand Estate and Brunswick Place were developed.

West of the Study Area, the character of the surroundings changes to low-density residential neighbourhoods. The neighbourhoods south of the Heritage Trail and west of Charlotte Street are typical of those built in the decades following World War II. They comprise one-storey and two-storey detached homes with front driveways and garages, for the most part. Although the neighbourhoods are considered urban (or suburban), since they are within the Town’s settlement area, their generous front and rear yards emulate characteristics of residential estates. Trees and other landscaping are as dominant features as the homes themselves and fundamental to the character of the area.

As edges to the Study Area, both Charlotte Street and the Heritage Trail are effectively lined on both sides with private trees in front or rear yards. As a former railway that once provided convenient access to Old Town, notably for American tourists, the Rand family and other estate owners, the Heritage Trail corridor plays a significant role in the history and character of the Study Area. It provides a different type of frontage than a street and opportunities for improved physical and visual access to the former Rand Estate for pedestrians and cyclists.



Figure 37: View of Butler’s Barracks National Historic Site



Figure 38: View of the Heritage Trail, facing southeast from Charlotte Street



## 4.2 Cultural and Natural Heritage

In its character, the Study Area today in some ways reflects the character of its surroundings. The north portion is a heavily treed landscape containing historic buildings and built landscape features. The south half, once heavily treed, consists of mostly open fields, with the former Rand Estate buildings and structures in this portion reflecting its rural character. On the west side are the Christopher Street and Weatherstone Court residential subdivisions, which effectively extend the neighbourhood fabric that exists west of Charlotte Street.

Notwithstanding the varied overall character of the Study Area, cultural heritage attributes, as identified in previous studies and summarized in Section 2 of this report, can be found throughout. Individually and together, these features are fundamental to the area's character, giving it uniqueness with their form and design and reflecting the area's significant history.

The area's most publicly visible built heritage attributes, and the ones that tie nearly all the area's features together, are the masonry pillars, concrete walls and gates along John Street East and the stone walls along Charlotte Street and the Heritage Trail. More than any other single element, these features, which can be admired for their design and craftsmanship, emphasize the area's history as, for the most part, a large country estate.

Behind the walls, and behind the wooden fence across the front of Brunswick Place, is a diverse landscape comprised of trees, watercourses (One Mile Creek and a tributary), lawns, other plantings, agricultural fields,

formal gardens, large, distinctly designed houses, carriage houses, stables, sheds, other structures, driveways and pathways. The area's historic landscape, with its mix of natural, formal and agrarian elements, once linked and united the various buildings. On 144, 176 and 210 John Street East, natural heritage features and lawns continue to provide a unified setting for the historic homes on the three properties. In contrast, the landscape elements that once tied the designated heritage attributes on 200 John Street East and 588 Charlotte Street, as well as those integrated with the Christopher Street and Weatherstone Court developments, to each other and to the features of the John Street East properties are less apparent or have been lost. These included hedgerows, orchards, farm fields, dirt roads and pathways. Two of the most significant lost landscape features were an axial walkway that once linked the whistle stop adjacent to the former railway with the main house at 176 John Street and a circular mound defined by coniferous trees at its midpoint (see Figure 26). As a result of these lost features, the heritage of the site is less apparent from the Heritage Trail, although the remaining structures are a clue and reminder of its historic character.

Despite the loss of some of the Study Area's defining and connecting elements, the remaining natural and cultural heritage features together distinguish this part of Old Town and remind the public of its past. Conserving remaining heritage features and reconnecting them to one another as parts of the area redevelop will only reinforce the area's historic character and uses.



**Figure 39:** 176 John Street East



**Figure 40:** Bath Pavilion, 200 John Street East (LHC, 2018)

### 4.3 Neighbourhoods

The subdivision of the former Rand Estate, beginning in the 1940s and eventually resulting in the neighbourhood pockets of Christopher Street and Weatherstone Court, brought a new character to the west side of the Study Area. Christopher Street is defined by nine architecturally diverse detached houses of one and two storeys and manicured front lawns on relatively large lots. Trees are a dominant feature as is the generously paved cul-de-sac. The density of housing on Weatherstone Court is much higher—townhouses are attached to one another in groups of four or five. The character, however, is not fundamentally different from that of Christopher Street. The houses are two storeys, and there is variety in the architecture. Although there are more driveways, front lawns are landscaped and an island in the turnaround at the end of the cul-de-sac adds a shared green space.

In some respects, the Christopher Street and Weatherstone Court subdivisions respect the history and character of the former Rand Estate. Notably, they incorporate the estate's former milk house and stables as well as the gate house on Charlotte Street, which have all been adapted to dwellings. Much of the historic stone wall was also maintained, and mature trees are plentiful. Although there is architectural variety and not obvious attempts to emulate the design of historic buildings on the former Rand Estate, there are building elements found on both streets that appear to draw on historic characteristics, including steeply pitched roofs, front porches and porticoes, decorative shutters and cupolas with weather vanes.

Beginning with the streets themselves, however, the character of the subdivisions is markedly different from the character of the other properties within the Study Area. As attractive as they are, they lack the rural and natural qualities that are dominant elsewhere. They also block views and access to what remains of the Rand Estate lands. With the potential for further development in the area, the existing residential subdivisions offer lessons in how development can be more compatible with and complementary to the area's historic character—these are discussed in Section 5.

### 4.4 Landscape Buffers

The east edge of the Christopher Street and Weatherstone Court subdivisions is defined by a tributary and robust plantings of trees and shrubs that together form a landscape buffer with multiple functions. They separate the urbanized part of the Study Area from the more rural landscape of the remaining Rand Estate lands, screening views. They also have an environmental function, supporting the area's biodiversity and the health of One Mile Creek. Similarly, mature trees and shrubs form a buffer between the Brunswick Place property and the neighbouring properties to the west.

These buffers are part of the overall landscape character of the Study Area but play more than environmental and aesthetic roles. They help to delineate and separate the distinct places within the area, allowing them to maintain or enhance their own distinct character without affecting the character of adjacent properties. With the potential for the area to further develop, additional landscape buffers can play a role in conserving the character of the most valued heritage attributes within the existing landscape.



**Figure 41:** House on Christopher Street

## 4.5 Summary

With subdivision of the former Rand Estate, the area has evolved to become three distinct environments tied together by the former estate's historic wall and significant natural features, but which also relate as much to the surroundings as to each other:

- The properties at 144, 176 and 210 John Street East, although their physical condition varies, have retained their historic residential estate character defined by trees, naturalistic landscaping, formal landscape features, and large, distinctively designed houses. In the case of 144 and 176 John Street East, the wall and gates are also defining features.
- The properties at 588 Charlotte Street and 200 John Street East, excluding the portion between 176 and 210 John Street East, have a character best described as rural. Where once this part of the Rand Estate had a somewhat formal pattern of orchards, fields, gardens, walkways and service roads, it is now mostly an open field with stands of trees and several unused buildings, including the Calvin Rand Summer House, a carriage house, stables converted to a house and sheds.
- The Christopher Street and Weatherstone Court subdivisions retain some of the character of the former Rand Estate by retaining much of the stone wall on Charlotte Street and incorporating and adapting the Gate House, Milk House and Barn. Architectural elements, such as steeply pitched roofs, porticos and cupolas, also draw on the characteristics of historic buildings. Nevertheless, the dominant character is that of a suburban subdivision defined by generously paved cul-de-sacs, detached houses and townhouses with varied architecture, and manicured lawns.

The Study Area's overall character is varied and defined by many elements, both natural and built. As with most residential estates developed within a rural setting, the natural and built features work together to define the landscape—the trees and tributaries are as significant as the buildings and built water features. Circular driveways are integrated with the landscape in a way that is unobtrusive; they are not formally lined with trees, other vegetation or lighting. With buildings forming no coherent pattern and being spaced far apart from one another, except on Christopher Street and Weatherstone Court, the water courses, the tree canopy and vegetation generally unify the disparate places within the Study Area and dominate its overall character.



## 4.6 Opportunities and Challenges

Given the potential and policy support for additional development within the area, there are several opportunities to both conserve valued natural and cultural features and enhance the character of the area. Given the area's history and physical conditions, some of the opportunities will also be challenges.

- **Complement adjacent areas** – While the existing front landscape of 144, 176 and 210 John Street East, consisting of open land and mature trees, complements The Commons, future development in the south half of the Study Area has the opportunity to extend Old Town's residential fabric in a way that respects and complements established neighbourhoods, protected heritage attributes and the agricultural lands to the east. The design of future buildings can also draw upon the architectural characteristics of the former Rand Estate and the homes on Christopher Street and Weatherstone Court.
- **Restore and connect heritage attributes** – The former Rand Estate continues to be valued as a unique landscape. Restoring the elements designed by the Rands and the Dunnington-Grubbs and connecting all the existing heritage attributes with new landscaping will reinforce a coherent identity and sense of place for the area. These connecting landscapes could include open spaces, pathways and streets that reflect historic features in their location and design.
- **Improve views and public access** – New roads, pathways and open spaces, whether publicly or privately owned, will create opportunities to provide public access to and through the former Rand Estate lands, allowing the public to appreciate the area's heritage and character.
- **Reuse and integrate historic buildings** – As demonstrated by the former Rand Estate Milk House and Stables on Weatherstone Court, other former estate buildings could be converted to new uses and sensitively integrated with new development.

