

ONTARIO LAND TRIBUNAL

PROCEEDINGS COMMENCED UNDER subsection 29(5) of the *Ontario Heritage Act*,
R.S.O. 1990, c.O. 18, as amended

Owner: Solmar (Niagara 2) Inc.
Objector: Two Sisters Resorts Corp.
Subject: Notice of Intention to Designate
Property Address: 200 John Street East and 588 Charlotte Street
Municipality: Town of Niagara-on-the-Lake
CRB Case No.: CRB1824 and CRB1825

**WITNESS STATEMENT OF
DAVID WAVERMAN**

This Witness Statement is organized as follows:

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Part I – Qualifications

2. I am a Landscape Architect, and a Professional Heritage Consultant practising in the Province of Ontario as a Cultural Heritage Landscape Specialist. I am a full member in good standing with the Canadian Association of Landscape Architects, a full stamped member of the Ontario Association of Landscape Architects and a professional member of the Canadian Association of Heritage Professionals. I am also a member of the National Trust of Canada.
3. I hold a Bachelors degree in Landscape Architecture (B.L.A.) from the University of Toronto, graduating in 1980.
4. I am currently a full-time employee with Stantec Consulting Ltd based out of their Waterloo office located at: 100-300 Hagey Boulevard, Waterloo. Ontario. I have been with Stantec since August 2015. Previously I was employed by Golder Engineering as a senior landscape architect and their Technical Global Lead in Landscape Architecture from August 2012-2015. Prior to Golder, I was employed as the corporate/discipline lead Landscape Architect for Ecoplans Limited based out of Kitchener, starting in 2005. Ecoplans was owned by McCormick Rankin but was subsequently purchased by the MMM Group in 2009.

5. I have worked as a Landscape Architect for 35 years. I was a certified arborist between 1999 and 2012 and began to specialise as a cultural heritage landscape specialist around 2002-2003.
6. In the late 1990's I began working on the landscape restoration of the heritage property the Gooderham estates in Mississauga as my first cultural heritage project. In the year 2003 I was selected, as a certified arborist, by the City of Vaughan to prepare and tree inventory report for the homestead of Thoreau MacDonald, son of the one of the founders of the Group of 7, J.E.H. MacDonald.
7. As a stamped Landscape Architect and certified arborist I was then asked to prepare a master plan for the rehabilitation of the property, and re-creation of the subject of J.E.H. MacDonald's iconic painting, The Tangled Garden. The project went on to winning regional, national and an international award for heritage research and conservation. At that time, I was accepted as a full member of the Canadian Association of Heritage Professionals (CAHP) which was known as CAPHC at that time (Canadian Association of Professional Heritage Consultants).
8. From there my workload was a continuous stream of cultural heritage work ranging from cultural landscape restoration, cultural heritage assessments and evaluations, heritage impact assessments, Heritage Conservation District Studies and Plans, peer review of HCDs. Notable projects have included the cultural landscape rehabilitation of the Canadian Film Centre, the former E.P. Taylor Estates; restoration of the picturesque landscape of the escarpment behind the Parliament buildings, and worked on universal accessibility improvements to the main front entrance of the

Centre Block of the Parliament Buildings. Another notable project was being hired by the National Capitol Commission for cultural landscape restoration and enhancements of the William Lyon MacKenzie King estates in Gatineau Quebec and cultural heritage landscape improvements of Riding Mountain National Park Visitor Centre and National historic site in Manitoba.

9. Attached hereto and marked as **Appendix A** is a copy of my Curriculum Vitae.

10. I have been qualified as an expert witness before the Ontario Municipal Board (now the Ontario Land Tribunal), testifying in Toronto and Uxbridge, in the disciplines of:

- a. Cultural Heritage Landscape Architecture;
- b. Arboriculture; and
- c. Landscape Architecture.

11. Specific examples of my work in providing expert reports and opinion evidence include in respect of:

- a. Old Sandwich Towne, Heritage Conservation District, Windsor, ON, 2007;
- b. Chedoke Hospital Lands (former Tuberculosis Sanitorium), Hamilton, ON, 2010;
- c. Humber River Private Residential Development, Toronto, ON, 2005 (as Landscape Architect and Certified Arborist); and
- d. Mill Street Private Residential Development, Uxbridge, ON, 2015 (as Cultural Heritage Specialist).

12. I am aware of and accept my duties to this Board in giving evidence. I have reviewed and signed an Acknowledgement of Expert's Duty dated June 25, 2021, which is attached hereto and marked as **Appendix B**.

Part II – Retainer

13. Stantec was retained by Solmar (Niagara 2) Inc. ("**Solmar**") in November of 2020 to provide cultural heritage landscape advice in relation to the Town-of-Niagara-on-the-Lake's (the "Town") proposed designation of the 200 John Street East ("200 John") and 588 Charlotte Street ("588 Charlotte").

14. Stantec prepared a Cultural Heritage Landscape Evaluation Report ("**CHLER**") of 200 John and 588 Charlotte dated June 28, 2021.

15. The purpose of the CHLER is to evaluate the cultural heritage landscape value of each of the properties in accordance with Ontario Regulation 9/06, *Criteria for Determining Cultural Heritage Value or Interest* ("**Regulation 9/06**") made under the Ontario Heritage Act, (the "**OHA**"), and identify the heritage attributes on each property.

16. The focus of the Stantec CHLER was to identify and assess the significance of landscape features on 200 John and 588 Charlotte that relate to the issues raised in this matter as follows:

- a. Evaluating the cultural heritage value and interest ("CHVI") of the features on the properties that are attributed to the Dunington-Grubb studios; and
- b. Evaluating the CHVI of the stone wall bordering the properties.

17. Stantec also provided graphic and field crew support (mapping and photography) for the preparation of the June, 2021 Tree Inventory and Arborist Report (the “**Tree Inventory Report**”), also prepared in relation to this proceeding, led by Buchanan Tree Expert Care, as well as an April 9, 2021 Tree Inventory Report completed in conjunction with Buchanan Tree Expert Care.

18. Stantec’s work in relation to this proceeding does not include a re-evaluation to built features on the property, as they were evaluated by Ms. Leah Wallace in the course of conducting a CHER and Heritage Impact Assessments.

Part III – Methodology and Site Visits

19. The completion of the CHLER included a program of site visits and archival research undertaken by the project team. A total of seven site visits were conducted by various members of the project team between October 2020 and June 2021. The purpose of the site visits was to familiarize the project team with the Study Area and conduct a review of the landscape components of the property and their potential relationship with the Dunington-Grubb design studio.

20. I led the preparation of the Stantec CHLER as project manager.

21. The team also consisted of Lashia Jones, Heritage Consultant, Kimberley Beech, Landscape Architect in Training, and Frank Smith, Cultural Heritage Specialist, all with Stantec. Meaghan Rivard, senior heritage consultant provided senior review and Colin Varley, senior archaeologist, provided independent review.

22. Stantec also relied on material prepared by Bill Buchanan, Master Arborist with Buchanan Expert Tree Care, and Leah D. Wallace with Leah D. Wallace Land Use & Heritage Planning Services.

