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June 4, 2018

Members of the Committee of the Whole
Town of Niagara-on-the-Lake
1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0

Dear Lord Mayor Darte and Town Councillors:

**RE : Report CDS-18-028 (Municipal Heritage Committee Minutes – May 8, 2018) –
 Randwood Estate**

E.R.A. Architects continues to follow the public process associated with the Zoning-Bylaw Amendment and Site Plan Approval for the Randwood estate on behalf of Save Our Randwood Estate (SORE). To date, E.R.A. has served as a delegation at the Municipal Heritage Committee Meeting (February 13, 2018), submitted a memo on the peer review process to Staff (March 2, 2018), served as a delegation to Town Council (April 4, 2018), and is now before the Committee of the Whole (June 4, 2018). We thank the Town for the continued opportunity to engage with this important file on behalf of SORE and its supporters.

As E.R.A. has previously stated, our delegations address actions that can be taken by the Town to ensure its cultural heritage resources are protected and that a contextually sensitive development proposal is approved. Randwood is an extraordinary cultural heritage resource that should be stewarded by the Town, not just for its own citizens, but for all Canadians.

The validity and urgency of this approach has been acknowledged by the Town and acted upon at April Town Council through amended motions directing Staff to undertake the 9/06 evaluation of 144 John Street East, 176 John Street East, 200 John Street East, and 588 Charlotte Street as part of the designation process and which are reflected in report recommendations before you tonight. We also note the motion adopted unanimously by the Town's Municipal Heritage Committee (MHC) at its May 8 meeting urging Council to proceed immediately with the designation process on all four properties.

We are also pleased that the report clarifies misconceptions surrounding third party designation. The report quotes the *Ontario Heritage Toolkit* which states: “[t]he owner’s consent is not required for a designation to proceed. In some cases, council may have to act in the public interest to conserve a significant property, despite objections by the owner.” “Third party designation” is not referenced in the Ontario Heritage Act, Provincial Policy Statement, or in the Town’s draft Official Plan. Both case law and

OMB decisions have confirmed the responsibility of municipalities to act proactively to protect heritage resources, even when timely designation is not supported by the property owner.

Under the Ontario Heritage Act and operating within provincial policy and the Town's draft Official Plan, Council has the authority and, in this instance, a responsibility, to designate properties independent of any related planning process or reliance on third party stewardship of the property (OHA, Part IV, 29(1)). Section 7.2.3.1 (b) of the Town's draft Official Plan (June 2016) states: "[i]n order to protect heritage resources, the Town will give immediate consideration to designation under the Ontario Heritage Act of any significant cultural heritage resource that is threatened with demolition, inappropriate alterations or other potentially adverse impacts."

We reiterate that the cultural heritage value of the properties at 144 John Street East, 176 John Street East, 200 John Street East, and 588 Charlotte Street, all part of the original Rand Estate, in part derives from their association with the renowned landscape architecture firm, Dunington-Grubb, as well as extant elements of their landscape design, and the firm's broader influence on the character of these properties. The Applicant's Heritage Impact Assessment (HIA) identifies the significance of Dunington-Grubb's connection to these properties and notes that remnants of their work are found at 200 John Street. The Town has previously acted to protect a lesser example of this firm's work at the King's Landing property on Ricardo Street in 2008. The statement of significance for this property (attached) identifies attributes that include "any remaining landscaping designed by the firm of Dunington-Grubb."

200 John Street and 588 Charlotte also have cultural heritage value beyond their association with Dunington-Grubb. The applicant's HIA identifies buildings, features, and structures on both properties that may have cultural heritage value. These include the guest house, garage, pool, tea house, pool pavilion, gazebo and stone perimeter wall at 200 John, and the former Rand Estate Stables and stone wall at 588 Charlotte (pp36-39). The Town's research and evaluation of these properties should consider cultural heritage resources from all periods of the Estate's history and their interrelationships.