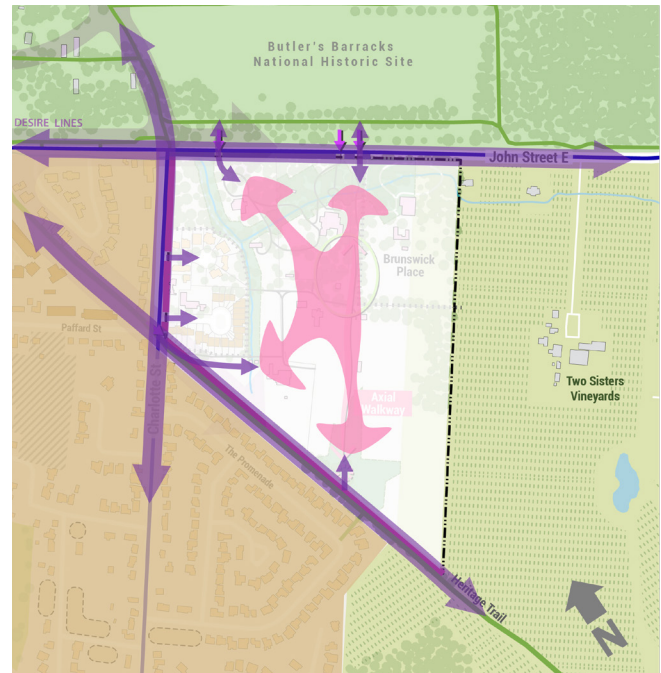


Figure 42: Diagram of Public Access Opportunities



# 5.0

---

## CONCLUSIONS AND RECOMMENDATIONS



# 5.0 CONCLUSIONS AND RECOMMENDATIONS

The Former Rand Estate and John Street East Character Area is rich in cultural and natural features highly valued by the community and protected by policies and bylaws under the *Ontario Planning Act* and *Ontario Heritage Act*. The area's built and natural environments have changed over time as the former Rand Estate evolved and eventually was subdivided. The changes have resulted in a multi-faceted character unified by green features. Further change in the form of new development is anticipated and supported by provincial, regional and town policies. The central question of the Character Study is, how can the area continue to evolve while maintaining, if not enhancing, fundamental aspects of its landscape and built form character?

The recommendations below include principles, a planning framework, policies and guidelines intended to guide future change in the Study Area. They are based on the review and analyses documented in Sections 2-4 of this report and informed by the input of key stakeholders and residents of the broader community engaged through the study process.

## 5.1 Conclusions

The Character Study reached the following overarching conclusions:

**The area's cultural heritage is significant, well documented and highly valued, and much of it must be conserved under Town bylaws.** The properties at 144, 176 and 200 John Street East and 588 Charlotte Street, once part of the Rand Estate, are identified as heritage resources through Designation By-laws under the Ontario Heritage Act. Other properties are on the Town's Municipal Register of Properties of Cultural Heritage Value and Interest, including 1 Christopher Street, 9 Christopher Street, 580 Charlotte Street and 2 Weatherstone Court, and 210 John Street East. Recent mapping of heritage attributes by LHC, which identifies significant buildings and landscapes, provides a foundation for a planning framework for the Study Area that addresses both heritage conservation and development opportunities.

**All applicable land use policy documents are consistent in requiring the conservation of significant cultural and natural heritage features in the area while also permitting or promoting additional, mostly residential development.** There is also a consistent requirement across all policy documents that the portion of the Study Area within the Greenbelt be maintained for agricultural or other rural uses. The Provincial Policy Statement, the Growth Plan, Niagara Region's Official Plan and the Town's in-force and adopted Official Plans all recognize the importance of natural features and significant cultural heritage in creating healthy, sustainable and prosperous communities. These documents also all call for the efficient use of land within settlement areas and the development of complete communities with a mix of housing types in urban areas. Balancing these sometimes-competing policy objectives to conserve heritage and grow sustainably involve integrating old and new in ways that are complementary.

**The character of the area is multi-faceted, and there are opportunities to both conserve valued features and enhance others.** With majestic buildings sitting in a heavily treed landscape with formal and informal elements, the properties at 144, 176 and 210 John Street East have retained their historic residential estate character. Any new development on these properties should have minimal impacts on existing natural and cultural heritage features to ensure their character is maintained. The properties at 588 Charlotte Street and 200 John Street, on the other hand, a more rural part of the former Rand Estate, have a less well-defined character, having lost many of their historic trees and other vegetation. Similar to the development of the Christopher Street and Weatherstone Court subdivisions, here is an opportunity for new development to conserve designated heritage attributes while introducing compatible forms of housing with their own distinct character, one that complements the adjacent neighbourhoods and draws upon characteristics. The layout and design of new development also should be respectful of the historic landscape by recalling once character-defining elements, such as pathways, hedgerows, orchards and formal landscape elements. New development should also improve public access to and through the area.

Carved out of the former Rand Estate but retaining heritage features, the Christopher Street and Weatherstone Court subdivisions have an attractive character typical of post-war suburban communities; there is no rationale based on current policies or otherwise to significantly change the character with future development.

As the Study Area continues to evolve, preservation of the Rand Estate's historic wall and mature trees across the area, and the development of new treed open spaces, will be vital to retaining much of its historic character and connecting distinct places to one another.

## 5.2 Recommended Heritage and Development Framework

Illustrated below is a proposed Heritage and Development Framework for the Former Rand Estate and John Street East Character Area based on the heritage and policy review, the analysis of existing conditions, available mapping of cultural and natural heritage features, and the input of stakeholders and the public. The framework is generally described here, and the policy recommendations below provide further clarity on the proposed intentions for each element.

The Heritage and Development Framework acknowledges that most of the area has been designated or identified as having cultural heritage value, and built heritage attributes have been outlined. Within this landscape, the framework recognizes established residential areas—the Christopher Street and Weatherstone Court subdivisions and the portion of 210 John Street East within the Town's Settlement Area. Consistent with provincial, regional and town policies, the portion of the Study Area in the Greenbelt is designated for agricultural and other rural uses.

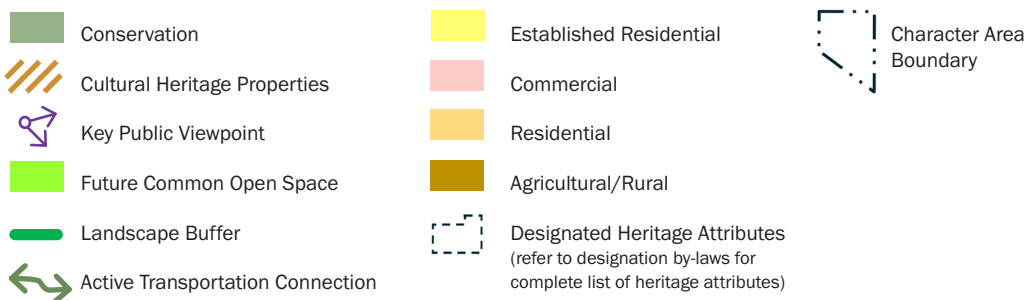
With respect to 144 and 176 John Street East, the framework blends the residential and commercial designations in the Town's adopted Official Plan into a residential-commercial designation, recognizing that the currently permitted hospitality-related uses remain appropriate and residential uses that conserve natural and cultural heritage features would also be appropriate. Large portions of 200 John Street East and 588 Charlotte Street, excluding remaining elements of the Dunington-Grubb landscapes but where other built heritage features of the former Rand Estate can be found, are designated for future residential uses.

An interconnected open space network ties the differing land use components of the framework together and is intended to give the area an organizing structure while reinforcing its green character and enhancing the natural environment. The open space network comprises:

- Conservation areas associated with One Mile Creek and its tributaries, wetlands and forested areas;
- Future open spaces related to heritage attributes and intended to anchor a future neighbourhood on the 588 Charlotte Street and 200 John Street East properties;
- Recommended pedestrian and cycling pathways, which may be adjacent to streets, to help structure future development and provide public access to the area;
- Landscape buffers to clarify the boundaries of distinct places within the area, existing and future, and provide links within the open space network.

Since the historic walls of the former Rand Estate are to be conserved, the framework also identifies generally where gates provide views into the area and where an expansive view of the former estate exists over the stone wall along the Heritage Trail. Connected to planned open space features, these viewpoints would also be appropriate locations for public access to the lands.

Building on and linking the area's natural features, the planned landscape elements—open spaces, pathways and buffers—are intended to be designed in conjunction with adjacent development, over time returning the balance of natural and human-made landscapes that has characterized the area for most of the past two centuries.



**Figure 43:** Heritage and Development Framework



## 5.3 Recommended Principles, Policies and Zoning Direction

While the character of much of the Former Rand Estate and John Street East Character Area is expected to be maintained through the conservation of natural and cultural heritage features, the area is also expected to continue to evolve over time as landowners pursue additional development or other changes to the landscape. Such changes need to be guided by policies, zoning and other tools that build upon higher-level planning instruments and are informed by the unique characteristics of the area.

The recommended policies for the area, some of which should be implemented through zoning, as noted in brackets, are organized thematically under the following seven principles. The principles are based on the study findings and align with policy objectives at all levels of government and fundamental principles of good planning and urban design.

1. Conserve, integrate and maintain significant cultural heritage features.
2. Protect, enhance and maintain significant natural features and functions.
3. Ensure cultural and natural heritage features are visible to the public.
4. Accommodate active transportation connections through the area as part of a system of connected natural and cultural heritage features.
5. Maintain compatibility and cohesion between distinct places.
6. Accommodate a mix of housing types and sizes and compatible commercial uses.
7. Respect the scale and character of existing development in the area and in adjacent neighbourhoods.

The recommended policies below refer to the Heritage and Development Framework. References to existing policies in the Official Plan refer to the Council-adopted plan.

The policies and framework have been formatted as amendments to both the Town's in-force Official Plan and Council-adopted Official Plan in Appendices B and C to this report.

Note, the recommended policies carry forward some of the site-specific policies for 144 and 176 John Street East while modifying others.

### **PRINCIPLE 1:**

#### **CONSERVE, INTEGRATE AND MAINTAIN SIGNIFICANT CULTURAL HERITAGE FEATURES.**

##### **Policies:**

- 1a) Development applications for all listed and designated heritage properties, including 144, 176, 200 and 210 John Street East and 588 Charlotte Street, excluding minor variance applications, shall include a conservation plan and a landscape management and design plan. The former, which will supplement a heritage impact assessment, shall identify measures required to repair, stabilize and conserve heritage features as well as long-term conservation, monitoring and maintenance measures. Landscape management and design plans shall identify work proposed to conserve and enhance landscape features and systems over time, including natural and cultural features; they shall also include detailed drawings of proposed new landscape features. Conservation plans and landscape management and design plans may also supplement and shall not replace submission materials required for a heritage permit application.
- 1b) The Town shall ensure local First Nations are consulted prior to the approval of zoning bylaw amendments and site plans for major developments, and Council shall be informed about how input from First Nations informed and influenced proposed development.
- 1c) Conservation plans, and heritage conservation measures generally, shall be consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada.
- 1d) The adaptive re-use of heritage buildings and other structures with uses that complement existing and planned uses in the area shall be strongly encouraged.
- 1e) The restoration or interpretation of significant but lost heritage landscape features shall be strongly encouraged.
- 1f) The Town shall explore and consider financial incentives, including but not limited to programs under a Community Improvement Plan, to support heritage conservation in the area.