23. In the assessment of the properties as to their cultural heritage value and interest (“CHVI”), and in particular the determination of the “surviving elements of the Dunington-Grubb landscape”, Stantec relied on the Tree Inventory Report. Specifically, Stantec relied on Bill Buchanan in terms of the following matters within his area of expertise (1) the identification of tree species; (2) the approximate age of the tree based on visual inspection; (3) the condition of the tree; and (4) whether the tree was naturally occurring or planted. As will be described below, these criteria inform my opinion on issues relevant to this proceeding, namely the identification of work of the Dunington-Grubb studio.

24. I undertook several pedestrian site assessments to assess the existing conditions of the Study Area. The dates that I attended the site were as follows:

- a. October 21, 2020;
- b. October 26, 2020;
- c. November 20, 2020;
- d. March 8, 2021;
- e. April 30, 2021;
- f. May 12, 2021; and
- g. June 17, 2021.

25. In addition, members of the Stantec team attended the site with Bill Buchanan to observe the assessment of the site's woody (trees and selected shrubs) inventory:

- a. October 6, 2020;
- b. March 8, 2021;
- c. March 10, 2021;
- d. May 12, 2021; and
- e. June 17, 2021.

26. I also visited the site with Leah D. Wallace of Leah D. Wallace Land Use & Heritage Planning Services on two occasions to better understand the built heritage resources and heritage research that has occurred to date. The dates were as follows:

- a. November 20, 2020; and
- b. June 17, 2021.

27. The site visits were supplemented by archival research, a review of relevant primary and secondary sources, and a review of historical topographic and aerial mapping. The CHLER was reviewed by two senior heritage consultants at Stantec. Primary and secondary sources were reviewed to place the property into aesthetic, historical, and associative context. As a result of the closure of public research institutions due to the COVID-19 pandemic, research was limited to online sources, the corporate Stantec library, and the University of Guelph, which provided digitized copies of their archives and collections.

28. Following completion of the site visits and research, the landscape components of the Study Area were evaluated according to O. Reg 9/06 and a determination was made concerning landscape features associated with the Dunington-Grubb studio.

Part IV – Documents Relied on in preparation of Witness Statement

29. In preparing my statement, I relied and/or reviewed various reports and material, which I may refer to in my evidence, including:

- a. Notice of Intention to Designate – 200 John Street East;
- b. Notice of Intention to Designate – 588 Charlotte Street;
- c. Notice of Objection – 200 John Street East;
- d. Notice of Objection – 588 Charlotte Street;
- e. Designation By-laws for 144 John Street and 176 John Street;
- f. Cultural Heritage Landscape Evaluation Report (CHLER) prepared by Stantec, dated June 28, 2021;
- g. Tree Inventory and Arborist Report (the “**Tree Inventory Report**”) prepared by Buchanan Expert Tree Care, dated June, 2021;
- h. Heritage Impact Assessment 146-176 John Street—Hotel & Restaurant 200 John Street & 588 Charlotte Street—Plan of Subdivision - Leah D. Wallace dated October 30, 2017;
- i. Heritage Impact Assessment Addendum & Regulation 9/06 Review 146-176 John Street—Hotel & Restaurant 200 John Street & 588 Charlotte Street—Plan of Subdivision - Leah D. Wallace, May 2018;

- j. Heritage Impact Assessment, 200 John Street & 588 Charlotte Street, Draft Plan of Subdivision Town of Niagara-on-the-Lake, Leah D. Wallace, September 7, 2020;
- k. Letourneau Heritage Consulting Inc. Cultural Heritage Evaluation Report 144 John Street East, 176 John Street East, 200 John Street East and 588 Charlotte Street, September 2018;
- l. Archeoworks Inc. Stage 3 Archaeological Assessment of the Randwood 3 (formerly H1) Site (AhGs-68) as Part of the Proposed Residential Development of 200 John Street East and 588 Charlotte Street Within Lot 14, Plan M-11 and Lots 145 and 156, Registrar's Compiled Plan No.692 in the Geographic Township of Niagara Former County of Lincoln Now the Town of Niagara-On-The Lake Regional Municipality of Niagara Ontario, Original Report November 6, 2020;
- m. Archeoworks Inc. Stage 3 Archaeological Assessment of the Randwood 3 (formerly H1) Site (AhGs-68) as Part of the Proposed Residential Development of 200 John Street East and 588 Charlotte Street Within Lot 14, Plan M-11 and Lots 145 and 156, Registrar's Compiled Plan No.692 in the Geographic Township of Niagara Former County of Lincoln Now the Town of Niagara-On-The Lake Regional Municipality of Niagara Ontario, Supplementary Document November 27, 2020; and
- n. Town's Website Posting date January 2021 entitled "The Rand Estate Cultural Heritage Landscape".

Part V – Introduction of Evidence

30. My conclusions and opinion are based on the Stantec CHLER. I wish to make it clear that as part of my evidence in this proceeding, I adopt that report.

31. The main components of the CHLER that relate to the issues in this proceeding are summarized in this Witness Statement.

32. In my evidence, I will also address an aerial posting on the Town's website dated January 2021 entitled "The Rand Estate Cultural Heritage Landscape" before offering a conclusion and recommendation to the Board.

Part VI – Background

33. The Stantec CHLER contains detailed descriptions of the Subject Properties.

34. The Subject Properties are located at 200 John Street East and 588 Charlotte Street in the Town of Niagara-on-the-Lake, Ontario. They are located in the "Old Town" area of Niagara-on-the-Lake.

35. John Street East is a two-lane asphalt paved roadway that runs from the intersection of John Street East, Ricardo Street, and Queen's Parade west to the intersection of King Street, John Street West, and John Street East. The total length of the roadway is approximately 1.6 kilometres. The north side of John Street East contains many features associated with the historic "Old Town", including Butler's Barracks National Historic Site and The Commons. The Commons is a large greenspace that is used by the public as recreational space.

36. Significant components of the south side of John Street East include an entrance to the Upper Canada Heritage Trail, greenspaces which buffer the modern subdivision at Park Court from John Street East, Darlington House (100 John Street East), the Randwood Estate (176 John Street East, 144 John Street East, 200 John Street East, and 588 Charlotte Street), the Brunswick Estate (210 John Street East), estate style modern residences, the Two Sisters Vineyard (240 John Street East), and the Peller Estate Winery (290 John Street East). Many of these properties are setback from the roadway or screened by vegetation, fencing, or walls. The setbacks, privacy screens, wineries, and mature vegetation give much of John Street East a lower density character compared to other parts of the "Old Town."
37. Charlotte Street is a two-lane asphalt paved roadway that runs from the intersection of John Street East to Niagara Street. The total length of the roadway is approximately 1 kilometre. Between John Street East and Paffard Street the character of Charlotte Street is dominated by the stone wall that marks the historic border of the Randwood Estate. South of Paffard Street, Charlotte Street is suburban in character and consists mostly of detached mid-20th to late 20th century residences.
38. The Subject Properties formed part of a larger landholding known as the "Rand Estate", which originally comprised 144, 176 and 200 John Street East and 588 Charlotte, as well as two areas subdivided and developed as residential subdivisions known as Weatherstone Court and Christopher Court. Over the years, there have been extensive changes to the lands, mostly carried out by the Rand family, including prior subdivision and development.

