



OAKVILLE

## REPORT

### Planning and Development Council

Meeting Date: September 13, 2021

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**FROM:** Planning Services Department

**DATE:** August 31, 2021

**SUBJECT:** Notice of Intention to Designate – Knox Sixteen Presbyterian Church, 1150 Dundas Street West

**LOCATION:** 1150 Dundas Street West

**WARD:** Ward 5

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#### **RECOMMENDATION:**

That a Notice of Intention to Designate under Section 29, Part IV of the *Ontario Heritage Act* for the Knox Sixteen Church and Cemetery cultural heritage landscape, located at 1150 Dundas Street West, as identified in Appendix A to the report dated August 31, 2021 from the Planning Services Department, be issued.

#### **KEY FACTS:**

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

- On October 26, 2020, Oakville Town Council endorsed the Phase Two Cultural Heritage Evaluation Report for Knox Presbyterian Church Sixteen and Cemetery (Knox Sixteen) and recognized the property as a significant cultural heritage landscape and directed staff to proceed to Phase Three of the Cultural Heritage Landscape Strategy: Implementation of Protection Measures.
- The Province has provided guidance on the framework to assess cultural heritage value or interest. The designed cultural heritage landscape of the Knox Sixteen Church and Cemetery property meets the criteria of Ontario Regulation 9/06 and merits protection under Section 29, Part IV of the *Ontario Heritage Act*.
- The *Ontario Heritage Act* requires three components within a Notice of Intention to Designate: a description of the property; a statement of cultural heritage value; and, a description of its heritage attributes.

- The Heritage Oakville Advisory Committee endorsed the Draft Notice of Intention to Designate under Section 29, Part IV of the *Ontario Heritage Act* at their meeting on August 24, 2021.

## **BACKGROUND:**

The Livable Oakville Plan states that the town will protect and preserve cultural heritage landscapes by utilizing applicable legislation. Cultural heritage landscape provisions are included in the *Ontario Heritage Act*, the *Planning Act* and the Provincial Policy Statement, 2020.

In January 2014, the Town of Oakville adopted the Cultural Heritage Landscapes Strategy, which was created based on industry best practices. The purpose of the Strategy was to provide a framework for the identification and protection of cultural heritage landscapes in the Town of Oakville and direction for protecting and managing these resources for the future. Recognizing that any landscape that has been deliberately modified by humans is a cultural landscape, the Strategy expands on that definition, indicating that only those cultural landscapes that have a deep connection with the history of the community and are valued by the community can be identified as 'cultural heritage landscapes.

In 2015, the Town of Oakville undertook an inventory of potential cultural heritage landscapes. At that time, Knox Presbyterian Church Sixteen and Cemetery (Knox Sixteen) was not included in the list of potential cultural heritage landscapes, but the inventory report noted that it was not a definitive listing of all cultural heritage landscapes in Oakville. As was the standard at the time, when the property was designated under Part IV of the *Ontario Heritage Act* (OHA) in 1978, designation By-law 1978-085 only provided a legal description of the property. There was no requirement within the OHA to include a statement of cultural heritage value or interest, nor a list of heritage attributes.

In 2019 and 2020, at the invitation of the minister and Wardens of Knox Sixteen, an assessment was undertaken to gain an understanding of the property's heritage attributes and its cultural heritage value. This was done in order to update the 1978 designation by-law and to determine if the property met the criteria for a significant cultural heritage landscape.

The Phase Two: Research and Assessment of Knox Sixteen was undertaken by Heritage Planning staff working with other Town Departments including Parks and Open Space and Legal. Consultation with the Mississaugas of the Credit First Nation, Knox Sixteen Church and local historical societies was also undertaken by Heritage Planning staff. On October 13, 2020, the Heritage Oakville Advisory Committee endorsed the draft Cultural Heritage Evaluation Report for Knox Presbyterian Church Sixteen and Cemetery at 1150 Dundas Street West,

recommending that Knox Presbyterian Church Sixteen and Cemetery be recognized as a significant cultural heritage landscape and move into Phase Three: Implementation of Protection Measures.

On October 26, 2020, Council received and endorsed the Phase Two Cultural Heritage Evaluation Report for Knox Sixteen, recognized the property as a significant cultural heritage landscape and directed that the assessment move into Phase Three: Implementation of Protection Measures.

#### Phase Three: Implementation of Protection Measures

The purpose of Phase Three is to ensure that significant cultural heritage resources are conserved. The term conserved, as shown in the PPS (2020) and Growth Plan (2019) definition earlier in this report, includes protection of significant cultural heritage resources, and also the management and use of these resources. For Phase Three, the Town seeks to ensure that the proposed designation, description of heritage attributes, and any proposed conservation measures recognize the cultural heritage value of Knox Sixteen.

#### **TECHNICAL & PUBLIC COMMENTS:**

For the Knox Sixteen, the first step of Phase Three is consideration of heritage protection under the *Ontario Heritage Act*. While the property is already designated pursuant to By-law 1978-085, the designation by-law lacks the information that is required by the current standards of the OHA. Knox Sixteen has been reassessed and recognized as a significant cultural heritage landscape. Should Council proceed with designation under Section 29, Part IV of the *Ontario Heritage Act*, they are required to issue a Notice of Intention to Designate to the property owner, the Ontario Heritage Trust, and to publish the Notice in a newspaper having general circulation in the municipality.

The *Ontario Heritage Act* requires three components within a Notice of Intention to Designate. They are a description of the property; a statement of cultural heritage value or interest; and, a description of its heritage attributes. Heritage Planning staff recommend the approval of the description of Knox Sixteen; the statement of cultural heritage value or interest; and, the description of its heritage attributes, which is attached as Appendix A.

Additional protection measures under Phase Three will be brought forward at a later date. This includes a Conservation Plan for a Cultural Heritage Landscape, which is required by By-law 2018-019.

The Heritage Oakville Advisory Committee reviewed the draft Notice of Intention to Designate at their meeting on August 24, 2021 and endorsed the staff recommendation.

**CONSIDERATIONS:**

**(A) PUBLIC**

Should Council issue a Notice of Intention to Designate, the property owner and the Ontario Heritage Trust will be notified. The Notice will also be published in the local newspaper.

**(B) FINANCIAL**

None

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

The Legal Department has reviewed this report.

**(D) CORPORATE STRATEGIC GOALS**

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

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

**(E) CLIMATE CHANGE/ACTION**

The designation of Knox Sixteen Church Cemetery as a cultural heritage landscape protects a valuable natural space that includes mature trees and vegetation and a habitat for wildlife. The protection of this significant property therefore supports the town's climate and sustainability initiatives.

**CONCLUSION:**

Each phase of the implementation of the Cultural Heritage Landscape Strategy has advanced the Town's understanding of Knox Sixteen's significant cultural heritage landscape. The Heritage Oakville Advisory Committee has endorsed the designation of the property under Section 29, Part IV of the *Ontario Heritage Act*. Staff recommend that a Notice of Intention to Designate for the Knox Presbyterian Church Sixteen and Cemetery cultural heritage landscape, be issued, as outlined in the attached Draft Notice of Intention to Designate, under Section 29, Part IV of the *Ontario Heritage Act*.

**APPENDICES:**

Appendix A – Draft Notice of Intention to Designate

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