## **PRINCIPLE 2:**

### **PROTECT, ENHANCE AND MAINTAIN SIGNIFICANT NATURAL FEATURES AND FUNCTIONS.**

#### **Policies:**

- 2a)** Environmental impact studies (EISs) submitted with development applications shall include detailed studies of environmental features, including but not limited to the Conservation areas environmental protection areas (EPAs) generally identified in the Heritage and Development Framework, and shall identify the limits of all such features. EISs shall be supplemented by landscape management and design plans, as generally described in Policy 1a.
- 2b)** All relevant environmental policies of the Town's Official Plan shall apply to the area, including but not limited to Highly Vulnerable Aquifer and Natural Environment System policies. In addition, Niagara Peninsula Conservation Authority regulations shall apply to all EPAs.
- 2c)** New streets and other infrastructure shall minimize adverse impacts on existing natural features and functions. Streets and pathways shall be aligned and designed to integrate existing natural features wherever possible. The consolidation of vehicular entrances and sharing of streets among neighbouring uses shall be strongly encouraged.
- 2d)** Further to Policy 1a, landscape management and design plans shall include:
  - A tree preservation and planting plan that has regard for the area's historic estate lot landscapes;
  - Measures to enhance riparian zones with plantings in keeping with the cultural heritage landscape.
- 2e)** Landscape management and design plans shall support a minimum tree canopy goal of 30% for the character area as a whole and for each property where new development is proposed. To this end, a qualified landscape architect or arborist shall provide an opinion on how the tree preservation and planting plan for a site can achieve the goal over time.
- 2f)** Stormwater management facilities shall be located outside Conservation areas, integrated with the larger network of open spaces, and designed as a naturalized landscape.

## **PRINCIPLE 3:**

### **ENSURE CULTURAL AND NATURAL HERITAGE FEATURES ARE VISIBLE TO THE PUBLIC.**

#### **Policies:**

- 3a)** Public views to 144, 176 and 210 John Street East, 580 Charlotte Street and 9 Weatherstone Court from adjacent public roads shall be maintained. Conservation plans and landscape management and design plans for 200 John Street East and 588 Charlotte Street shall show how existing views of the former Rand Estate over the historic stone wall from the Heritage Trail and through the gate at the whistle stop will be maintained or enhanced.
- 3b)** New streets, driveways and pathways in the area should be aligned to conserve and provide public exposure to cultural heritage features where feasible.
- 3c)** The common open spaces identified in the Heritage and Development Framework shall be designed to provide public views and access to natural and cultural heritage features. The designs shall include elements that interpret the history of the Rand Estate. Modifications to the size and shape of each common open space shall not require an amendment to the Official Plan.
- 3d)** The axial walkway and circular mound between the whistle stop and the main house shall be reflected and interpreted in the design of a future street and pathway network.
- 3e)** Site plans and landscape management and design plans shall include pedestrian connections and wayfinding measures between cultural heritage features.
- 3f)** New streets, pathways and common open spaces shall have appropriate lighting for comfort and safety.
- 3g)** Designated heritage structures shall stand apart from new development, generally by at least 5 metres, to reinforce their cultural significance. Landscaping that recalls their historic setting shall be encouraged.
- 3h)** The Town, in consultation with property owners, shall develop a plan to interpret and promote the area's cultural heritage, including values attributed to the area by Indigenous communities.

**PRINCIPLE 4:****ACCOMMODATE ACTIVE TRANSPORTATION CONNECTIONS THROUGH AND TO THE AREA AS PART OF A SYSTEM OF CONNECTED NATURAL AND CULTURAL HERITAGE FEATURES.****Policies:**

- 4a)** A future street and pathway network in the area shall include a continuous public connection for pedestrians and cyclists from the Heritage Trail to John Street East, via the whistle stop, to be built by the developer. Additional public active transportation connections through 144 and 176 John Street East shall be encouraged.
- 4b)** Future access to development on 588 Charlotte Street and 200 John Street East shall include public access for pedestrians and cyclists.
- 4c)** Subject to heritage and structural impact assessments to the Town's satisfaction, an additional gate or other opening in the stone wall along the Heritage Trail may be permitted to facilitate access for pedestrians and cyclists.
- 4d)** The Town shall develop and implement a plan to widen the sidewalk on the south side of John Street East to a minimum width of 1.8 metres or replace it with a multi-use path with a minimum width of 3 metres. In addition, the Town shall work with Parks Canada to develop a multi-use path connection between a public access to future development at 144, 176 or 200 John Street East and the path network on The Commons.
- 4e)** The intersection of John Street East and Charlotte Street shall be improved with stop signs, crosswalks and wayfinding signage for the comfort, safety and convenience of pedestrians and cyclists.

**PRINCIPLE 5:****MAINTAIN COMPATIBILITY AND COHESION BETWEEN DISTINCT PLACES.****Policies:**

- 5a)** Future development and landscaping shall maintain, reinforce and extend the area's natural features to establish over time the network of green spaces identified in the Heritage and Development Framework, including Conservation areas, common open spaces, pathways and landscape buffers.
- 5b)** Existing mature trees and hedges at the edges of existing residential properties shall be maintained and enhanced.
- 5c)** On 144 and 176 John Street East, sufficient landscaping, buffers and setbacks shall be provided to minimize the impact of commercial uses on abutting residential uses. In addition, landscape buffers in keeping with the area's historic natural heritage and containing hedges and trees shall be provided between commercial uses and new residential development on 200 John Street East and 588 Charlotte Street.
- 5d)** The following policies shall also apply to future commercial development on 144 and 176 John Street East to minimize adverse impacts on neighbouring properties:
  - No terraces or balconies above the second storey shall be oriented toward abutting properties. Any terraces or balconies shall be oriented toward the interior of the property.
  - All access to parking areas shall be oriented or designed in such a way that there shall be no impact of vehicular lights on abutting residential properties.
  - There shall be no negative impact on abutting properties as a result of lighting in parking lots, driveways, walkways, or other outdoor recreation and amenity spaces or accessory buildings.
- 5e)** Private rear yards adjacent to agricultural lands outside the urban boundary, in the Greenbelt, shall be planted with trees and other vegetation to provide an appropriate landscape transition.
- 5f)** Parking lots, where required and appropriate, shall be minimized and located at the rear of buildings, screened from public view.

**PRINCIPLE 6:****ACCOMMODATE A MIX OF HOUSING TYPES AND SIZES AND COMPATIBLE COMMERCIAL USES.****Policies:**

- 6a)** Section 4.10.4 of the Official Plan shall apply to the properties on Christopher Street and Weatherstone Court, except townhouses shall also be permitted.
- 6b)** Detached and semi-detached houses, townhouses, duplexes and triplexes shall be permitted in the Residential area (proposed zoning provision).
- 6c)** Notwithstanding Policy 6(b), multiple unit residential uses shall be permitted within conserved heritage buildings in the Residential area, subject to satisfactory heritage impact assessments submitted with a rezoning and heritage permit applications.
- 6d)** The following land uses shall be permitted on the properties at 144 and 176 John Street East: hotel; spa; arts and learning centre; conference centre; restaurant. Accessory buildings and structures shall be permitted as secondary uses.
- 6e)** Detached houses and multiple unit residential buildings shall be permitted at the rear of properties in the Commercial area (i.e., 144 and 176 John Street East) and within the Established Residential area at the rear of 210 John Street East, notwithstanding Policy 4.10.4.2(a) of the Official Plan, provided they conserve cultural heritage features and are in keeping with the scale, massing and character of the existing historic houses. Secondary and other uses, as identified in Policy 4.10.4.2 of the Official Plan, shall also be permitted. (proposed zoning provisions)
- 6f)** Secondary residential units within a detached or semi-detached house or townhouse, or as an accessory building, such as a carriage house, shall be permitted in the Established Residential, Residential-Commercial and Residential areas.
- 6g)** All new housing shall minimize adverse impacts on cultural heritage features.

**PRINCIPLE 7:****RESPECT THE SCALE AND CHARACTER OF EXISTING DEVELOPMENT IN THE AREA AND IN ADJACENT NEIGHBOURHOODS.****Policies:**

- 7a)** The massing of new development shall be in keeping with the scale and height of existing development within the area and in adjacent neighbourhoods. Residential buildings shall not exceed three storeys. Blocks of attached townhouses generally shall not contain more than 6 primary dwelling units but may contain up to 8 primary units provided the building's total length does not exceed 60 metres. (proposed zoning provisions)
- 7b)** A variety of architectural styles shall be encouraged that reflect the varied character of homes in the adjacent neighbourhoods and Old Town generally, including Colonial Revival, Neo-Classical, Georgian, Italianate and Craftsman. The incorporation of architectural elements found on heritage buildings in the area and the homes of Christopher Street and Weatherstone Court shall be encouraged.
- 7c)** The use of traditional building materials commonly used in Old Town's historic buildings shall be strongly encouraged. Building materials and finishes should reflect a consistently high level of quality and craftsmanship.
- 7d)** Future development on Christopher Street and Weatherstone Court shall maintain their existing general character in terms of building massing, setbacks and landscaping.
- 7e)** The visual impact of front garages and driveways shall be minimized. Garages at the rear of houses, accessed by a laneway or a driveway at the side of the house, shall be encouraged. Where garages are located at the front of dwelling units, they shall be located behind the front wall of the house and have a maximum width no greater than half the width of the house (proposed zoning provision).
- 7f)** Accessory buildings containing secondary residential units shall have a maximum height of 7 metres or the height of the main dwelling, whichever is less (proposed zoning provision).
- 7g)** Front yard setbacks for new development shall be a minimum of 3 metres from the sidewalk and consistent along each street (proposed zoning provision).
- 7h)** At least 50% of the front yards of new development shall comprise soft landscaping, including trees (proposed zoning provision).



## 5.4 Additional Design Guidance

To complement the recommended policies above, below are recommended guidelines intended to assist in the preparation and review of development plans.

