

Submission to the Municipal Heritage Committee

Rand Estate Heritage Applications – July 8, 2026

The Municipal Heritage Committee should recommend that Council refuse the current heritage applications relating to the Rand Estate or, alternatively, defer consideration until a proposal is presented that demonstrably complies with the findings and directions of the Ontario Land Tribunal (“OLT”).

The starting point is the OLT Decision dated October 11, 2024.

The Tribunal concluded that Randwood is a significant Cultural Heritage Landscape whose value lies not merely in individual buildings but in the relationship between its heritage buildings, designed landscape, mature trees, gardens, views, circulation patterns and historic setting.

The Tribunal accepted that these character-defining elements must be conserved and that any redevelopment must be based upon those heritage constraints.

The Tribunal specifically found that:

- the Pool Garden is to remain in its historic location;
- the Bath Pavilion is to remain in situ and connected to the Pool Garden;
- the Carriage House is to be retained;
- important Dunnington-Grubb landscape features must be conserved;
- mature trees and tree groupings form part of the protected cultural heritage landscape; and
- a comprehensive Tree Preservation Plan was required to inform any future design.

The Tribunal also concluded that the proposed access arrangements and other aspects of the proposal required significant reconsideration before any approval could be contemplated.

Rather than redesigning the proposal and returning to the Tribunal as directed, the applicant obtained additional time, commenced an application for judicial review, subsequently abandoned that proceeding, and did not return to the OLT with a revised proposal.

Instead, the applicant has now returned directly to the Town seeking approval of a proposal that, in the opinion of many delegates and experts appearing before Council, continues to conflict with many of the Tribunal’s central findings.

This raises a significant process concern.

The OLT has already spent eight weeks hearing evidence from numerous experts. The Town invested substantial public funds defending its planning and heritage position before the Tribunal and was largely successful.

The Municipal Heritage Committee should be extremely cautious about recommending approval of a proposal that appears to be materially inconsistent with those findings.

Approving such a proposal would expose the Town to unnecessary legal risk, additional expense and the prospect of further proceedings before the Ontario Land Tribunal. It would also undermine Council's previous acceptance of Denise Horne's heritage recommendations and Council's December 15, 2023 resolution endorsing a constraints-based approach to development.

The Committee should also note that several important technical prerequisites identified by the Tribunal remain outstanding, including a Tree Preservation Plan that actually informs the design, updated environmental information, updated traffic analysis and a proposal that demonstrates how the Tribunal's heritage findings have been incorporated.

In our respectful submission, this application represents an attempt to obtain from the Town what the applicant was unable to obtain before the Ontario Land Tribunal.

The appropriate recommendation is therefore to recommend refusal.

Alternatively, the Committee should recommend deferral until a redesigned proposal is submitted that demonstrably complies with:

- the October 11, 2024 Ontario Land Tribunal Decision;
- Denise Horne's Heritage Report and recommendations adopted by Council;
- Council's December 15, 2023 Resolution;
- the Town Official Plan;
- OPA 92;
- the applicable Provincial planning and heritage policies.

Key Reference Documents

- Ontario Land Tribunal Decision (October 11, 2024):
[OLT Decision – Rand Estate \(October 11, 2024\)](#)
- Denise Horne Heritage Report:
[Denise Horne Heritage Report](#)

Update – On July 8 the Municipal Heritage Committee made a number of recommendations to Council. View the following minutes of the MHC July 8th meeting supporting the above delegation submission by Stuart McCormack, President NOTLRA

8.5 144, 176, 200 John Street East and 588 Charlotte Street - HIA Review (OPA-02-2026, ZBA-04-2026) - PBDS-26-068

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