

## REPORT

### Planning and Development Council

Meeting Date: April 12, 2021

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**FROM:** Planning Services Department

**DATE:** March 30, 2021

**SUBJECT:** Notice of amendment to By-law 1991-219 – 78 Allan Street

**LOCATION:** 78 Allan Street

**WARD:** Ward 3

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#### **RECOMMENDATION:**

That notice be issued under subsection 30.1(3) of the *Ontario Heritage Act* to the owners of 78 Allan Street of the proposed amendments under subsection 30.1(2) of the *Ontario Heritage Act* to By-law 1991-219.

#### **KEY FACTS:**

The following are key points for consideration with respect to this report:

- The property at 78 Allan Street was designated in 1991 under the *Ontario Heritage Act* (OHA) by By-law 1991-219.
- The current by-law is outdated and does not meet the requirements of the OHA because it does not contain a comprehensive statement explaining the property's cultural heritage value or interest or a description of the property's heritage attributes.
- Staff are recommending that By-law 1991-219 be amended to include these two updates.

#### **BACKGROUND:**

- The property at 78 Allan Street was designated in 1991 under the *Ontario Heritage Act* (OHA) by By-law 1991-219.
- The current by-law is outdated and does not meet the requirements of the OHA because it does not contain a comprehensive statement explaining the property's cultural heritage value or interest or a description of the property's heritage attributes.
- Staff are recommending that By-law 1991-219 be amended to include these two updates.

**COMMENT/OPTIONS:**

The 1991 by-law includes only one section on the cultural heritage value of the property, entitled “Reasons for Designation”. However, in accordance with section 29 of the *Ontario Heritage Act*, all designation by-laws are required to include the following four items: a description of the property; a statement explaining the cultural heritage value or interest; a description of the heritage attributes; and a correct legal description.

In the case of By-law 1991-219, the following needs to be added:

- The statement explaining the property’s cultural heritage value or interest; and
- The description of the property’s heritage attributes.

In accordance with section 30.1 of the *Ontario Heritage Act*, a Council may amend a designation by-law made under section 29 of the *Act*. As per the requirements of s. 30.1 (5), Part IV of the *Ontario Heritage Act*, the municipal heritage committee is being consulted regarding the proposed amendment to the designation by-law. Should Council decide to issue the notice of intention to amend the designation by-law, notice will be sent to the owner(s) of the property. There is a 30 day objection period, following which, if no objections are received, an amending by-law will be brought forward for passage.

Heritage Planning staff recommend that notice of intention to amend By-law 1991-219 be issued and that notifications proceed as required by the *Ontario Heritage Act*.

A similar report was presented to the Heritage Oakville Advisory Committee on March 23, 2021. The Committee supported the staff recommendation to amend the by-law.

**CONSIDERATIONS:**

**(A) PUBLIC**

Should Council support the staff recommendation, notification of the proposed amendment will be sent to the property owners of 78 Allan Street. Public notification is not required for this amendment.

**(B) FINANCIAL**

None

**(C) IMPACT ON OTHER DEPARTMENTS & USERS**

None

**(D) CORPORATE STRATEGIC GOALS**

This report addresses the corporate strategic goal(s) to:

- be accountable
- enhance our cultural environment
- be the most livable town in Canada

**(E) CLIMATE CHANGE/ACTION**

A Climate Emergency was declared by Council in June 2019 for the purposes of strengthening the Oakville community commitment in reducing carbon footprints. The amendment of By-law 1991-219 does not impact the town's climate initiatives.

**APPENDICES:**

Appendix A – Location Map

Appendix B – By-law 1991-219

Appendix C – Heritage Research Report

Appendix D – Draft Notice of Amendment to By-law 1991-219

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