### **PUBLIC REALM: STREETS, STREETSCAPES, PATHWAYS AND OPEN SPACE**

- To minimize the impacts of new public or private streets on natural and cultural heritage, including the roots of existing mature trees, they should be as narrow as possible where they travel through existing stands of trees. The roadway should be no wider than 6 metres. They may have a rural cross-section with minimal or no shoulders and swales or other low-impact development (LID) measures to capture run-off. A sidewalk or pathway should be close to the road but may be separated to avoid the loss of trees. Similarly, underground utilities that cannot be accommodated under the roadway should be located under the sidewalk or in a separate trench that avoids tree roots.
- In the Residential area where there are no existing trees, streets can have a typical urban character with curbs and gutters and parallel sidewalks. Roadways in this area may need to be 8.5 metres wide to accommodate on-street parking but may be as narrow as 6 metres. These streets should be lined on both sides with street trees spaced 9-12 metres apart generally. The tree species should vary along the street but have a similar form. Hardy native, non-invasive, drought-resistant tree species should be used, such as Ironwood, Bur Oak, Chinkapin Oak, Valley Forge White Elm, Linden, Ohio Buckeye and Kentucky Coffee Tree. Street trees should have a minimum caliper of 75 millimetres when planted.
- There are multiple ways the axial walkway and circular mound can be reflected in a future street and pathway network. The design should reinforce the walkway as a public space through approaches such as locating the walkway adjacent to a street, and it should be bordered on both sides with low perennial plantings and trees at varying distances from one another. The circular mound should be recreated or interpreted as a small open space, potentially with a circular planting bed at its centre framed by curved benches.
- The three common open spaces to be built in conjunction with a future neighbourhood in the Residential area are intended to interpret and celebrate features of the former Rand Estate as well as acknowledge the area's Indigenous history. They will also function as amenity for residents. In addition to containing restored heritage features, such as the pool gardens, bath house, sheds, and

the whistle stop gazebo, these open spaces should include seating, and the western most one should have trees planted in a manner that recalls the former estate's hobby farm. Play structures may be considered provided they are not dominant features and their design is in keeping with the character of heritage features. The open space containing the pool gardens should be planted with species used by the Dunington-Grubbs.

- The design of lighting for streets and open spaces should respect the area's cultural heritage and be coordinated with the architectural character of existing and new development. Over lighting and light pollution should be avoided.

### **PRIVATE REALM: BUILT FORM AND LANDSCAPING**

- New residential buildings along a street should have a variety of roof lines and styles.
- Dwelling units on corner lots should present a façade to both streets, with generous fenestration, wall articulation and preferably the main entrance located on the flanking façade. Wraparound porches, if in keeping with the architectural style, should be considered.
- Garages, carriage houses, garden suites and sheds should complement the character of the house in terms of style and materials.
- Fencing in front yards generally should be discouraged, although low decorative fencing made of metal or wood and in keeping with the architectural character of the street may be considered.
- Privacy fencing at the rear of corner lots should be wood.
- Garbage and recycling storage facilities should be located at the side or rear of residential and commercial buildings, screened from public view. Above ground utility boxes and air conditioning units, where appropriate, should be screened from public view with low walls and/or shrubs or hedges.
- The character of new commercial buildings permitted on 144 and 176 John Street should complement that of the historic homes without competing with them for attention. Building proportions, materials and features should be similar, but unique, distinguishing elements should be avoided. New commercial buildings, while exhibiting a high standard of architectural design, should be understated to allow the historic homes to stand out.

- New commercial buildings should minimize the removal of mature trees and include landscaping that helps them to blend into the existing landscape. Foundation planting should be incorporated, using low growing planting material such as flowering plants and shrubs in beds or low planters at least 1.5 metres deep.
- The following Carolinian Canada tree species should be encouraged in private open spaces: White Oak, Red Oak, Pin Oak, Sugar Maple, Silver Maple, Red Maple, Shagbark Hickory, Shellbark Hickory, Northern Catalpa, Black Walnut and White Ash.
- The following coniferous trees should also be encouraged in private open spaces: Austrian Pine, White Pine and White Spruce.

Although the recommended policies and guidelines for the Former Rand Estate and John Street East Character Area are intended to provide clear guidance for future changes in the area, there are many ways new development can be sensitively integrated with the existing natural and cultural heritage features. Within the Heritage and Development Framework of land uses and open spaces, the policies and guidelines provide flexibility with respect to the structure, density, form and design of future development. The detailed aspects of new development will require technical study beyond the scope of the Character Study. Recognizing that any development will affect the character of the area, this study's recommendations, together with existing heritage bylaws, are intended to ensure the area's fundamental characteristics are conserved and enhanced and its past is always present.



**Figure 44:** Examples of development in Old Town that illustrate recommended public realm and private realm guidelines



# APPENDICES

---



# APPENDICES

## A: Summary of Public Engagement

### **PUBLIC INFORMATION CENTRE (PIC)**

On April 27, 2023, the study team and Town staff held a virtual public information centre (PIC) on the draft principles, heritage and development framework, and policy directions. The PIC was hosted over Zoom Webinars, where people were able to register and join as a participant.

The PIC was active for two hours, from 6 to 8 PM. The first half of the PIC began with an introduction of the study team and Town staff, followed by a presentation of the work completed to date. The team then demonstrated the Social Pinpoint public engagement platform, which is described in further detail in the next section. The second hour of the PIC was a Q&A session, where the study team addressed questions from participants about the study.

There were several questions on how the study considers cultural heritage. There were some references to the heritage landscape as a whole or its elements. These included asking about the potential to replace mature trees that have been cut down or to increase the tree canopy in the Study Area. Certain features such as the pool and garden beds were highlighted in terms of how they will be conserved. One respondent also asked about how Indigenous culture and archaeological findings will be addressed.

Some concerns were raised about the compatibility of the proposed hotel and conference centre at 144 and 176 John Street East with the proposed residential uses to the south and the existing residential uses in the Study Area. These were generally about setting an appropriate height of new buildings. Participants also noted potential issues with noise associated with its operations.

Participants also asked for greater details on determining appropriate land uses in the Study Area. The questions asked about how appropriate density is defined, an estimate of the amount of land that would be designated for residential uses, and if a mix of building types in larger lots would be considered.

Finally, there were questions that address other themes on how the study:

- Protects the ecological function of One Mile Creek;
- Establishes standards for street design;
- May be impacted from anticipated changes in Ontario's planning framework;
- Envisions the long-term future of the Study Area; and
- Addresses the need for affordable housing.

### **SOCIAL PINPOINT**

The PIC was supplemented by the use of the Social Pinpoint platform. Social Pinpoint is an online engagement platform that allows for people to provide their feedback with other options beyond a traditional public meeting, and on their own time. The Social Pinpoint platform was active immediately after the PIC on April 27, 2023, up to May 28, 2023 when comments were closed.

## **SURVEY**

Respondents were invited to start by completing a survey. The survey provided an introduction to the framework, planning principles, and draft policy directions. This was followed with a page for each principle with its set of draft policy directions, and a map. On each page, respondents were asked to review each principle and its policy directions. They were then asked to rank a response to the following question, on a scale of 1 to 5:

### **Do you agree with the principle and policy directions?**

- 1.** Not at all
- 2.** Not very much
- 3.** Somewhat agree
- 4.** Mostly agree
- 5.** Completely agree

This was followed with an open text box prompting suggestions:

### **Do you have any other suggestions?**

The following principles and policy directions are ranked by strongest agreement, with a high-level summary of responses.

#### **1. Natural Heritage (4.63)**

There was general interest in environmental protection, such as minimizing grade changes and preserving the function of One Mile Creek and drainage patterns. There was strong interest in preserving and restoring trees that were removed due to their role as buffers and their contribution to the character of the Study Area.

#### **2. Compatibility and Cohesion (4.52)**

There was a strong interest in establishing buffers with adjacent properties, with suggestions that include mature trees or fencing. There was some reference to consider buffering heritage properties from new developments and to consider height or density limits.

#### **3. Visible Heritage Features (4.27)**

There was interest in preserving public access through the site, specifically active mobility linkages. There was support for commemorative plaques and wayfinding features, and some mixed feedback on whether the landscape should be restored. One response noted the importance of ensuring that these responsibilities continue to be maintained by the landowner after development.

#### **4. Cultural Heritage (4.18)**

There was mixed feedback on the restoration of the landscape and whether this was necessary. Heritage designations were noted by some commenters as an important tool in protecting significant landmarks.

#### **5. Active Transportation Connections (4.09)**

There was strong interest in creating active transportation infrastructure through the site. Vehicle access was discouraged and respondents emphasized that the infrastructure should be focused on pedestrians and cyclists.

#### **6. Scale and Character (3.77)**

There were differing opinions on determining appropriate building heights. Respondents generally stated that building heights should be limited to two storeys. There were suggestions agreeing with a building height limit of three storeys, but emphasizing that the buildings should remain compatible with adjacent residential or the existing designated heritage buildings. There was also mixed feedback on the importance of minimizing the visibility of garages.

#### **7. Housing (3.38)**

There was some disagreement on whether new residential development was appropriate in the Study Area. Some respondents raised concerns on the capacity to accommodate new residents or a desire to see this addressed, such as servicing infrastructure, transportation, and visitor parking. There was interest in additional details or regulating the design of new buildings.

## IDEAS WALL

The ideas wall functioned as an online public forum, where people could leave feedback, see what others are saying, vote to agree or disagree, and have related further discussions under each comment. Respondents were encouraged to participate in the ideas wall after completing the survey.

Respondents were asked:

**As the Study Area develops and matures, what is important to protect and what should guide change to enhance the character of the area? You can share your thoughts under the themes for future uses and features of the Study Area.**

Participants were able to respond to the prompt question and leave feedback under the following categories:

- Cultural Heritage
- Commercial Uses
- Residential Uses
- Natural Features and Public Spaces
- Connections
- Other

An example showing the project page with the idea wall is shown in Figure 45. The team received 13 comments.

Eight of the comments addressed Cultural Heritage. These comments reinforced the importance of several heritage features in the Study Area and referenced specific landmarks such as the wall around the Rand Estate properties and the landscape. Some comments also suggested that the properties within the Rand Estate should be designated as a National Historic Site and noted its adjacency with other historic sites such as Fort George.

Two comments addressed Connections and one comment addressed Natural Features and Public Spaces. These comments referenced an extension of the Heritage Trail which falls outside of the Study Area, but reinforced an interest in additional cycling and trails infrastructure in the Town and support for its improvement.

One comment addressed Residential Uses and suggested a committee of qualified staff to determine how new developments can be compatible with the historic character of the Town.