39. A large brick and stone wall, much of which continues to exist, defines the original estate boundary.
40. The properties known municipally as 144 and 176 John Street ("**Randwood**"), which abut the Subject Properties, contain the historic Rand Mansion and the Devonian (Sheets) House. These two properties were designated under the OHA by the Town in December of 2020.
41. Fronting Randwood at 176 John Street East is a surviving sunken walkway/pond. The design pertains to the Dunington-Grubb Studios signature style of symmetrical design, of an axial walkway leading from the front entrance of the house and steps down into a sunken garden and steps back up to meet the adjoining landscape at grade. In my opinion, due to the merits of the design and surviving almost a hundred years relatively intact, this is the key Dunington-Grubb designed landscape feature of the 4 four properties.
42. The background of the events leading up to the Notices of Intention to Designate is set out in the Witness Statement of Leah Wallace. I have kept the background facts in my evidence to a minimum.
43. On August 23, 2018 the Town gave Notice of Intention to Designate ("**NOID**") 200 John and 588 Charlotte Street.
44. The NOID published by the Town of Niagara-on-the-Lake states, in respect of 200 John Street East, that the subject property is of cultural heritage value or interest for its design/physical, historical/associative and contextual values, and references the

“the surviving elements of the Dunington-Grubb landscape” as a heritage attribute. The stone wall located along the rear of the property is also listed as a heritage attribute.

45. The NOID published by the Town of Niagara-on-the-Lake states, in respect of 588 Charlotte Street, that the subject property is of cultural heritage value or interest for its design/physical, historical/associative and contextual values and lists as a heritage attribute the stone wall located along the rear of the property.

Part VII – Issues as Per Issues List Found at Attachment 2 of the Procedural Order, dated March 24, 2021

46. There is no dispute in this proceeding that both 200 John and 588 Charlotte meet the criteria for designation under Part IV of the OHA.

47. The issues in this proceeding relate to the proper identification of Heritage Attributes. These issues are clearly set out in the Procedural Order issued by the Board on March 24, 2021. In her statement, Ms. Wallace has referenced the definition of “Heritage Attribute” in the OHA and has also referred to the Toolkit. I will not repeat those provisions here, but will add that the proper identification of Heritage Attributes is extremely important for many reasons, including in respect of the provisions in the OHA relating to alteration of a property.

48. In terms of cultural heritage landscape, the issues in respect of 200 John Street East are set out in the Issues List contained in the Procedural Order as follows:

“1. Has the Town correctly, clearly and accurately described the Heritage Attributes of 200 John for the purpose of establishing that it has cultural

heritage value or interest as prescribed by O. Reg. 9/06 and, therefore, should be designated under Section 29 of the OHA? Specifically:

- a. What are the "surviving elements of the Dunington-Grubb landscape" the Town wishes to protect, other than the:
 - Tea Pavilion;
 - Pool House; and
 - Tea Pavilion Formal plantings and Pergola surrounding the Pool?

- b. Other than the Heritage Attributes listed in Issue 1(a), are the "surviving elements of the Dunington-Grubb landscape" that the Town wishes to protect Heritage Attributes, and should they be identified as such for the purpose of establishing that 200 John has cultural heritage value or interest as prescribed by O. Reg. 9/06 and, therefore, should be designated under Section 29 of the OHA?"

49. As no Dunington-Grub landscape was identified by the Town at 588 Charlotte, the issues relating to that property deal with built heritage features only and are not repeated here.

50. The scope of our review was the identification of the Dunington-Grubb features at 200 John Street, and the determination of whether or not those features have CHVI. Our work also evaluated the stone wall surrounding the Subject Properties.

Part VIII – Highlights of the CHLER

51. The main components of the CHLER that relate to the issues in this proceeding are summarized in this section of my Witness Statement and are set out below.

i. History of the Proceedings

52. The properties located at 200 John Street East and 588 Charlotte Street are historically located on the broken front lots of the Township of Niagara located along Lake Ontario and the Niagara River.

53. The properties at 200 John Street East and 588 Charlotte Street were originally part of a 160-acre land grant issued to Peter Russel in 1796. Russel was the administrator of Upper Canada and in 1798 sold the property to William Dickson. Dickson was an important merchant and colonizer in Upper Canada and the properties at 200 John Street East and 588 Charlotte Street remained in the Dickson family until 1866.

54. In 1873, the properties were purchased by Henry Livingston Lansing, a retired American banker and brigadier general of the New York State Militia. Historical mapping from the late 19th and early 20th centuries indicate that much of 200 John Street and 588 Charlotte Street was wooded or used as orchards. Lansing built an estate at the adjacent 176 John Street East and was one of many prominent Americans who spent their summers at Niagara-on-the-Lake.

55. In 1910, the properties were purchased by the American banker George F. Rand. The properties at 200 John Street East, 588 Charlotte Street, and the adjacent 144 John Street East and 176 John Street East became known as Randwood. The name

Randwood replaced the earlier names Rowanwood (144 John Street East) and Woodlawn (176 John Street East) used since the Dickson family owned the properties. George F. Rand died in a plane crash in 1919, before he could undertake significant alterations to Randwood.

56. His son, George Rand II, was responsible for many of the defining features of Randwood, including at 200 John Street East and 588 Charlotte Street. He retained the Elliot family to build the stone wall which surrounds much of the property including 200 John Street East and 588 Charlotte Street.

57. Prior to the 1934 aerial photograph, an axial walkway, whistle stop, and pool and tea pavilion, were built at 200 John Street East. The pool and tea pavilion were designed by the prominent landscape architects Dunington-Grubb.

58. An earth mound surrounded by trees was also built prior to 1934. During the mid-20th century, the property was used by Calvin Rand, who built a summer house at 200 John Street East. In 1976, he sold 144 John Street East and 176 John Street East to the Devonian Group of Charitable Foundations.

ii. Analysis of the Property as it Exists

59. The property has experienced many changes from the period of significance associated with the Dunington-Grubb landscape design (1920-1934) and the Rand family.

60. To understand the evolving landscape, historical aerial photography was reviewed for the years 1934, 1953, 1965, 1972, 2000, 2002, 2006, 2010, 2013, 2015, and 2018.

Interpretation of the aerial photography will inform my testimony. The aerial photography is included in the CHLER but for ease of reference, I have also attached the photographs as **Appendix C**.

61. In regards to the 1934 aerial photograph:

- a. The main path from the pool to the whistle stop via the memorial mound is clearly seen but not a straight line;
- b. The pool area landscaped area associated with is well defined and intact; and
- c. The memorial garden/mound and orchard are intact.

