

**Conservation Review Board**  
Commission des biens culturels



**ISSUE DATE:** June 30, 2020

**CASE NO(S):** CRB 1822  
CRB 1823  
CRB 1824  
CRB 1825

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

Owner/Objector: Two Sisters Resorts Corp.  
Subject: Notice of Intention to Designate  
Property Address: 144 John Street East  
Legal Description: Lot 144 RCP 692 Niagara  
Municipality: Town of Niagara-on-the-Lake  
CRB Case No.: CRB1822  
CRB Case Name: Two Sisters Resorts Corp. v. Niagara-on-the-Lake (Town)

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

Owner/Objector: Two Sisters Resorts Corp.  
Subject: Notice of Intention to Designate  
Property Address: 176 John Street East  
Legal Description: Lot 144 RCP 692 Niagara  
Municipality: Town of Niagara-on-the-Lake  
CRB Case No.: CRB1823  
CRB Case Name: Two Sisters Resorts Corp. v. Niagara-on-the-Lake (Town)

**PROCEEDING 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  
Legal Description: Lot 145 RCP 692 Niagara Except Pt 1 to 9, 30R8436  
Municipality: Town of Niagara-on-the-Lake  
CRB Case No.: CRB1824  
CRB Case Name: Two Sisters Resorts Corp. v. Niagara-on-the-Lake (Town)

**PROCEEDING 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: 588 Charlotte Street  
 Legal Description: Lot 156 RCP 692 Niagara; Part Lot 145 RCP 692 Niagara Part 1 to 9, 30R-8436; S/T RO718339, S/T RO413742, T/W RO413742 (PT 13, 30R1792 Except Pt 5, 30R8436)  
 Municipality: Town of Niagara-on-the-Lake  
 CRB Case No.: CRB1825  
 CRB Case Name: Two Sisters Resorts Corp. v. Niagara-on-the-Lake (Town)

**APPEARANCES:**

**Parties**

**Counsel**

Township of Niagara on the Lake

Nancy Smith

Solmar (Niagara 2 Inc. and Two Sisters Resorts Corp.)

Michael Melling  
Sarah Premi

SORE Association (Save Our Randwood Estate)

Catherine Lyons

**HEARD:**

June 18, 2020 by telephone conference call

**ADJUDICATOR(S):**

Maureen Helt, Acting Associate Chair

**PROCEDURAL ORDER**

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## **Background**

[1] The owners of the Subject Properties (“Owners”) appeal the Notices of Intention to Designate related to 144, 176 and 200 John Street East and 588 Charlotte Street (“Subject Properties”) issued by the Town of Niagara on the Lake (the “Town”) as they apply to certain heritage attributes.

[2] The Board scheduled this pre-hearing telephone conference call for the purpose of establishing a revised schedule for the settlement conferences as a result of the creation of the Ontario Lands Tribunal (“OLT”), which includes the Conservation Review Board (“Board”), effective July 1, 2020.

## **Case Management**

[3] At the last pre-hearing, all parties agreed that the preferred method of moving forward is to schedule a further pre-hearing settlement conference (“PHSC”) to deal with the internal aspect of the Subject Properties and a further PHSC to address the external issues associated with the Subject Properties. All parties also requested that the further PHSC’s be conducted by videoconference.

[4] As a result of the creation of the OLT, I advised the parties that I would no longer be a member of the Board effective July 1, 2020 and as such it was determined that the two currently scheduled settlement conferences, one scheduled for June 22 and the other July 29, 2020, should be heard after July 1, 2020 to ensure the same Board Member facilitates each settlement conference.

[5] The parties requested that both the internal and external issues of the Subject Properties be heard together in the same settlement conference and requested that the July 29, 2020 date be maintained, and an additional date of July 30<sup>th</sup> be scheduled.

[6] The dates scheduled for the hearing of this matter December 9, 10, 11, 14, 15 and 16, 2020 remain in effect. Matters related to the scheduling of the hearing will be set out in further procedural orders as necessary.

## ORDER

[7] On consent, the Board orders that:

1. a PHSC with respect to resolving issues related to the interior and exterior of the Subject Properties is scheduled for July 29 and 30, 2020. The PHSC will be scheduled to occur by way of telephone conference call or videoconference call with further details to follow;

*"Maureen Helt"*

MAUREEN HELT  
ACTING ASSOCIATE CHAIR

If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://www.elto.gov.on.ca) to view the attachment in PDF format.

### **Conservation Review Board**

A constituent tribunal of Tribunals Ontario - Environment and Land Division  
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