We would like to make the following recommendations to support the designation process and the steps already undertaken by the Town to protect its cultural heritage resources:

- As recommended by the Municipal Heritage Committee and by Town Staff (1.7.1), Staff should prepare and give Notices of Intention to Designate for the properties located at 144 John Street East, 176 John Street East, 200 John Street East, and 588 Charlotte Street.
- A motion to declare Town Council's Intention to Designate can be adopted now. That Motion should also declare that the properties at 200 John Street East and 588 Charlotte Street be added to the Town's Municipal Heritage Register, to join the properties at 144 John Street East and 176 John Street East which are already on the Municipal Register. The effect of this Motion will be to protect the four properties until the 9/06 evaluations are complete and the Notices of Intention to Designate are issued by Town Staff.
- Concurrently, Staff should prepare 9/06 evaluations and Statements of Significance for 144 John Street East, 176 John Street East, 200 John Street East, and 588 Charlotte Street, using the HIA as the basis for this work. The HIA already includes a Statement of Significance for 144 and 176 John Street East (attached), as well as background information on 200 John Street East and 588 Charlotte Street noting cultural heritage resources on these properties. Additional historical information on these

properties is also provided in the 2009 Willowbank study (referenced in the Applicant's HIA and E.R.A.'s delegation to Council) and should be used, along with additional research as required, to supplement information contained in the HIA. Since significant work has already been done, it is reasonable to expect formal Notices of Intention to Designate be issued within 30 days.

- We also note that Staff have our previous recommendations on heritage experts with appropriate expertise and experience to assist them with this important work.

Again, we thank you for the opportunity to participate in the public process associated with this important file.

Sincerely,

A handwritten signature in black ink, appearing to be 'Michael McClelland', written in a cursive style.

Michael McClelland, Principal
E.R.A. Architects Inc.

Copy:

Save Our Randwood Estate (SORE)

Appendix V – Draft Statement of Significance – The Rand Estate – 144-176 John Street, Niagara-on-the-Lake

The Rand Estate is a 5 hectare estate lot located on the south side of John Street between Charlotte Street and the Niagara River Parkway. It is a significant cultural heritage landscape that includes important built heritage resources, a formal designed landscape and a natural or picturesque landscape.

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

The estate is indicative of the large lots and homes built in Niagara-on-the-Lake by wealthy summer visitors in the late 19th and early 20th centuries. There are three (3) significant buildings on the property and two (2) garden structures.

1. Randwood, the original summer home. This brick building may contain portions of the William Dickson house destroyed in the War of 1812-14. It has a mansard roof and characteristics of both the Second Empire and Italianate Villa styles. It has been considerably altered by a number of owners of the years.
2. The Coach House is the oldest of the three (3) buildings and may have been constructed by descendants of the William Dickson. It is Gothic Revival in style and was altered in the late 20th century.
3. The Sheets (Devonian) House was constructed in 1922 for Evelyn Rand on the occasion of her marriage to Henry Sheets. It is Colonial Revival in style and retains many original interior details, particularly on the main floor.
4. The brick pavilion and the wooden gazebo are significant structures that contribute to the picturesque cultural heritage landscape.

The property is enclosed on two (2) sides by a concrete and stone wall punctuated by brick pillars and two entrance gates, the main gate with its elaborate wrought iron details, and the gate leading to the Sheets (Devonian) house. The wall is a significant component of the cultural heritage landscape.

The Rand Estate contains remnants of a formal landscape designed by the firm of Dunninton-Grubb, pioneers in the profession of landscape architecture in Canada and founders of Sheridan Nurseries, who designed the landscapes for University Avenue in Toronto and Oakes Gardens in Niagara Falls. The natural or picturesque landscape

includes One Mile Creek and many unusual specimen trees and plants and native species. At one time the estate was a much larger, more self-sufficient and cohesive entity with a milkhouse, and stables which survives as a private home; but is now separated from the property.

Description of Heritage Attributes

Key heritage attributes that reflect the Rand Estates importance as both a designed and natural or picturesque landscape indicative of the early settlement of the Town and the influx of wealthy summer residents in the late 19th and early 20th centuries include:

- The concrete, brick and stone wall and entrance gate;
- The three extant buildings on the property – Randwood, the Coach House and the Sheets (Devonian House);
- The brick pavilion and the gazebo;
- The designed Dunnington-Grubb landscape including the walkway, lily pond, sculpture, stone bridges and walls and any remaining shrubs or plantings;
- Remnants of the picturesque natural landscape including mature native and specimen trees, plants and shrubs; and
- The boxwood hedge.

