



OAKVILLE

## REPORT

### Planning and Development Council

Meeting Date: June 27, 2022

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**FROM:** Planning Services Department

**DATE:** June 14, 2022

**SUBJECT:** Consideration of Objection to Notice of Intention to Designate –  
G.S. Wood House at 2487 Old Bronte Road - By-law 2022-060

**LOCATION:** 2487 Old Bronte Road

**WARD:** Ward 4

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#### RECOMMENDATION:

1. That Town Council not withdraw its Notice of Intention to designate the G.S. Wood House at 2487 Old Bronte Road under Section 29, Part IV of the *Ontario Heritage Act* despite the Notice of Objection received from the property owner; and,
2. That By-law 2022-060 to designate the G.S. Wood House at 2487 Old Bronte Road as a property of cultural heritage value or interest, attached as Appendix "B", be passed.

#### KEY FACTS:

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

- Town Council resolved to issue a notice of intention to designate the G.S. Wood House at 2487 Old Bronte Road under Part IV of the *Ontario Heritage Act* at the March 7, 2022 Planning and Development meeting.
- An objection to the notice of intention to designate was received by the Town Clerk on behalf of the property owner within the required timeframe as set out in the *Ontario Heritage Act*.
- Staff have reviewed the reasons for objection provided, and despite the objection, remain of the opinion that the property meets the criteria for determining cultural value or interest and continues to merit heritage designation.

- It is recommended that Town Council not withdraw its Notice of Intention to Designate and pass the attached by-law to designate the property under Section 29, Part IV of the *Ontario Heritage Act*.

**BACKGROUND:**

Town Council approved a staff recommendation to issue a Notice of Intention to Designate the G.S. Wood House at 2487 Old Bronte Road at the March 7, 2022 Planning and Development Council meeting (Item 9.1- Heritage Item 4.3). This staff recommendation was previously approved on February 22, 2022 by the Heritage Oakville Advisory Committee (Heritage Oakville).

The reasons for objection to the proposed designation contained in the Notice of Objection received by the Town and under consideration in this report were also previously presented on behalf of the property owner at the February 22, 2022 Heritage Oakville meeting.

The subject property at 2487 Old Bronte Road in Palermo contains a two-and-a-half storey vernacular Edwardian brick dwelling that is associated with the family of G.S. Wood, owners of the former general store in Palermo Village, and also associated with the historical development of Palermo Village.

As the basis for the recommendation to issue the Notice of Intention to Designate, staff completed a historical research report on the subject property and determined that it met the criteria for determining cultural heritage value or interest prescribed in Ontario Regulation 9/06 (O.Reg 9/06), and therefore warranted designation under Section 29, Part IV of the *Ontario Heritage Act*. The property's heritage value and reasons for designation were described in a Statement of Cultural Heritage Value or Interest (SCHVI) that was included as part of the issued Notice of Intention To Designate.

A Notice of Objection outlining the reasons for objection to the proposed designation was served on the Town Clerk on April 14, 2022 on behalf of the property owner. The Objection was received within thirty days after the date of publication of the Notice of Intention to Designate as required by the *Ontario Heritage Act*. The Notice of Objection is included as Appendix "A" to this report.

Recent amendments to the *Ontario Heritage Act* updated the process for objecting to a proposed designation. In June 2019, *Bill 108, More Homes, More Choice Act, 2019* received Royal Assent and came into force on July 1, 2021. Schedule 11 to this Act introduced changes to the *Ontario Heritage Act* which included the requirement for any Objection to a Notice of Intention to Designate to be considered by Council for a decision as to whether or not to withdraw the Notice of Intention to Designate.

**OPTIONS:**

According to Section 29 of the *Ontario Heritage Act*, the options for Town Council to consider in response to the Notice of Objection are to either withdraw the Notice of Intention to Designate or to not withdraw the Notice of Intention and pass the by-law designating the property.

Should Town Council elect to withdraw the Notice of Intention to Designate, it would be withdrawn by serving a Notice of Withdrawal on the property owner, any person who objected and the Ontario Heritage Trust and also by publishing the Notice of Withdrawal in the local newspaper.

Should Town Council decide to not withdraw the Notice of Intention to Designate, a Designation By-law may be passed to designate the property. Any person who objects to the by-law would then have the option to make an appeal to the Ontario Land Tribunal within thirty days of publication of the Notice of Passage of Designation By-law.

The time period for Council to make a decision on a Notice of Objection is within 90 days after the end of the 30 day objection period to the Notice of Intention to Designate. In this case, Town Council has until July 17, 2022 to make a decision on this Notice of Objection and also to pass a Designation By-law, if it chooses to proceed with designation.