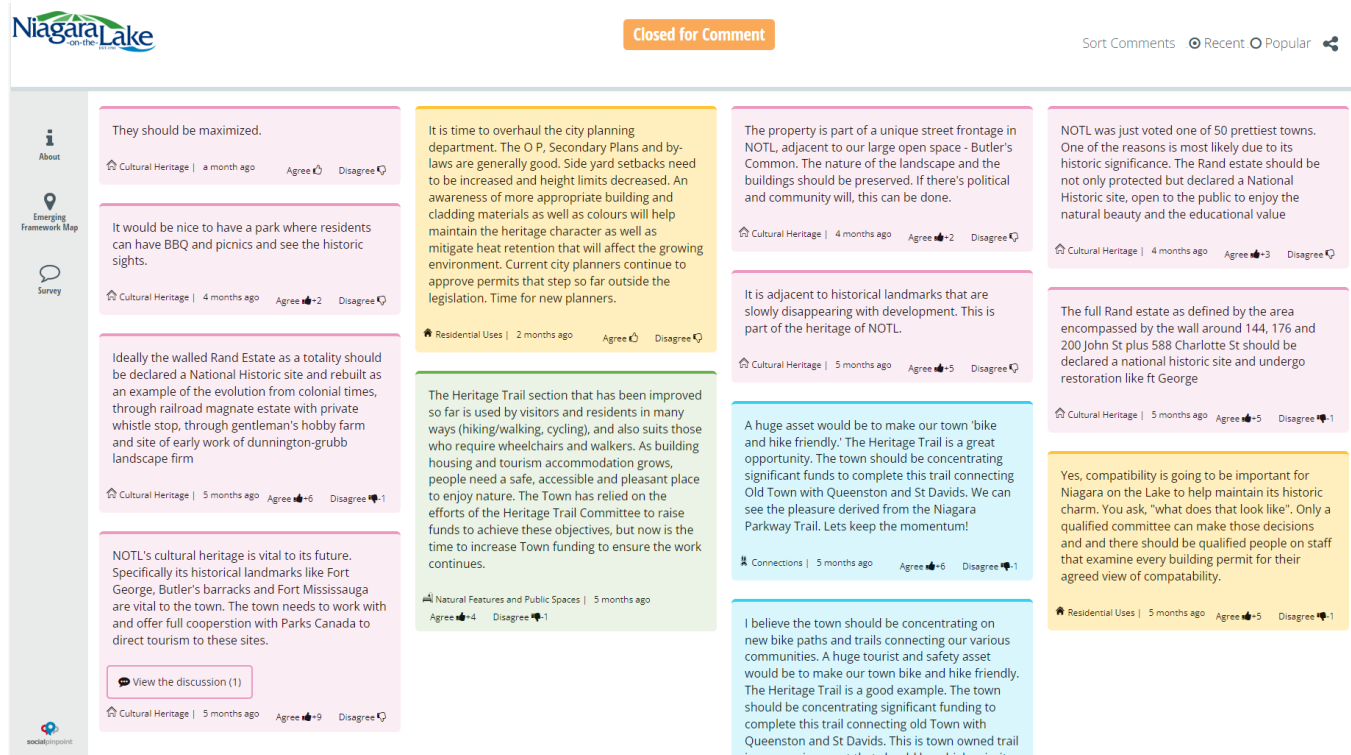


Figure 45: A screenshot showing the Social Pinpoint ideas wall.

# APPENDIX B: DRAFT AMENDMENT TO IN-FORCE OFFICIAL PLAN

**THE CORPORATION  
OF THE  
TOWN OF NIAGARA-ON-THE-LAKE  
BY-LAW NO. ###-24**

Official Plan Amendment No. XX

Former Rand Estate and John Street East Character Area

[legal description of properties to be added]

A BY-LAW PURSUANT TO SECTION 17 OF THE ONTARIO PLANNING ACT TO AMEND THE TOWN OF NIAGARA-ON-THE-LAKE OFFICIAL PLAN

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 17 of the Planning Act, R.S.O. 1990, c.P.13, as amended;

The Council of The Corporation of the Town of Niagara-on-the-Lake, in accordance with the provisions of Section 17 of the Planning Act hereby enacts as follows:

1. Amendment No. ## to the Official Plan for the Town of Niagara-on-the-Lake consisting of the attached explanatory text and schedule is hereby adopted.
2. Amendment No. ## to the Official Plan for the Town of Niagara-on-the-Lake is exempt from the approval of the Regional Municipality of Niagara and will come into force and take effect on the day of the final passing thereof.

Enacted and passed this ## day of XXXX, 202#.

---

LORD MAYOR GARY ZALEPA

---

TOWN CLERK DONNA DELVECCHIO



**Amendment No. ## to the Official Plan  
for the Town of Niagara-on-the-Lake**

**PART A – THE PREAMBLE**

Part A does not constitute part of this amendment. Part A describes the purpose and basis for this amendment.

**PART B – THE AMENDMENT**

Part B constitutes Amendment No. ## to the Official Plan for the Town of Niagara-on-the-Lake.

**PART C – ADDITIONAL INFORMATION**

Part C does not constitute part of this amendment but outlines additional information available upon request.

## **PART A - THE PREAMBLE**

**The preamble does not constitute part of this amendment.**

### **PURPOSE**

The purpose of this amendment is to establish policies to guide development and other changes in the Former Rand Estate and John Street East Character Area.

### **BASIS**

The basis of the amendment is as follows:

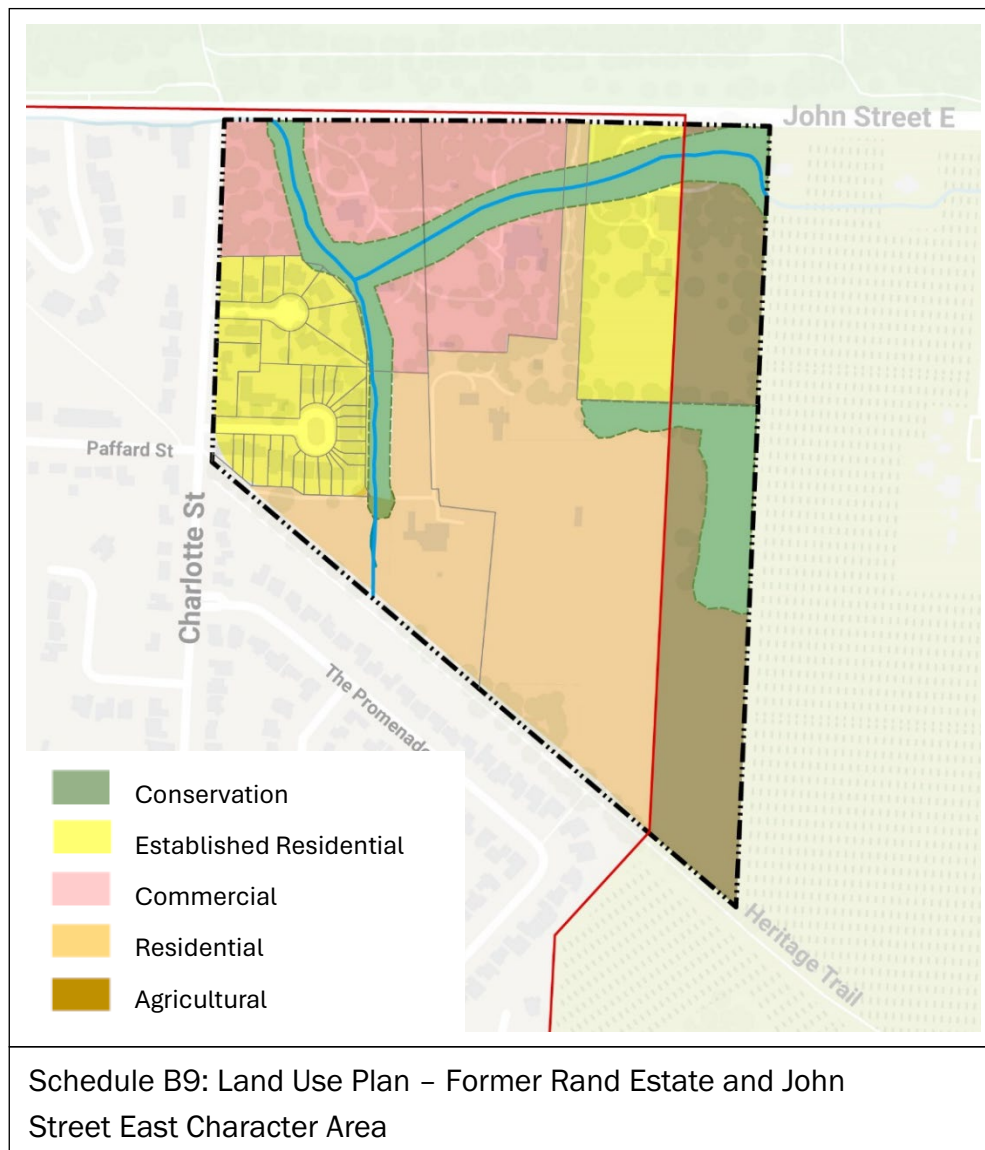
1. The subject lands, comprising the former Rand Estate and former Brunswick Place Estate, include several designated or listed heritage properties.
2. The former Rand Estate lands have been the subject of extensive historical research and analysis, and Designation By-laws were approved for 580 Charlotte Street (1971), 144 and 176 John Street East (2020) and 200 John Street and 588 Charlotte Street (2022).
3. Development applications were approved in 2011 to permit hospitality-related commercial uses on portions of 144 and 176 John Street East. An application for a hotel development on the same properties was submitted in 2017, revised in 2018 and withdrawn in 2019.
4. In 2019, Council adopted a policy in the Town's new Official Plan stating that the Former Rand Estate and John Street East Character Area "not be developed until such time as a study has been completed by the Town and released for public review and comment which determines the appropriate land use designation for this Special Study Area. Following completion of the study, the Official Plan shall be amended to apply the appropriate designation and the subject lands may develop in accordance with the applicable land use policies of that designation."
5. Development applications for residential uses on 200 John Street and 588 Charlotte Street were submitted in 2021 and heritage permit applications were submitted in February 2023.
6. The Former Rand Estate and John Street East Character Study was initiated in the fall of 2022. Following research, analysis, and engagement with stakeholders and the public, the study concluded that a "heritage and development framework" and detailed policies in the Official Plan are needed to guide future development and conservation measures.
7. Building on the Designation Bylaws, the recommended framework and policies will help ensure future commercial and residential development protects significant natural features and cultural heritage attributes, is compatible with surrounding uses and generally maintains the area's historic character.
8. The amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan (2020 Consolidation), the Niagara Regional Official Plan (2022), the general intent of the Town's in-force Official Plan (2017) and the Town's new, adopted Official Plan (2022).