62. In regards to the 1953 aerial photograph:

- a. The main path to the whistle stop has disappeared;
- b. Miscellaneous vegetation at the south end of 200 John Street East appears to have been cleared except for plantings associated with the pool area;
- c. There is the appearance of a laneway to the 588 Charlotte Street exit connecting the property in an east-west manner; and
- d. Landscaping appears just west of the pool area.

63. In regards to the 1965 aerial photograph:

- a. The main path south of the mound appears to have disappeared.

64. In regards to the 1972 aerial photograph:

- a. The main path is clearly absent from the mound to the whistle stop;
- b. There is an absence of vegetation in the south-east corner of the property;

- c. There is the presence of the oval circular Lansing Driveway fronting 176 John Street East; and
- d. Note as in this aerial photograph, the vegetation at the south end.

65. In regards to the 2000 area photograph:

- a. It is important to note that the vegetation surrounding the mound is beginning to decline with gaps appearing in the circular planting;
- b. There is still a path to the mound from the pool;
- c. It is important to note the oval/circular path is no longer visible leading from the Randwood Estate to John Street and a "winding" road has appeared in the 200 John Street linear path;
- d. A small parking lot on the north east corner of the Randwood Estate house has appeared which basically, along with the circular driveway being "halved", ended the symmetry of the Dunington-Grubb landscape; and
- e. It is also important to note what appears to be the naturalization of the fields in the southeast section associated with the BETC tree report as grouping #2.

66. In the 2002 aerial photograph, it is equally important to note that the path leading from the pool no longer reaches the mound and the circular planting around the mound is continuing to decline.

67. In the 2006 aerial photograph, it appears that the path leading north to the house is beginning to naturalize and is not distinct anymore, and vegetation associated with the Dingman Residence along the heritage trail boundary has been thinned and/or cleared.

68. The aerial photographs for 2010 and 2013 display little evidence of an evolving landscape.

69. In the 2015 aerial photograph, the central tree with the mound is still present, though any organized landscape (i.e. rural, orchard) barely appears discernable throughout.

70. In the 2018 aerial photograph depicts vegetation primarily in the area corresponding with the 200 John Street East southeast sector of the BETC Tree Report has been cleared including vegetation associated with Tree Groupings #2 and #3 in the vicinity of the Whistle Stop and Heritage Trail boundary line.

71. As part of the evaluation of the analysis of the property as it exists, we worked with Bill Buchanan to understand the nature of the vegetation on the site. Bill's work followed the outline of the site that was identified in the Stantec CHLER.

72. Specifically, vegetation on the Subject Properties were considered as follows:

a. 200 John Street East:

- i. Linear Strip Accessed via John Street East;
- ii. Northwest Section; and
- iii. Southeast Section.

b. 588 Charlotte John:

- i. Strip Providing Access to Charlotte Street;
- ii. North Section; and
- iii. South Section.

73. As had been identified in this statement, the heritage consultants relied on the Tree Inventory Report specifically to understand the nature of the site's woody vegetation, being trees and shrubs in terms of:

- Species
- Size and approximate age
- Condition
- Whether they were naturally occurring or planted (cultural).

74. Of the planted trees inventoried, we then looked to determine an association with the Dunington-Grubb studio by assessing (i) age and characteristics as per the Tree Inventory Report; (ii) whether the species related to the Dunington-Grubb palette; and (iii) whether the species were commercially available during the Dunington-Grubb active period with the Rand family.

75. Our conclusions are as follows:

a. 200 John Street East:

i. Linear Strip Accessed via John Street East

Our research has yielded the following:

(1) The majority of trees in this area are naturally occurring and mixed with the planted / anthropogenic trees in a random fashion.

- (2) Approximately 26% of the trees are a hundred years and older which could possibly be preceding the Rand family and Dunington-Grubb era.
- (3) Our research disclosed a Lansing photograph of an already heavily planted area in the frontage of the Randwood Estate.
- (4) We have gained understandings from articles written by Howard Dunington-Grubb that illustrate that he believed in expansive lawn areas in front of a house.
- (5) Had Howard Dunington-Grubb been involved, he would not have directed the planting of large growing trees in this area as his belief that *breadth and space is created by ample lawns with plantations kept to the boundaries.*
- (6) There are no definitive drawings or notes demonstrating the involvement of the Dunington-Grubb studio to this area.

Based on all of the above, it is my opinion that we are unable to associate this area with the Dunington-Grubb.

ii. Northwest Section

Based on the findings of the Tree Inventory Report and in particular Table 10 of that report, and as to age and species associated with the Dunington-Grubb palette, as well as commercial availability of that vegetation, in my professional opinion, in this area forms part of a designed Dunington-Grubb landscape.

We have also stated in the CHLER that some of the trees such as the Purple Plum may have been replanted as their age indicates less than a 100 years, but they satisfy the design intent of the Dunington-Grubb planting design.

The involvement of the Dunington-Grubb studio is also, as indicated in our work, evidenced by the existence of plans and drawings.

iii. Southeast Section

Based on the age (i.e. no trees over 100 years of age) of the trees as per the Tree Inventory Report, and based on the aerial photography between 1934 and 2018, it is my opinion this is not a man-made/anthropogenic landscape.

- b. While the Town has not taken the position that 588 Charlotte Street contains Dunington-Grubb, that area has been previously inventoried for a report in support of the subdivision application, and the results have been included in the Tree Inventory Report. I make the following comments in respect of the vegetation on that property:

i. Strip Providing Access to Charlotte Street

As a result of the percentage of naturally occurring trees on the strip providing access to Charlotte Street, it is my opinion that this section is not a man-made landscape.

There are two trees identified in the Tree Inventory Report which are older than 100 years old are significant, and preservation should be highly considered.

ii. North Section

In my opinion, based on the percentage of naturally occurring trees this area is not man-made landscape, with the exception of the area identified as Group 4 in the Tree Inventory Report which is believed to be planted/cultural to provide screening for the Weatherstone Court properties

iii. South Section

In my opinion, based on the high percentage of naturally occurring trees, this area is not believed to be a man-made landscape.

The area contains three trees older than 100 years old which are considered significant.

iii. Application of Dunington-Grubb Canon

76. To determine definitive potential heritage attributes that can be attributed to the Dunington-Grubb Studios I reviewed primary and secondary sources, conducted extensive site visits, and comparative analysis of other known Dunington-Grubb Studio gardens both public and private, and obtained available blueprints for Randwood of the Dunington-Grubb-Stenson collection from the University of Guelph

Library. As mentioned above, Mr. Buchanan's analysis and conclusions also informed these findings.

77. Based on all of the above, I determined the tea house at 200 John Street and its associated landscape being: the plant species (Purple plum barberry, and mature boxwoods beside the tea house) and paths, remnant pergola layout, pergola footings, pool location, and associated brick surface paving to be known elements of the Dunington-Grubb Studio.

iv. Cultural Heritage Evaluation

78. Having identified the extant Dunington-Grubb on the Subject Properties, the next step was to determine their cultural heritage values and interest, and the purpose of the CHLER was to evaluate the cultural heritage value of the landscape of each of the properties in accordance with Ontario Regulation 9/06, *Criteria for Determining Cultural Heritage Value or Interest* ("Regulation 9/06") made under the OHA, and identify the heritage attributes on each property.

