

REPORT

Planning and Development Council

Meeting Date: November 1, 2021

FROM: Planning Services Department

DATE: October 26, 2021

SUBJECT: Conservation Plan and By-law 2021-142 – Knox Presbyterian Church Sixteen – 1150 Dundas Street West

LOCATION: 1150 Dundas Street West

WARD: Ward 5

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RECOMMENDATION:

1. That By-law 2021-142, a by-law to designate the Knox Presbyterian Church Sixteen and Cemetery, as property of cultural heritage value or interest, be passed; and,
2. That the draft cultural heritage landscape conservation plan for the Knox Presbyterian Church Sixteen and Cemetery, as attached in Appendix B to the report dated October 20, 2021 be approved.

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.
- On September 23, 2021, Council issued a Notice of Intention to Designate for the Knox Sixteen cultural heritage landscape. The last day to object to the designation is October 25, 2021.
- In accordance with By-law 2018-019, a Conservation Plan for a Cultural Heritage Landscape is required for Knox Sixteen. Heritage Planning staff have worked with the representatives of Knox Sixteen to prepare the conservation plan.

BACKGROUND:

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 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.

On September 13, 2021, Council directed staff to issue a Notice of Intention to Designate under s.29, Part IV of the *Ontario Heritage Act* for the cultural heritage landscape of Knox Sixteen. The Notice was published on September 23, 2021 and the period of objection will expire on October 25, 2021.

As per By-law 2018-019, a conservation plan is required for all protected cultural heritage landscapes in the Town of Oakville. By-law 2018-019 recognizes that protected cultural heritage landscapes should be conserved such that their cultural heritage value or interest pursuant to the *Ontario Heritage Act* is retained, and recognizes conservation plans as a means of achieving conservation.

Conservation plans for cultural heritage landscapes are not intended to be a management plan for a property or guidance tool for a specific development. The conservation plan provides staff, Council and the property owner with information on how to evaluate the impact of proposed changes to the property on the cultural heritage value or interest and the heritage attributes.

The Heritage Oakville Advisory Committee reviewed the draft conservation plan for the cultural heritage landscape of the Knox Sixteen at their meeting on October 19, 2021. The Committee endorsed the document and have recommended its approval to Council.

PLANNING POLICY & ANALYSIS:

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. Since that time, a number of publicly and privately-owned cultural heritage landscapes have been recognized and protected under the *Ontario Heritage Act*.

Should Council pass By-law 2021-142 to designate Knox Sixteen and choose to proceed with a conservation plan, a CHL conservation plan has been prepared by Heritage Planning staff. The document is attached as Appendix B.

Contents of the Conservation Plan

The purpose of the conservation plan is to guide those alterations to Knox Sixteen's CHL that are likely to affect its cultural heritage value or interest, and/or its heritage attributes. The conservation plan provides direction ensuring that alterations can be made while conserving Knox Sixteen as a significant CHL. This will help to ensure that Knox Sixteen's stated cultural heritage value or interest is retained through the protection of its heritage attributes.

The conservation plan includes descriptions of the alterations that are exempt from heritage permit approval (Category A) and those that would require heritage permit approval (Category B and C). The Knox Sixteen conservation plan is not a maintenance plan, nor is it an operational or business management plan. Maintenance, meaning routine non-destructive actions that preserve the existing form, and operations are exempt from Town heritage review and have been listed in Category A. Other activities may also exempt from heritage review because they would not affect Knox Sixteen's heritage attributes.

The conservation plan describes the heritage permit application process and provides direction on how to manage future changes to the property while conserving the cultural heritage value of the CHL.

TECHNICAL & PUBLIC COMMENTS:

The objection period for the Notice of Intention to Designate for Knox Sixteen passed on October 25, 2021. As of the writing of this report, to be confirmed at the Planning and Development Council meeting on November 1, 2021, no objections to

the proposed designation have been received. Therefore, By-law 2021-142 is presented to Planning and Development Council for passage.

In preparation of the conservation plan, Heritage Planning staff have worked with the congregation of Knox Sixteen to ensure that the plan is clear and consistent and provides the church flexibility with non-historic elements of the property while conserving the heritage attributes and value. Heritage Planning staff note that it has been a pleasure to work with Knox Sixteen on this project and that their dedication to conserving their heritage property is highly commendable.

Town staff have sought feedback from the Heritage Oakville Advisory Committee on the draft conservation plan and on October 19, 2021, the Committee endorsed the conservation plan. Should Council pass By-law 2021-142 this evening, Heritage Planning staff recommend the approval of the conservation plan attached as Appendix B.

CONSIDERATIONS:

(A) PUBLIC

Members of the public are welcome to provide feedback on the conservation plan through the Heritage Oakville Advisory Committee or at Planning and Development Council.

(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 Presbyterian Church Sixteen and 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.

APPENDICES:

Appendix A – By-law 2021-142

Appendix B – Draft Cultural Heritage Landscape Conservation Plan for Knox
Sixteen

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