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE**

BY-LAW NO. 4234-08

(289 Ricardo Street, Roll No. 2627 010 001 06300 0000)

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS KING'S LANDING, 289 RICARDO STREET, IN THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE, IN THE PROVINCE OF ONTARIO, AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18, authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest;

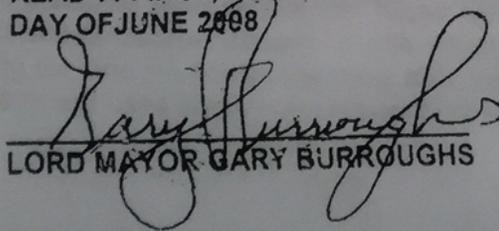
AND WHEREAS the Council of the Corporation of the Town of Niagara-on-the-Lake has caused to be served on the owner of the lands and premises known as King's Landing at 289 Ricardo Street, in the Town of Niagara-on-the-Lake in the Province of Ontario and upon the Ontario Heritage Trust, notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in a newspaper having general circulation in the municipality;

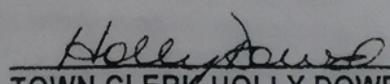
AND WHEREAS the reasons for designation are set out in Schedule 'B' hereto;
AND WHEREAS no notice of objection to the proposed designation has been served on the clerk of the municipality.

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

1. There is designated as being of cultural heritage value or interest the real property known as the King's Landing at 289 Ricardo Street in the Town of Niagara-on-the-Lake in the Province of Ontario, more particularly described in Schedule 'A' hereto.
2. The municipal solicitor is hereby authorized to cause a copy of this By-law to be registered against the property described in Schedule 'A' hereto.
3. The Clerk is hereby authorized to cause copy of this By-law to be served on the owners of the aforesaid property and on the Ontario Heritage Trust and to cause notice of the passing of this By-law to be published in a newspaper having general circulation.

READ A FIRST, SECOND AND THIRD TIME AND PASSED ON THIS 30TH DAY OF JUNE 2008


LORD MAYOR GARY BURROUGHS


TOWN CLERK HOLLY DOWD

SCHEDULE 'B'

King's Landing, 289 Ricardo Street, 1908, Lot 5, Plan M18

Description of Property

King's Landing is a 2 storey house constructed in the Tudor Revival style with a raised, stone clad basement, stone chimneys and a stone and half timber exterior. It is one of a number of large homes on expansive lots in the Town constructed in the late 19th and early 20th century as homes for wealthy summer visitors.

The property is located on the north side of Ricardo Street, east of the Nelson Street road allowance and west of Navy Hall in the Town of Niagara-on-the-Lake. The property backs onto the Niagara River. The lot is relatively narrow at the front and widens out on the river side. The house is set back from the street, closer to the Niagara River and is designed with its most prominent façade facing the river to take advantage of the water views and water access for boating purposes. A large concrete pier at the river's edge and a small boat house on the west side of the property are indications that previous owners were probably avid sailors.

Statement of Cultural Heritage Value or Interest

King's Landing's cultural heritage value consists of the fact that it was constructed on land that was once part of the Navy Hall complex and that it occupies a prominent position on the Niagara River. The site for the house was part of the holdings of the Niagara Harbour and Dock Company, a large shipbuilding and repair enterprise. It was purchased by Walter Meneilley from the Honourable John Galt, in 1870 and remained in the Meneilley family as a vacant parcel until it was purchased by John Joseph Wright of Toronto in 1903. Wright constructed the little summer house, which still exists on the site, in 1906 and commenced construction of the main house in 1908.

Although the designer of the house is not known, the building was constructed in the classic Tudor Revival style common in the early 20th century. Exterior features characteristic of this style include an asymmetrical design and layout, half timbering, steeply pitched gabled roofs, groupings of narrow windows, dramatically tall off centre stone chimneys. One feature of note is the large open stone porch at the rear of the house, overlooking the river. This expansive space, with its large stone pillars and bead board ceiling is indicative of the fact that the façade facing the river was more important than the façade facing Ricardo Street.

Over the years there have been minor alterations to the exterior of the building. The music room was added in 1910 and extended on the river side c.1915. Other alterations include the relocation of the Ricardo Street entrance, the construction of an enclosed gabled space where there was once a balcony above the rear porch, and the addition of a glass conservatory addition to the music room in the second half of the 20th century (to be removed).