79. Based on the analysis contained within the CHLER, the property at 200 John Street East meets five of the nine criteria defined under O. Reg 9/06, and the property at 588 Charlotte Street meets four. Both properties demonstrate historical associative value for their associations with landowners George F. Rand II and Calvin Rand, notable residents of the Town.

80. Again, the focus of the Stantec CHLER was to identify and assess the significance of landscape features on 200 John and 588 Charlotte that relate to the issues raised in this matter::

- a. Evaluating the cultural heritage value and interest ("CHVI") of the features on the properties that are attributed to the Dunington-Grubb studios; and
- b. Evaluating the CHVI of the stone wall bordering the properties.

81. As no Dunington-Grubb landscape was identified by the Town at 588 Charlotte, the issues relating to that property deal with built heritage features only and are not repeated here.

82. The landscaping of the pool area, including framing of views, vertical planes, and plant materials demonstrate a high degree of artist merit. The design and layout of the pool area contains a high quality of design. The Dunington-Grubb studio was at the forefront of Canadian landscape architecture and their quality of work in Canada is widely considered to have been above the industry standard.

83. As further demonstrated in the CHLER, the Dunington-Grubb designed extant landscape, being the tea house and pool area on 200 John Street contain CHVI as a representative and rare example of the limited repertoire of both Dunington-Grubb works and Beaux-Arts decorative elements.

84. As examples of Dunington-Grubb designs, the tea house and its surround area demonstrate a high degree of artistic merit, being above the industry standard at the time of their construction.

Part IX – Response to Issues – 200 John Street East

85. As indicated above, I will be addressing Issues 1(a) and 1(b) on the Issues List as set out in the Procedural Order.

86. **Issue 1(a)** – *what are the “surviving elements of the Dunington-Grubb landscape” that the Town wishes to protect, other than the:*

- *Tea House/Pavilion;*
- *Pool House; and*
- *Tea Pavilion Formal Planting and Pergola surround the Pool?*

87. In my opinion, there are no surviving elements of the Dunington-Grubb landscape at 200 John Street other than those listed in paragraph 83 above.

88. The basis for my position is as follows:

- a. Drawings available from the University of Guelph Dunington-Grubb Stensson Fonds provide definitive information about the features of the site that were designed by Dunington-Grubb that reflect the extant conditions of the property. Drawings, plans and photographs of other Dunington-Grubb projects provided comparative analysis of feature that were characteristic of Dunington-Grubb landscapes and structures;
- b. The tree inventory conducted by Bill Buchanan aided in determination of what vegetation on the property is attributed to the Dunington and Grubb canon. In

particular facts about the tree species and age provided insight on which vegetation was present during the Dunington-Grubb Era;

- c. Site visits provided comparative analysis with other known Dunington-Grubb projects. This included the identification of features that were characteristic of Dunington-Grubb landscapes and structures; and
- d. Review of biographical information of Dunington-Grubb and historical information on the Beaux-Arts style provided context for the analysis of drawings and comparative sites.

89. The surviving elements of the Dunington-Grubb Studio contribute to the CHVI of 200 John Street East because they are rare examples of the Beaux-Arts design style and landscape design and representative examples of the work of Dunington-Grubb.

90. **Issue 1(b)** – *other than Heritage Attributes listed in Issue 1(a), are the “surviving elements of the Dunington-Grubb Landscape” that the Town wishes to protect Heritage Attributes, and should they be identified as such for the purpose of establishing that 200 John has cultural heritage value and interest?*

91. The NOID in respect of 200 John does not set out the “surviving elements of the Dunington-Grubb Landscape”. In my opinion there are no other “surviving elements of the Dunington-Grubb Landscape” on 200 John Street other than the tea house area described above, which is of significant CHVI and which should be identified as a Heritage attribute.

92. My understanding is that a key basis for the objection to designation of 200 John Street is the lack of any description of what constitutes the surviving elements of Dunington-Grubb landscape.

93. While the NOID does not delineate the Town's position on the surviving elements of Dunington-Grubb, a posting on its website dated January 2021 does. This aerial photo is attached as **Appendix D** to this witness statement.

94. This aerial photo shows all four remaining Rand properties and lists as "Surviving Elements of the Dunington-Grubb Landscape" the following:

- a. The Axial Viewscape;
- b. Formal stone path;
- c. Gardens (Drawings);
- d. Gardens (No Drawings); and
- e. Garden Remnants.

95. My opinion in terms of each of the above noted items is as follows:

- a. The Axial Walkway:
 - i. It is not disputed that an axial walkway existed between the pool area and whistle stop. Dunington-Grubb blueprints for the pool area make reference to a "main walk" beside the pool area, pointing in the direction of a "memorial garden". It is visible in early aerial photography, but ceased to exist by approximately 2002;
 - ii. No available designs show that the Dunington-Grubb studio prepared a deliberate design for the axial walkway; and

- iii. It is my professional opinion that the walkway, as it is understood from aerial images and extant conditions, did not contain elements that were common to Dunington-Grubb treatments of walkways, including using deliberate flagstone paving, and frequently lining walks with symmetrical borders of lawn, shrubs or hedging and low garden walls. The lack of treatment of the “main walk” seems incongruous with the typical formal, deliberate, and elegant Dunington-Grubb designs, suggesting that it predated their designs for the pool area.
- b. Formal Stone Path, sunken lily pond with sculpture and architect stone bridge (located at 176 John Street East):
 - i. There is no dispute as I agree this feature can be attributed to the Dunington Grubb studio. The surviving sunken walkway/pond designed pertains to their signature style of symmetrical design, of an axial walkway leading from the front entrance of the house and steps down into a sunken garden and steps back up to meet the adjoining landscape at grade; and
 - ii. In the opinion of the heritage consultant, due to the merits of the design and surviving almost a hundred years relatively intact, this is the key Dunington-Grubb designed landscape feature of the 4 four properties.
- c. Gardens (Drawings):
 - i. There is no dispute as I agree this feature; the pool and pool area landscaping can be attributed to the Dunington Grubb studio (based on

archival drawings from the Dunington-Grubb Collection at the University of Guelph).

d. Gardens (No Drawings):

- i. The following response refers only to 200 John Street East and 588 Charlotte: It is my opinion that there is no definitive source tying the area marked "Gardens (No drawings)" to the Dunington-Grubb studio. I base this opinion on the factors set out in paragraph 88 above. In my view, the evidence grounded in the Tree Inventory Report, including the lack of pattern and the age of trees (under 100 years of age), clearly supports this position.

e. Garden Remnants:

- i. Again, based on my comments in paragraph 88 above, which include a comparative analysis of existing Dunington-Grubb landscapes and drawings and thorough review of the aerial photographs starting in 1934 till 2018, it is my opinion that the garden remnants are not established Dunington-Grubb design.

f. Boxwood Hedge:

- i. This was not assessed as it is not within the subject properties.

g. Designed landscape area containing individual mature trees which appear over 50-60 years in age, based on species and size (to the extent this area penetrates onto 200 John Street East and/or 588 Charlotte Street):

- i. This is disputed for the following reasons: the lack of definitive source tying the landscape to the Dunington-Grubb studio; the evidence

gathered by Bill Buchanan as set out in the Tree Inventory Report; and the comparative analysis of existing Dunington-Grubb landscapes and drawings.