## PART B - THE AMENDMENT

Part B – The Amendment, consisting of the following text and Schedule, constitutes Amendment No. ## to the Official Plan for the Town of Niagara-on-the-Lake.

### DETAILS OF THE AMENDMENT

1. Schedule B: Land Use Plan – Niagara/Old Town is amended by deleting the reference to OPA 51 and replacing it with a reference to OPA ## and identifying the Former Rand Estate and John Street East Character Area as a Special Study Area.
2. Section 10.3.6 General Commercial (Randwood Estate) is deleted.
3. Section 15.3.2 Open Space (Randwood Estate) is deleted.
4. Reference to OPA 51 is deleted from the table in Appendix 11: Amendments.
5. The following Schedule is added:



6. The following is added to the end of Section 6.32 Special Study Areas and Special Policy Areas:

6.32.8 Special Study Area A-9 (Former Rand Estate and John Street East Character Study Area)

The lands identified in Schedule B9: Land Use Plan and Development Framework – Former Rand Estate and John Street East Character Area shall be subject to the following:

**Principle 1: Conserve, integrate and maintain significant cultural heritage features.**

**Policies:**

- i. Development applications for all listed and designated heritage properties, including 144, 176, 200 and 210 John Street East and 588 Charlotte Street, excluding minor variance applications, shall include a conservation plan and a landscape management and design plan. The former, which will supplement a heritage impact assessment, shall identify measures required to repair, stabilize and conserve heritage features as well as long-term conservation, monitoring and maintenance measures. Landscape management and design plans shall identify work proposed to conserve and enhance landscape features and systems over time, including natural and cultural features; they shall also include detailed drawings of proposed new landscape features. Conservation plans and landscape management and design plans may also supplement and shall not replace submission materials required for a heritage permit application.
- ii. The Town shall ensure local First Nations are consulted prior to the approval of zoning bylaw amendments and site plans for major developments, and Council shall be informed about how input from First Nations informed and influenced proposed development.
- iii. Conservation plans, and heritage conservation measures generally, shall be consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada.
- iv. The adaptive re-use of heritage buildings and other structures with uses that complement existing and planned uses in the area shall be strongly encouraged.
- v. The restoration or interpretation of significant but lost heritage landscape features shall be strongly encouraged.
- vi. The Town shall explore and consider financial incentives, including but not limited to programs under a Community Improvement Plan, to support heritage conservation in the area.

**Principle 2: Protect, enhance and maintain significant natural features and functions.**

**Policies:**

- vii. Environmental impact studies (EISs) submitted with development applications shall include detailed studies of environmental features, including but not limited to the Conservation areas generally identified in Schedule B2, and shall identify the limits of all such features. EISs shall be supplemented by landscape management and design plans, as generally described in Policy 6.32.8(i).
- viii. All relevant environmental policies of the Town's Official Plan shall apply to the area, including but not limited to Highly Vulnerable Aquifer and Natural Environment System policies. In addition, Niagara Peninsula Conservation Authority regulations shall apply to all EPAs.



- ix. New streets and other infrastructure shall minimize adverse impacts on existing natural features and functions. Streets and pathways shall be aligned and designed to integrate existing natural features wherever possible. The consolidation of vehicular entrances and sharing of streets among neighbouring uses shall be strongly encouraged.
- x. Further to Policy 6.32.8(i), landscape management and design plans shall include:
  - A tree preservation and planting plan that has regard for the area's historic estate lot landscapes;
  - Measures to enhance riparian zones with plantings in keeping with the cultural heritage landscape.
- xi. Landscape management and design plans shall support a minimum tree canopy goal of 30% for the character area as a whole and for each property where new development is proposed. To this end, a qualified landscape architect or arborist shall provide an opinion on how the tree preservation and planting plan for a site can achieve the goal over time.
- xii. Stormwater management facilities shall be located outside Conservation areas, integrated with the larger network of open spaces, and designed as a naturalized landscape.

**Principle 3: Ensure cultural and natural heritage features are visible to the public.**

**Policies:**

- xiii. Public views to 144, 176 and 210 John Street East, 580 Charlotte Street and 9 Weatherstone Court from adjacent public roads shall be maintained. Conservation plans and landscape management and design plans for 200 John Street East and 588 Charlotte Street shall show how existing views of the former Rand Estate over the historic stone wall from the Heritage Trail and through the gate at the whistle stop will be maintained or enhanced.
- xiv. New streets, driveways and pathways in the area should be aligned to conserve and provide public exposure to cultural heritage features where feasible.
- xv. The common open spaces identified in Figure 1: Former Rand Estate and John Street East Character Area Land Use Plan and Development Framework shall be designed to provide public views and access to natural and cultural heritage features. The designs shall include elements that interpret the history of the Rand Estate. Modifications to the size and shape of each common open space shall not require an amendment to the Official Plan.
- xvi. The axial walkway and circular mound between the whistle stop and the main house shall be reflected and interpreted in the design of a future street and pathway network.
- xvii. Site plans and landscape design plans shall include pedestrian connections and wayfinding measures between cultural heritage features.
- xviii. New streets, pathways and common open spaces shall have appropriate lighting for comfort and safety.
- xix. Designated heritage structures shall stand apart from new development, generally by at least 5 metres, to reinforce their cultural significance. Landscaping that recalls their historic setting shall be encouraged.
- xx. The Town, in consultation with property owners, shall develop a plan to interpret and promote the area's cultural heritage, including values attributed to the area by Indigenous communities.

**Principle 4: Accommodate active transportation connections through and to the area as part of a system of connected natural and cultural heritage features.**

**Policies:**

- xxi. A future street and pathway network in the area shall include a continuous public connection for pedestrians and cyclists from the Heritage Trail to John Street East, via the whistle stop, to be built by the developer. Additional public active transportation connections through 144 and 176 John Street East shall be encouraged.
- xxii. Future access to development on 588 Charlotte Street shall include public access for pedestrians and cyclists.
- xxiii. Subject to heritage and structural impact assessments to the Town's satisfaction, an additional gate or other opening in the stone wall along the Heritage Trail may be permitted to facilitate access for pedestrians and cyclists.
- xxiv. The Town shall develop and implement a plan to widen the sidewalk on the south side of John Street East to a minimum width of 1.8 metres or replace it with a multi-use path with a minimum width of 3 metres. In addition, the Town shall work with Parks Canada to develop a multi-use path connection between a public access to future development at 144, 176 or 200 John Street East and the path network on The Commons.
- xxv. The intersection of John Street East and Charlotte Street shall be improved with stop signs, crosswalks and wayfinding signage for the comfort, safety and convenience of pedestrians and cyclists.

**Principle 5: Maintain compatibility and cohesion between distinct places.**

**Policies:**

- xxvi. Future development and landscaping shall maintain, reinforce and extend the area's natural features to establish over time the network of green spaces identified in Figure 1: Former Rand Estate and John Street East Character Area Land Use Plan and Development Framework, including Conservation areas, common open spaces, pathways and landscape buffers.
- xxvii. Existing mature trees and hedges at the edges of existing residential properties shall be maintained and enhanced.
- xxviii. On 144 and 176 John Street East, sufficient landscaping, buffers and setbacks shall be provided to minimize the impact of commercial uses on abutting residential uses. In addition, landscape buffers in keeping with the area's historic natural heritage and containing hedges and trees shall be provided between commercial uses and new residential development on 200 John Street East and 588 Charlotte Street.
- xxix. The following policies shall also apply to future commercial development on 144 and 176 John Street East to minimize adverse impacts on neighbouring properties:
  - No terraces or balconies above the second storey shall be oriented toward abutting properties. Any terraces or balconies shall be oriented toward the interior of the property.
  - All parking areas shall be oriented or designed in such a way that there shall be no impact of vehicular lights on abutting residential properties.

- There shall be no negative impact on abutting properties as a result of lighting in parking lots, driveways, walkways, or other outdoor recreational and amenity spaces or accessory buildings or structures.
- xxx. Private rear yards adjacent to agricultural lands outside the urban boundary, in the Greenbelt, shall be planted with trees and other vegetation to provide an appropriate landscape transition.
- xxxi. Parking lots, where required and appropriate, shall be minimized and located at the rear of buildings, screened from public view.

**Principle 6: Accommodate a mix of housing types and sizes and compatible commercial uses.**

**Policies:**

- xxxii. Section 9.3.3 shall apply to the properties on Christopher Street and Weatherstone Court, except townhouses shall also be permitted.
- xxxiii. Detached and semi-detached houses, townhouses, duplexes and triplexes shall be permitted in the Residential area.
- xxxiv. Notwithstanding Policy 3.32.8(xxxiii), multiple unit residential uses shall be permitted within conserved heritage buildings in the Residential area, subject to satisfactory heritage impact assessments submitted with a rezoning and heritage permit applications.
- xxxv. The following land uses shall be permitted on the properties at 144 and 176 John Street East: hotel; spa; arts and learning centre; conference centre; restaurant. Accessory buildings and structures shall be permitted as secondary uses.
- xxxvi. Detached houses and multiple unit residential buildings also shall be permitted at the rear of properties in the Commercial area and within the Established Residential area at the rear of 210 John Street East, notwithstanding Policy 9.3.3(1) of the Official Plan, provided they conserve cultural heritage features and are in keeping with the scale, massing and character of the existing historic houses. Secondary and other uses, as identified in Policy 9.3.3(1) shall also be permitted.
- xxxvii. Secondary residential units within a detached or semi-detached house or townhouse, or as an accessory building, such as carriage house, shall be permitted in the Established Residential, Residential and Residential-Commercial areas.
- xxxviii. All new housing shall minimize adverse impacts on cultural heritage features.

**Principle 7: Respect the scale and character of existing development in the area and in adjacent neighbourhoods.**

**Policies:**

- xxxix. The massing of new development shall be in keeping with the scale and height of existing development within the area and in adjacent neighbourhoods. Residential buildings shall not exceed 3 storeys. Blocks of attached townhouses generally shall not contain more than 6 primary dwelling units but may contain up to 8 primary units provided the building's total length does not exceed 60 metres.