A landscape plan by the Lorrie A. Dunnington-Grubb was completed for the property in 1923 when it was purchased by Harris Wheaton Price of Cleveland Ohio. The firm of Dunnington-Grubb provided a landscape and planting plan which is still extant. Although much of the original design, including the flower beds, has been destroyed over the years, the area that includes the pergola and wisteria in front of the house are surviving features of the original design. A small screened wooden summer house with a bell cast roof is an early and significant landscape feature. It was constructed before the house was built. During the time the house was being built, the Wright family lived in tents on the property and used the summer house for dining.

The main floor of the house retains much of its original Tudor Revival detail including dark wood trim around doors and windows, plate rails, a large cobblestone fireplace with mantel and brackets in the living room and a smaller stone fireplace in the music room. Although the original front entrance, which was located directly in front of the staircase, has been closed and relocated, the staircase with its heavy carved newel post, newel cap and balustrade, has survived.

King's Landing's cultural heritage value also includes its association with the a number of prominent owners and designers including John Joseph Wright; Harris Wheaton Price; L. and H. Dunnington-Grubb, landscape architects; and Tricia Romance, artist.

John Joseph Wright, who built the house, was one of the most significant pioneers in electrical development in North America. He assisted in the electrification of Washington, D.C. and built the first electrical trolley line in Toronto. He also opened Toronto's first commercial power station and was elected the first president of the Canadian Electrical Association. Wright's permanent residence was in Toronto. His choice of a lot on the Niagara River, somewhat removed from the other large summer homes in Niagara-on-the-Lake, allowed him to moor his steam yacht *Electra* on the river so that he could sail back and forth between his offices in Toronto and his summer home in Niagara.

When Wright died in 1922, the property was purchased by Harris Wheaton Price of Cleveland Ohio and remained in his family until 1982. It was Mr. Price who engaged Lorrie Alfreda Dunnington-Grubb to lay out the gardens. Dunnington-Grubb and her husband, Howard Burlingham Dunnington-Grubb were two of the first landscape architects to practice in Canada. She was the first woman to practice the profession in Canada. Their work included the Rand Estate in Niagara-on-the-Lake, Oakes Gardens, the sunken gardens at McMaster University and Gage Park in Hamilton. The two founded Sheridan Nurseries to provide much needed nursery material for their many projects.

Tricia Romance, a well known artist, lived and painted in the house until just recently.

Description of Key Heritage Attributes

Key exterior, structural and landscape attributes that reflect the value of the King's Landing as an excellent and relatively rare example of the Tudor Revival style in the Town and, as one of the large summer homes constructed in the early 20th century with close associations to both the Niagara River and Lake Ontario, include:

- The entire exterior of the house including the covered stone porch on the Niagara River façade of the building.
- The summer house, in its relocated position.
- The pergola and any remaining landscaping designed by the firm of Dunnington-Grubb.
- The original wall and stone entrance pillars.
- The interior trim on the ground floor including baseboards, door surrounds, plate rails and mantelpieces.
- Original hardwood floors on the ground floor.
- The two stone fireplaces.
- The staircase including the newel post and balustrade.

Properties

PIN 46407 - 0031 LT
Description PCL 5-3 SEC M18; PT LT 5 PL M18 PT 2 30R6729 AS CONFIRMED BY 30BA1363, PLAN M18 IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT ; NIAGARA ON THE LAKE
Address 00289 RICARDO ST
NIAGARA ON THE LAKE

Applicant(s)

This Order/By-law affects the selected PINs.

Name THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE
Address for Service 1593 Creek Road, P.O. Box 100, Virgil
ON L0S 1T0

I, Lord Mayor Gary Burroughs and I, Holly Dowd, Town Clerk, have the authority to bind the corporation.
This document is not authorized under Power of Attorney by this party.

Statements

This application is based on the Municipality By-Law No. 4234-08 dated 2008/06/30.
Schedule: See Schedules

Signed By

Callum Shedden 39 Queen St. P.O. Box 24022 acting for Signed 2008 07 07
St. Catharines Applicant(s)
L2R 7P7
Tel 9056881125
Fax 9056885725

Submitted By

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Fees/Taxes/Payment

Statutory Registration Fee \$60.00
Total Paid \$60.00

File Number

Applicant Client File Number : 36765