Part X – Response to Issues – 588 Charlotte Street

96. The Issues List pertaining to 588 Charlotte Street deals only with built attributes.

97. My position is that there are no surviving elements of Dunington-Grubb landscape on this property.

98. I will comment that our CHLER found that the property at 588 Charlotte Street demonstrates design/physical value because the remaining sections of the stone wall along the south border of the property display a high degree of craftsmanship. The property retains historical associations with George Rand II and Calvin Rand. It is historically linked to its surroundings.

99. In my opinion, it is appropriate to identify the remaining sections of the stone wall within 588 Charlotte Street including brick pillars at the entrance gate.

Part XI – Conclusion

100. The CHLER prepared by Stantec on behalf of the property owners concludes that both 200 John and 588 Charlotte have cultural heritage value and meet the criteria set out in Regulation 9/06 of the OHA for designation under Part IV of the OHA.

101. My recommendation to the Board in terms of the Designating By-law relating to 200 John Street is that it should define the "surviving elements of the Dunington Landscape" to tea house and its associated landscape being: the plant species (Purple plum barberry, and mature boxwoods beside the tea house) and paths, remnant pergola layout, pergola footings, pool location.

102. In the case of both properties, the stone wall and red brick pillars should continue to be shown as a heritage attribute.

Dated at City of Guelph, this 28th day of June, 2021.



David Waverman, CAHP, OALA, CSLA
Senior Landscape Architect

Appendix A

David Waverman OALA, CSLA, CAHP

Senior Landscape Architect / Cultural Heritage Landscape Specialist



David is a Senior Landscape Architect offering more than 35 years of design and construction experience. He has been a Project Landscape Architect for several large-scale projects including: subdivision streetscape design, construction supervision, active and passive parks, recreational trails and greenways, wetland creation and extensive experience in restoration projects of naturalized open space systems. David also has extensive experience in a wide range of transportation orientated projects.

David is a Professional Heritage Consultant and practices as a Cultural Landscape Specialist, holding a professional status membership with the CAHP (Canadian Association of Heritage Professionals).

David's work in the field of cultural heritage landscape architecture covers: inventory, analysis, studies, planning/pre-design, detailed design, construction package and inspection services during construction and monitoring. His work has included cultural heritage landscape restoration of the William Lyon Mackenzie King estates in Gatineau Park for the National Capitol Commission, a museum feasibility study for the national historic site, the Dawson City Museum (a sub-consultant to Museum Planning Partners), two projects on Parliament Hill, Ottawa, and the Canadian Film Centre, formerly the E.P. Taylor Estates preparing a Heritage Conservation Plan. He has also been involved in several Heritage Conservation District studies for several municipalities such as City of London, Township of North Dumfries, Kitchener, St. Thomas, Toronto and Windsor.

EDUCATION

Bachelor of Landscape Architecture, University of Toronto, Toronto, Ontario, 1980

MEMBERSHIPS

Full Member, Canadian Society of Landscape Architects

Full Member, Ontario Association of Landscape Architects

Professional Status, Canadian Association of Heritage Professionals

National Trust for Canada

PROJECT EXPERIENCE

Parks Master Planning and Development

Wyldewoods Environmental Report and Trail Plan*, Kitchener, Ontario

Georgetown South Regional Active Sports Park*, Halton Hills, Ontario

Mackenzie Glen Subdivision Valley Restoration and Trail system West Don River*, Maple, Ontario

Tilt Drive Trail Design Guidelines*, Kitchener, Ontario

Doon South Environmental Impact Study and Trail Design Project*, Kitchener, Ontario

Victoria Park, Master Plan*, Centre Wellington, Ontario

Lion's Neighbourhood Park, Active Recreational Park and Splash Pads*, Vaughan, Ontario

Whitchurch Stouffville NE Quadrant Master Active Transportation Trail Plan*, Whitechurch, Stouffville, Ontario

Centennial Waterfront Park, Sarnia, Ontario
Concept and Detailed Design

Victoria / Bayly Multi-Use Trail*, Durham, Ontario

Valley Inn Road Heritage Trail and Recreational Study and Detailed Design*, Hamilton, Ontario
Table Rock Visitor Centre, Niagara Falls, Ontario
Concept and Detailed Design.

* denotes projects completed with other firms

David Waverman OALA, CSLA, AALA, CAHP

Senior Landscape Architect / Cultural Heritage Landscape Specialist

Correctional Services Canada National Training Academy Campus Design: Landscape Feasibility Study and Concept Plan. Kingston Ontario.

Sioux Lookout Airport Upgrades, Sioux Lookout Ontario

Wellesley Township CIP Outdoor Space Assessment, Wellesley Township, Ontario

Red Lake CIP Outdoor Space and Cultural Resources Assessment, Red Lake, Ontario

Table Rock Visitor Centre Landscape Concept Plan, Niagara Falls, Ontario

Region of Ottawa Greenbelt Demarcation and Gateway Identification, Greater Region of Ottawa for National Capital Commission.

Riding Mountain National Park Visitor Centre. Landscape Design of Classified national historic site, RMNP, Manitoba.

Conservation Landscape Architecture

Thoreau MacDonald Homestead, Old Thornhill, Ontario. Master planning and Detailed Design of Public Park within Designated Heritage Site (home of J.E.H. MacDonald, Group of 7)

William Lyon MacKenzie King Estates (Kingsmere) Restoration, Enhancements and Management Plan, Gatineau Park, Quebec

Hamilton B-Line Cultural Heritage Assessment Report: Built Heritage Resources and Cultural Heritage Landscapes Addendum Report for the LRT B-Line*, Hamilton, Ontario

Renaissance Brandon Heritage Statements for Secondary Plan*, Brandon, Manitoba

London Psychiatric Institute Adaptive Re-Use Study*, London, Ontario

Dawson City Museum Functional Space Analysis*, Dawson City, Yukon Territories

David Dunlap Observatory Cultural Heritage Planning Review*, Vaughan, Ontario

Bank Street South Cultural Heritage Streetscape Improvements, Ottawa, Ontario

Wiser Hall Heritage and Visual Impact Assessment*, Prescott, Ontario

Highway 3 Bridge Replacement Heritage Bridge Interpretation*, Cayuga, Ontario

Canadian Film Centre Heritage Landscape Design and Restoration, (former E.P. Taylor Estates) Toronto, Ontario

331 Clair Road East Heritage Impact Assessment*, Guelph, Ontario

Munn's Church Heritage Restoration of Exterior Spaces and Garden Oakville*, Oakville, Ontario

Randwood Estate - Romance Inn Heritage Impact Assessment*, Niagara-on-the-Lake, Ontario