- xl. A variety of architectural styles shall be encouraged that reflect the varied character of homes in the adjacent neighbourhoods and Old Town generally, including Colonial Revival, Neo-Classical, Georgian, Italianate and Craftsman. The incorporation of architectural elements found on heritage buildings in the area and the homes of Christopher Street and Weatherstone Court shall be encouraged.
- xli. The use of traditional building materials commonly used in Old Town's historic buildings shall be strongly encouraged. Building materials and finishes should reflect a consistently high level of quality and craftsmanship.
- xl.ii. Future development on Christopher Street and Weatherstone Court shall maintain their existing general character in terms of building massing, setbacks and landscaping.
- xl.iii. The visual impact of front garages and driveways shall be minimized. Garages at the rear of houses, accessed by a laneway or a driveway at the side of the house, shall be encouraged. Where garages are located at the front of dwelling units, they shall be located behind the front wall of the house and have a maximum width no greater than half the width of the house.
- xl.ii. Accessory buildings containing secondary residential units shall have a maximum height of 7 metres or the height of the main dwelling, whichever is less.
- xl.ii. Front yard setbacks for new development shall be a minimum of 3 metres from the sidewalk and consistent along each street.
- xl.ii. At least 50% of the front yards of new development shall comprise soft landscaping, including trees.





## **PART C – ADDITIONAL INFORMATION**

The following additional information is available upon request:

1. Former Rand Estate and John Street East Character Study Final Report dated March 15, 2024.
2. Community and Development Services Report CDS-2X-XXX.
3. Council Meeting Minutes dated XXXXX.

# APPENDIX C: DRAFT AMENDMENT TO COUNCIL-ADOPTED OFFICIAL PLAN

**THE CORPORATION  
OF THE  
TOWN OF NIAGARA-ON-THE-LAKE  
BY-LAW NO. ###-24**

Official Plan Amendment No. XX

Former Rand Estate and John Street East Character Area

[legal description of properties to be added]

A BY-LAW PURSUANT TO SECTION 17 OF THE ONTARIO PLANNING ACT TO AMEND THE TOWN OF NIAGARA-ON-THE-LAKE OFFICIAL PLAN

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 17 of the Planning Act, R.S.O. 1990, c.P.13, as amended;

The Council of The Corporation of the Town of Niagara-on-the-Lake, in accordance with the provisions of Section 17 of the Planning Act hereby enacts as follows:

1. Amendment No. ## to the Official Plan for the Town of Niagara-on-the-Lake consisting of the attached explanatory text and schedule is hereby adopted.
2. Amendment No. ## to the Official Plan for the Town of Niagara-on-the-Lake is exempt from the approval of the Regional Municipality of Niagara and will come into force and take effect on the day of the final passing thereof.

Enacted and passed this ## day of XXXX, 202#.

---

LORD MAYOR GARY ZALEPA

---

TOWN CLERK DONNA DELVECCHIO

**Amendment No. ## to the Official Plan  
for the Town of Niagara-on-the-Lake**

**PART A – THE PREAMBLE**

Part A does not constitute part of this amendment. Part A describes the purpose and basis for this amendment.

**PART B – THE AMENDMENT**

Part B constitutes Amendment No. ## to the Official Plan for the Town of Niagara-on-the-Lake.

**PART C – ADDITIONAL INFORMATION**

Part C does not constitute part of this amendment but outlines additional information available upon request.



## **PART A - THE PREAMBLE**

**The preamble does not constitute part of this amendment.**

### **PURPOSE**

The purpose of this amendment is to establish policies to guide development and other changes in the Former Rand Estate and John Street East Character Area.

### **BASIS**

The basis of the amendment is as follows:

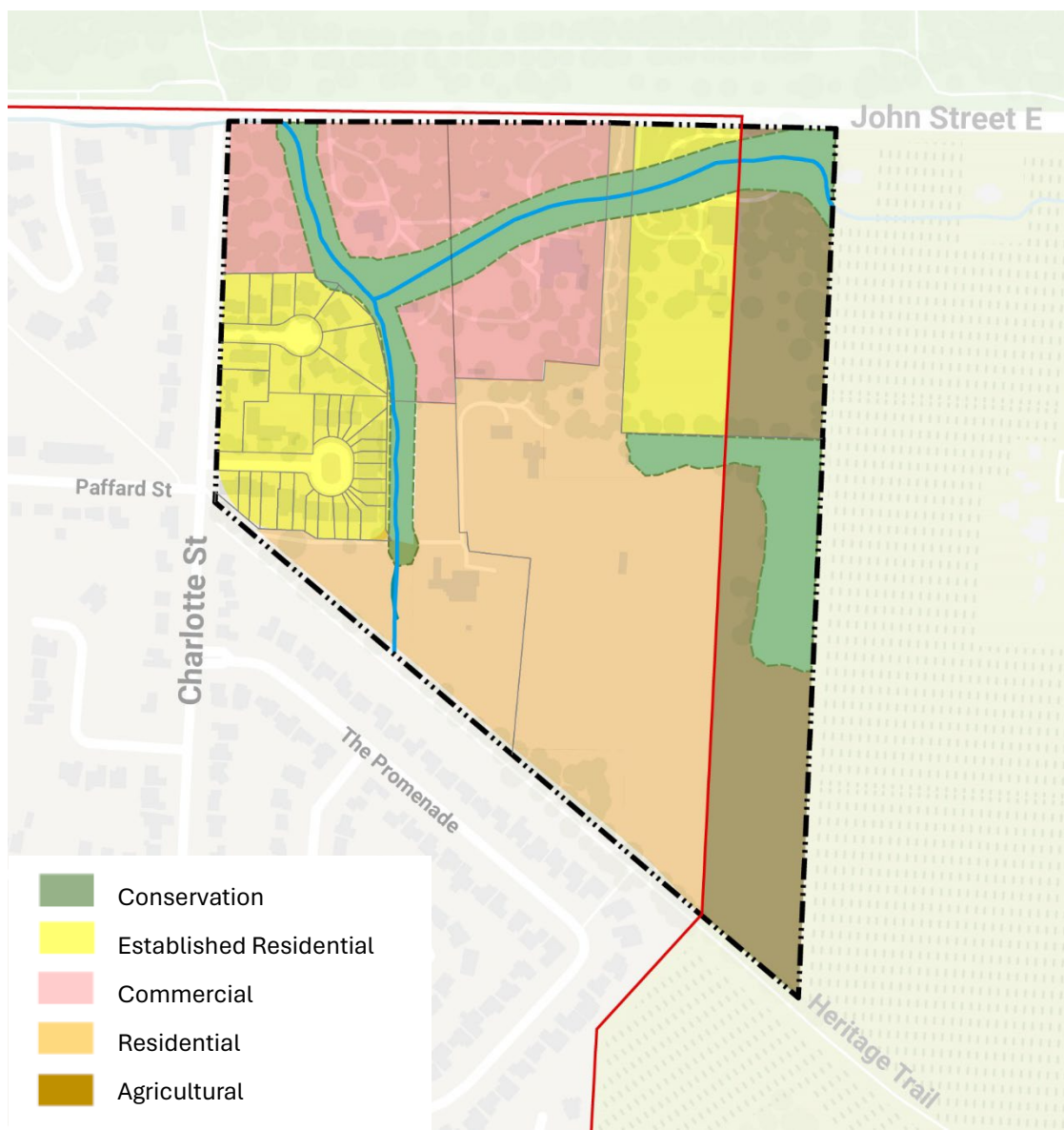
1. The subject lands, comprising the former Rand Estate and former Brunswick Place Estate, include several designated or listed heritage properties.
2. The former Rand Estate lands have been the subject of extensive historical research and analysis, and Designation By-laws were approved for 580 Charlotte Street (1971), 144 and 176 John Street East (2020) and 200 John Street and 588 Charlotte Street (2022).
3. Development applications were approved in 2011 to permit hospitality-related commercial uses on portions of 144 and 176 John Street East. An application for a hotel development on the same properties was submitted in 2017, revised in 2018 and withdrawn in 2019.
4. In 2019, Council adopted a policy in the Town's new Official Plan stating that the Former Rand Estate and John Street East Character Area "not be developed until such time as a study has been completed by the Town and released for public review and comment which determines the appropriate land use designation for this Special Study Area. Following completion of the study, the Official Plan shall be amended to apply the appropriate designation and the subject lands may develop in accordance with the applicable land use policies of that designation."
5. Development applications for residential uses on 200 John Street and 588 Charlotte Street were submitted in 2021 and heritage permit applications were submitted in February 2023.
6. The Former Rand Estate and John Street East Character Study was initiated in the fall of 2022. Following research, analysis, and engagement with stakeholders and the public, the study concluded that a "heritage and development framework" and detailed policies in the Official Plan are needed to guide future development and conservation measures.
7. Building on the Designation Bylaws, the recommended framework and policies will help ensure future commercial and residential development protects significant natural features and cultural heritage attributes, is compatible with surrounding uses and generally maintains the area's historic character.
8. The amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan (2020 Consolidation), the Niagara Regional Official Plan (2022), the general intent of the Town's in-force Official Plan (2017) and the Town's new, adopted Official Plan (2022).

## PART B - THE AMENDMENT

Part B – The Amendment, consisting of the following text and Schedule, constitutes Amendment No. ## to the Official Plan for the Town of Niagara-on-the-Lake.