Alton Village Study Heritage Character Statement*, Caledon, Ontario

Gooderham Estates Cultural Heritage Landscape Restoration and Enhancements*, Mississauga, Ontario

Parliament Hill South Drive Accessibility Feasibility Study, Ottawa, Ontario

Downtown St. Thomas Heritage Conservation District Study and Plan, St. Thomas, Ontario

Peterborough Court House Cultural Heritage Landscape Assessment, Peterborough, Ontario

** denotes projects completed with other firms*

David Waverman OALA, CSLA, AALA, CAHP

Senior Landscape Architect / Cultural Heritage Landscape Specialist

Peel Manor Health Care Facility Designated Cemetery Heritage Impact Assessment and Commemorative Features Detailed Design. Brampton, Ontario

Silver Lake Cultural Heritage Review and Briefing Report, Kitchener, Ontario

Cliff's Cooling and Heating Plant Historical Background and Cultural Landscape Technical Requirements, Parliament Hill/Precinct, Ottawa, Ontario

Bloor Street Village Heritage Conservation District Study, Toronto, Ontario

St. George Grosvenor Heritage Conservation District Study, London, Ontario

Ontario Power Generation (OPG) Nanticoke Power Plant Cultural Heritage Evaluation Report, Heritage Impact Assessment, Strategic Management Plan and Documentation, Nanticoke, Ontario

Penetanguishene Mental Health Care Facility Heritage Conservation Plan, Penetanguishene, Ontario

Queen's Park, 23 Queen's Park Crescent East Whitney Block Scoped Heritage Impact Assessment for Gas Line Upgrades, Toronto, Ontario

Hamilton B-Line Cultural Heritage Assessment Report: Built Heritage Resources and Cultural Heritage Landscapes Addendum Report for the LRT B-Line*, Hamilton, Ontario

Parliament Precinct, Parliament Buildings, Ottawa. Preservation and Rehabilitation of the Bank Street West Sector of the Parliamentary Escarpment. South Drive, Parliamentary Precinct Fore Ground Universal Accessibility Project. Parliament Hill, Ottawa

City of Hamilton 25 Bridges Cultural Heritage Evaluation Reports.

Normal School, Wortley Village Alterations Heritage Compliancy Documentation, London Ontario

West Employment Lands Heritage Commemoration Project. City of Waterloo, Ontario

Silver Lake and Laurel Creek EA Addendum Cultural Heritage Inventory and Mitigation Plan. City of Waterloo Ontario.

Peterborough Courthouse Cultural Landscape Inventory and Statements of Significance, Peterborough, Ontario.

Lady's Golf Course, Stream Bank Restoration of Designated Cultural Heritage Golf course, Thornhill, Ontario

2093 Gordon Street Heritage Impact Assessment, Guelph Ontario

2187 Gordon Street Cultural Heritage Evaluation Report, Guelph Ontario

Peel Manor Health and Wellness Centre, Heritage Impact Assessment, Documentation Report and Commemoration/Compensation Memo. Brampton Ontario

3651 Prince of Wales, Ottawa Cultural Heritage Impact Study (UNESCO World Heritage Site).

Riding Mountain Visitor Centre Heritage Landscape Restoration and Enhancements, Riding Mountain National Park and National Historic Site, Manitoba

300 Joseph Schoerg Crescent Heritage Alteration Permit Application, Kitchener, Ontario
Azure Talbot Avenue Condominiums Heritage Interpretive Panels, London

* denotes projects completed with other firms

David Waverman OALA, CSLA, AALA, CAHP

Senior Landscape Architect / Cultural Heritage Landscape Specialist

Heritage Conservation District Studies and Plans

Wortley Village Heritage Conservation District Study, Plan and Guidelines*, London, Ontario
Victoria Park Heritage Conservation District Study, Peer Review*, Centre Wellington, Ontario

Blackfriars/ Petersville Heritage Conservation District Study and Plan*, London, Ontario

West Woodfield Heritage Conservation District Study, Plan and Guidelines*, London, Ontario

Greenfield Heritage Conservation District Plan and Guidelines*, North Dumfries, Ontario

Old East Heritage Conservation District Study, Plan and Guidelines*, London, Ontario

Sandwich Heritage Conservation District Study, Plan and Guidelines*, Windsor, Ontario

Kincardine, Ontario Heritage Conservation District Plan

Maple Ontario Heritage Conservation District Study

Civic Centre Heritage Conservation District Study, Plan and Guidelines*, Kitchener, Ontario

Landscape Restoration and Design

Shell Lands Natural Channel Design and Fish Compensation Plan*, Oakville, Ontario

Carruthers Creek Fish Habitat Compensation*, Ajax, Ontario

Mississauga Gateway Centre Stormwater Management Pond and Buffer Treatments*, Mississauga, Ontario

McIntyre Rapids Bio-Engineering Streambank Stabilization*, Cornwall, Ontario

Legend Golf Course, Ussher's Creek Mitigation and naturalization*, Niagara Falls, Ontario

Centennial Park Site Remediation and Park Design, Sarnia, Ontario

Emery Creek Stormwater Treatment Stormponds for the City of Toronto (Sheppard/Finch Area), Toronto, Ontario

Ellis Avenue & Colborne Lodge Drive Grenadier Pond and Stormwater Treatment Wetlands*, Toronto, Ontario

Rupert's Pond Natural Channel Design and Riparian Habitat Restoration*, Vaughan, Ontario

Finch Morningside Stormwater Treatment Wetland*, Scarborough, Ontario

Forbes Creek Restoration and Aquatic Rehabilitation*, Cambridge, Ontario

H2 Watercourse Stream Channel Naturalization*, Brampton, Ontario

H4 Watercourse Stream Channel Naturalization*, Brampton, Ontario

Hearn Generator (Charles Sauriol Trail) Waterfront Restoration*, Toronto, Ontario

Parks and Recreation Master Plans

District of Mission Parks, Recreation and Culture Master Plan. District of Mission, British Columbia

Guelph Parks and Recreation Master Plan, Guelph Ontario

East Zorra – Tavistock Parks and Recreation Master Plan, East Zorra Tavistock Ontario (current)

* denotes projects completed with other firms


Appendix B

Acknowledgement of Expert's Duty: Video Hearing

Case Number	Municipality
CRB1824 and CRB1825	Town of Niagara-on-the-Lake

1. My name is David Waverman (name)
I live at the City of Guelph (municipality)
in the Wellington County (county or region)
in the Province of Ontario (province)
2. I have been engaged by or on behalf of ..Solmar.(Niagara 2).Inc.....
(name of party/parties) to provide evidence in relation to the above-noted Review Board proceeding.
3. I acknowledge that it is my duty to provide evidence in relation to this proceeding as follows:
- a. to provide opinion evidence that is fair, objective and non-partisan;
 - b. to provide opinion evidence that is related only to matters that are within my area of expertise; and
 - c. to provide such additional assistance as the Review Board may reasonably require, to determine a matter in issue.
 - d. not to seek or receive assistance or communication, other than technical support, from any third party, including but not limited to legal counsel or client, while giving oral evidence in chief, under cross-examination or while in reply.
4. I acknowledge that the duty referred to above prevails over any obligation which I may owe to any party by whom or on whose behalf I am engaged.