### DETAILS OF THE AMENDMENT

1. Schedule B2 of the Official Plan is amended by:
  - a) Deleting Site Specific Policies overlay S4-24 and expanding overlay S4-4 to include the area bounded by John Street East, Heritage Trail, Charlotte Street and Old Town's Settlement Boundary.
  - b) Designating lands within the Former Rand Estate and John Street East Character Area as follows:



2. Section 4.18.1(d) is replaced with the following:

d) **S4-4:** Former Rand Estate and John Street East Character Study Area

The lands identified S4-4 on Schedule B2 are subject to the following:

**Principle 1: Conserve, integrate and maintain significant cultural heritage features.**

**Policies:**

- i. Development applications for all listed and designated heritage properties, including 144, 176, 200 and 210 John Street East and 588 Charlotte Street, excluding minor variance applications, shall include a conservation plan and a landscape management and design plan. The former, which will supplement a heritage impact assessment, shall identify measures required to repair, stabilize and conserve heritage features as well as long-term conservation, monitoring and maintenance measures. Landscape management and design plans shall identify work proposed to conserve and enhance landscape features and systems over time, including natural and cultural features; they shall also include detailed drawings of proposed new landscape features. Conservation plans and landscape management and design plans may also supplement and shall not replace submission materials required for a heritage permit application.
- ii. The Town shall ensure local First Nations are consulted prior to the approval of zoning bylaw amendments and site plans for major developments, and Council shall be informed about how input from First Nations informed and influenced proposed development.
- iii. Conservation plans, and heritage conservation measures generally, shall be consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada.
- iv. The adaptive re-use of heritage buildings and other structures with uses that complement existing and planned uses in the area shall be strongly encouraged.
- v. The restoration or interpretation of significant but lost heritage landscape features shall be strongly encouraged.
- vi. The Town shall explore and consider financial incentives, including but not limited to programs under a Community Improvement Plan, to support heritage conservation in the area.

**Principle 2: Protect, enhance and maintain significant natural features and functions.**

**Policies:**

- vii. Environmental impact studies (EISs) submitted with development applications shall include detailed studies of environmental features, including but not limited to the Conservation areas generally identified in Schedule B2, and shall identify the limits of all such features. EISs shall be supplemented by landscape management and design plans, as generally described in Policy 4.18.1(d)(i).
- viii. All relevant environmental policies of the Town's Official Plan shall apply to the area, including but not limited to Highly Vulnerable Aquifer and Natural Environment System policies. In addition, Niagara Peninsula Conservation Authority regulations shall apply to all EPAs.

- ix. New streets and other infrastructure shall minimize adverse impacts on existing natural features and functions. Streets and pathways shall be aligned and designed to integrate existing natural features wherever possible. The consolidation of vehicular entrances and sharing of streets among neighbouring uses shall be strongly encouraged.
- x. Further to Policy 4.18.1(d)(i), landscape management and design plans shall include:
  - A tree preservation and planting plan that has regard for the area's historic estate lot landscapes;
  - Measures to enhance riparian zones with plantings in keeping with the cultural heritage landscape.
- xi. Landscape management and design plans shall support a minimum tree canopy goal of 30% for the character area as a whole and for each property where new development is proposed. To this end, a qualified landscape architect or arborist shall provide an opinion on how the tree preservation and planting plan for a site can achieve the goal over time.
- xii. Stormwater management facilities shall be located outside Conservation areas, integrated with the larger network of open spaces, and designed as a naturalized landscape.

**Principle 3: Ensure cultural and natural heritage features are visible to the public.**

**Policies:**

- xiii. Public views to 144, 176 and 210 John Street East, 580 Charlotte Street and 9 Weatherstone Court from adjacent public roads shall be maintained. Conservation plans and landscape management and design plans for 200 John Street East and 588 Charlotte Street shall show how existing views of the former Rand Estate over the historic stone wall from the Heritage Trail and through the gate at the whistle stop will be maintained or enhanced.
- xiv. New streets, driveways and pathways in the area should be aligned to conserve and provide public exposure to cultural heritage features where feasible.
- xv. The common open spaces conceptually identified in Figure 1: Former Rand Estate and John Street East Character Area Heritage and Development Framework shall be designed to provide public views and access to natural and cultural heritage features. The designs shall include elements that interpret the history of the Rand Estate. Modifications to the size and shape of each common open space shall not require an amendment to the Official Plan.
- xvi. The axial walkway and circular mound between the whistle stop and the main house shall be reflected and interpreted in the design of a future street and pathway network.
- xvii. Site plans and landscape design plans shall include pedestrian connections and wayfinding measures between cultural heritage features.
- xviii. New streets, pathways and common open spaces shall have appropriate lighting for comfort and safety.
- xix. Designated heritage structures shall stand apart from new development, generally by at least 5 metres, to reinforce their cultural significance. Landscaping that recalls their historic setting shall be encouraged.



- xx. The Town, in consultation with property owners, shall develop a plan to interpret and promote the area's cultural heritage, including values attributed to the area by Indigenous communities.

**Principle 4: Accommodate active transportation connections through and to the area as part of a system of connected natural and cultural heritage features.**

**Policies:**

- xxi. A future street and pathway network in the area shall include a continuous public connection for pedestrians and cyclists from the Heritage Trail to John Street East, via the whistle stop, to be built by the developer. Additional public active transportation connections through 144 and 176 John Street East shall be encouraged.
- xxii. Future access to development on 588 Charlotte Street shall include public access for pedestrians and cyclists.
- xxiii. Subject to heritage and structural impact assessments to the Town's satisfaction, an additional gate or other opening in the stone wall along the Heritage Trail may be permitted to facilitate access for pedestrians and cyclists.
- xxiv. The Town shall develop and implement a plan to widen the sidewalk on the south side of John Street East to a minimum width of 1.8 metres or replace it with a multi-use path with a minimum width of 3 metres. In addition, the Town shall work with Parks Canada to develop a multi-use path connection between a public access to future development at 144, 176 or 200 John Street East and the path network on The Commons.
- xxv. The intersection of John Street East and Charlotte Street shall be improved with stop signs, crosswalks and wayfinding signage for the comfort, safety and convenience of pedestrians and cyclists.

**Principle 5: Maintain compatibility and cohesion between distinct places.**

**Policies:**

- xxvi. Future development and landscaping shall maintain, reinforce and extend the area's natural features to establish over time the network of green spaces conceptually identified in Figure 1: Former Rand Estate and John Street East Character Area Heritage and Development Framework, including Conservation areas, common open spaces, pathways and landscape buffers.
- xxvii. Existing mature trees and hedges at the edges of existing residential properties shall be maintained and enhanced.
- xxviii. On 144 and 176 John Street East, sufficient landscaping, buffers and setbacks shall be provided to minimize the impact of commercial uses on abutting residential uses. In addition, landscape buffers in keeping with the area's historic natural heritage and containing hedges and trees shall be provided between commercial uses and new residential development on 200 John Street East and 588 Charlotte Street.
- xxix. The following policies shall also apply to future commercial development on 144 and 176 John Street East to minimize adverse impacts on neighbouring properties:

- No terraces or balconies above the second storey shall be oriented toward abutting properties. Any terraces or balconies shall be oriented toward the interior of the property.
  - All parking areas shall be oriented or designed in such a way that there shall be no impact of vehicular lights on abutting residential properties.
  - There shall be no negative impact on abutting properties as a result of lighting in parking lots, driveways, walkways, or other outdoor recreational and amenity spaces or accessory buildings or structures.
- xxx. Private rear yards adjacent to agricultural lands outside the urban boundary, in the Greenbelt, shall be planted with trees and other vegetation to provide an appropriate landscape transition.
- xxxi. Parking lots, where required and appropriate, shall be minimized and located at the rear of buildings, screened from public view.

**Principle 6: Accommodate a mix of housing types and sizes and compatible commercial uses.**

**Policies:**

- xxxii. Section 4.10.4 shall apply to the properties on Christopher Street and Weatherstone Court, except townhouses shall also be permitted.
- xxxiii. Detached and semi-detached houses, townhouses, duplexes and triplexes shall be permitted in the Residential area.
- xxxiv. Notwithstanding Policy 4.18.1(d)(xxxiii), multiple unit residential uses shall be permitted within conserved heritage buildings in the Residential area, subject to satisfactory heritage impact assessments submitted with a rezoning and heritage permit applications.
- xxxv. The following land uses shall be permitted in the Commercial area: hotel; spa; arts and learning centre; conference centre; restaurant. Accessory buildings and structures shall be permitted as secondary uses.
- xxxvi. Detached houses and multiple unit residential buildings also shall be permitted at the rear of properties in the Commercial area and within the Established Residential area at the rear of 210 John Street East, notwithstanding Policy 4.10.4.2(a) of the Official Plan, provided they conserve cultural heritage features and are in keeping with the scale, massing and character of the existing historic houses. Secondary and other uses, as identified in Policy 4.10.4.2 shall also be permitted.
- xxxvii. Secondary residential units within a detached or semi-detached house or townhouse, or as an accessory building, such as carriage house, shall be permitted in the Established Residential, Residential and Commercial areas.
- xxxviii. All new housing shall minimize adverse impacts on cultural heritage features.

**Principle 7: Respect the scale and character of existing development in the area and in adjacent neighbourhoods.**

**Policies:**

- xxxix. The massing of new development shall be in keeping with the scale and height of existing development within the area and in adjacent neighbourhoods. Residential buildings shall not exceed 3 storeys. Blocks of attached townhouses generally shall not contain more than 6 primary dwelling units but may contain up to 8 primary units provided the building's total length does not exceed 60 metres.
- xl. A variety of architectural styles shall be encouraged that reflect the varied character of homes in the adjacent neighbourhoods and Old Town generally, including Colonial Revival, Neo-Classical, Georgian, Italianate and Craftsman. The incorporation of architectural elements found on heritage buildings in the area and the homes of Christopher Street and Weatherstone Court shall be encouraged.
- xli. The use of traditional building materials commonly used in Old Town's historic buildings shall be strongly encouraged. Building materials and finishes should reflect a consistently high level of quality and craftsmanship.
- xl.ii. Future development on Christopher Street and Weatherstone Court shall maintain their existing general character in terms of building massing, setbacks and landscaping.
- xl.iii. The visual impact of front garages and driveways shall be minimized. Garages at the rear of houses, accessed by a laneway or a driveway at the side of the house, shall be encouraged. Where garages are located at the front of dwelling units, they shall be located behind the front wall of the house and have a maximum width no greater than half the width of the house.
- xl.iv. Accessory buildings containing secondary residential units shall have a maximum height of 7 metres or the height of the main dwelling, whichever is less.
- xl.v. Front yard setbacks for new development shall be a minimum of 3 metres from the sidewalk and consistent along each street.
- xl.vi. At least 50% of the front yards of new development shall comprise soft landscaping, including trees.



FIGURE 1: Heritage and Development Framework - Former Rand Estate and John Street East Character Area



## **PART C – ADDITIONAL INFORMATION**

The following additional information is available upon request:

1. Former Rand Estate and John Street East Character Study Final Report dated March 15, 2024.
2. Community and Development Services Report CDS-2X-XXX.
3. Council Meeting Minutes dated XXXXX.



**URBAN  
STRATEGIES  
INC .**