Date June 25, 2021


Signature

Appendix C



- Legend
- Adjacent Property Boundaries (Approximate)
 - Property Boundaries (Approximate)

Figure Not to Scale

Notes:
 Based on data of Natural Resources Canada, 1994, Aerial Photo, 1934



Project Location	1414-1415
Niagara-on-the-Lake, Ontario	Prepared by AS on 2021-04-19
Client/Project	
200 John Street and 588 Charlotte Street, Niagara-on-the-Lake	
Page No.	1
Title	

Aerial Photo, 1934





Legend

- Adjacent Property Boundaries (Approximate)
- Property Boundaries (Approximate)

Figure Not to Scale

Notes
Shaded: Ministry of Natural Resources, 1934, 44-259-115



Project Location	1614 40th
Niagara-on-the-Lake, Ontario	Prepared by IS on 2021-04-19
Client/Project	
Solmar	
200 John Street and 688 Charlott: Site 1, Niagara-on-the-Lake	
Figure No.	1
Title	

Aerial Photo, 1934





Legend

- Adjacent Property Boundaries (Approximate)
- Property Boundaries (Approximate)

Figure Not to Scale

Notes
Source: D. G. G. of Energy Mines and Resources, 1953. #11964-15.



Project Location	1614405
Niagara-on-the-Lake, Ontario	Prepared by NS on 2021-Q4-19
Client/Project	
200 John Street and 588 Charlotte Street, Niagara-on-the-Lake	
Figure No.	2
Title	

Aerial Photo, 1953



Legend

- Adjacent Property Boundaries (Approximate)
- Property Boundaries (Approximate)

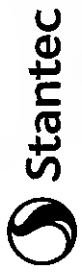
Figure Not to Scale

Notes
Source: Ministry of Natural Resources, 1985, 1999-05.



Project Location
Niagara-on-the-Lake, Ontario
Client/Project
Salmar
200 John Street and 588 Charlotte Street, Niagara-on-the-Lake
Figure No.
3
Title
Aerial Photo, 1965





Legend

- Adjacent Property Boundaries (Approximate)
- Property Boundaries (Approximate)



Figure Not to Scale

Notes
Source: Niagara Navigator, 1972



Project Location	1814 H05
Niagara-on-the-Lake, Ontario	Prepared by IS on 2021-04-19
Client/Project	
Solmar	
200 John Street and 588 Charlotte Street, Niagara-on-the-Lake	
Figure No.	4
Title	Aerial Photo, 1972



Legend

Adjacent Property Boundaries
(Approximate)

Property Boundaries (Approximate)

Figure Not to Scale

Notes
Source: Mapbox Navigator, 2000



Project Location	11111 11111
Neighborhood	Prepared by 18 on 2021-04-19
Client/Project	
Source	
200 John Street and 588 Charlotte Street, Nila, ara-on-the-Lake	
Figure No.	5
Title	Aerial Photo, 2000





Legend

 Adjacent Property Boundaries (Approximate)


 Property Boundaries (Approximate)

Figure Not to Scale

PROJECT
Special Use in Navigator 2002



Project Location
Niagara-on-the-Lake, Ontario

15514405

Prepared by JB on 2021-01-19

Client/Project

Scinar

200 John Street and 588 Charlotte Street, Niagara-on-the-Lake

Figure No.

6

Title

Aerial Photo, 2002





Legend

- Adjacent Property Boundaries (Approximate)
- Property Boundaries (Approximate)

Figure Not to Scale

Notes
Source: Niagara Navigator 2006



Project Location
1614 16th St
Niagara-on-the-Lake, Ontario
Client/Project
Solmar
200 John Street and 588 Charlotte Street, Niagara-on-the-Lake
Figure No.
7
Title
Aerial Photo, 2006





Legend

- Adjacent Property Boundaries (Approximate)
- Property Boundaries (Approximate)

Figure Not to Scale

Project
Source: Niagara Nimg for 2010.



Project Location
Niagara-on-the-Lake, Ontario
Client/Project
Solmar
200 John Street and 888 Charlotte Street, Niagara-on-the-Lake

Figure No.

8

Title

Aerial Photo, 2010





Legend



-  Adjacent Property Boundaries (Approximate)
-  Property Boundaries (Approximate)

Figure Not to Scale

Notes
Source: Niagara Navigator 2013



Project Location	1414/045
Niagara-on-the-Lake, Ontario	Prepared by 18 in 2013
Client/Project	
Source	
220 John Street and 588 Charlotte Street, Niagara-on-the-Lake	
Page No.	9
Title	

Aerial Photo, 2013





Legend



-  Adjacent Property Boundaries (Approximate)
-  Property Boundaries (Approximate)

Figure Not to Scale

Notes
Source: Niagara Navigator, 2015.



Project Location	161-144NS
Niagara-on-the-Lake, Ontario	Prepared by NB on 2021-04-19
Client/Project	
Solmar	
200 John Street and 888 Charlotte Street, Niagara-on-the-Lake	
Figure No.	10
Title	

Aerial Photo, 2015





Legend

- Adjacent Property Boundaries (Approximate)
- Property Boundaries (Approximate)

Figure Not to Scale

Notes
Source: Google Maps, 2018.



Project Location	1414, 1405
Niagara-on-the-Lake, Ontario	Prepared by 28 on 2021-04-19
Client/Project	
Solimar	
200 John Street and 588 Charlotte Street, Niagara-on-the-Lake	
Figure No.	11
Title	

Aerial Photo, 2018

THE RAND ESTATE CULTURAL HERITAGE LANDSCAPE

144 & 176 John Street East, 588 Charlotte Street, 200 John Street East
Niagara-on-the-Lake, Ontario, CANADA
January 25, 2021

APPENDIX D APPENDIX 3 - FOR ORIENTATION ONLY



LEGEND

THE RAND ESTATE CULTURAL HERITAGE LANDSCAPE

GENERAL

- Concrete and Stone Wall
- Red Brick Pillars Which Mark the Entrance
- Red Brick Pillars Which Mark the Entrance
- Red Brick Pillars Which Mark the Entrance
- Road
- Ontario Heritage Act Designation Order 3284-20 passed on December 31, 2020 and Bylaw 5265-20 passed on December 31, 2020
- Buildings and Structures
- Pool and Related Landscape including: Pergola

SURVIVING ELEMENTS OF THE DUNHINGTON-GROVER LANDSCAPE

- Adult Vine Saplings
- Formal Stone Path, Surkin Lily Pond With Sculpture and Arched Stone Bridges
- Gardens (Drawings)
- Gardens (No Drawings)
- Garden Remnants as of August 16, 2018, No Longer Preserved

MATURE TREES AND PLANTINGS

- Bemwood Hedge
- Designated landscape area containing individual mature trees which appear over 50-60 years in age, based on species and size.