**COMMENTS:**

The reasons for objection outlined in the Notice of Objection provided for the property are that the owner disputes the significance of the property's design/physical, historical/associative and contextual value as expressed in the property's SCHVI that was adopted by Town Council. The specific objections under each criteria are noted and addressed below. The SCHVI is attached as "Schedule B" to the proposed Designation By-law that is attached as Appendix "B" to this staff report.

In regards to the design/physical value of the property, the reasons for objection stated "that the Edwardian architectural influences referenced in the proposed designation statement are neither rare nor significant and as such the criteria in O.Reg 9/06 is not met."

Staff note that the design/physical value criteria in O.Reg 9/06 includes the sub-criteria that evaluates whether the property "is a rare, unique, representative or early example of a style, type, expression, material or construction method." To meet this criteria, a property does not necessarily have to be rare. Additionally, 'significance' is not specifically considered as part of the design/physical value criteria. Staff agree that the property is not rare, unique or early. The property is considered to be a

representative (serving as a portrayal or symbol) example of the Edwardian residential architecture style and therefore meets the design/physical value criteria.

In terms of the historical/associative value criteria, the reason for objection notes “that there is no evidence that this property was functionally associated with the former General Store or with the history of the Village of Palermo” and also notes that “there is no evidence that Mr. George Stanley Wood was in any way a notable member of the community.”

The historical/associative value criteria in O.Reg 9/06 includes the sub-criteria that evaluates whether the property “has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.” Staff note that the criteria does not require a ‘functional association’ to be satisfied.

It is staff’s opinion that the property has a direct association with a person that is significant to the community of Palermo in George Stanley Wood, who owned the subject property when it was built between 1926 and 1932. Along with his wife Fanny Ethel, the Woods were the proprietors of the former general store and post office during the early to mid-20<sup>th</sup> century.

Staff research of Palermo has led to the understanding that there were only two general stores and a single post office in Palermo at the time. Given this limited number of outlets, it is likely that G.S. Wood’s service-oriented profession as a merchant and postmaster would have made him notable in the community and depended upon by members of the village for their daily needs. By virtue of his essential role to the subsistence of village life, staff contend that G.S. Wood supported the ongoing development of Palermo as a functional settlement during the early-to-mid 20<sup>th</sup> century.

While the activity of the general store and its significance to the community may be secondary to the subject property, the general store had been demolished in the latter half of the 20<sup>th</sup> century. Few surviving properties in Palermo have been identified that are as closely associated and serve as a reminder to the history of the general store as the subject home.

In regards to the contextual value of the property, the reason for objection is that the owner disputes the evaluation in the SCHVI that the house is visually and physically linked to its surroundings.

While many of Palermo’s historic buildings have been lost resulting in a diminishment of the historical context, there remains a cluster of historical buildings in the immediate context on Old Bronte Road and Dundas Street West that together are formative in imparting the visual and physical cues of Palermo’s historic settlement on the existing character of the area. The other remaining historic

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buildings have a shared association with the subject property through their contribution to Palermo's development as a 19<sup>th</sup> and 20<sup>th</sup> century village settlement. The historic buildings also consist of architectural styles and single-detached building forms that are materially and visually distinctive from the area's contemporary buildings built in the late 20<sup>th</sup> and early 21<sup>st</sup> century.

**CONCLUSION:**

Staff have re-examined the reasons for designation outlined in the SCHVI in light of the specific reasons of objection provided in the Notice of Objection and remain of the opinion, that despite these reasons of objection, the subject property's heritage value meets the three principal criteria prescribed in O.Reg 9/06 and is appropriately represented in the SCHVI. Therefore, the subject property continues to merit designation under section 29, Part IV of the *Ontario Heritage Act*.

Should Town Council decide not to withdraw its Notice of Intention to Designate the G.S. Wood House at 2487 Old Bronte Road, staff recommend that the Designation By-law attached as Appendix "B" to this report be passed. According to section 29(11) of the *Ontario Heritage Act*, any person who objects to the by-law may appeal to the Ontario Land Tribunal within thirty days of publication of the Notice of Passage of the Designation By-law.

**CONSIDERATIONS:**

**(A) PUBLIC**

If the Designation By-law is passed, then Notice of the Passage of the Designation By-law will be issued for the property and notice will be given in accordance with section 29, Part IV of the *Ontario Heritage Act*.

**(B) FINANCIAL**

None

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

The Legal Department will be consulted on the designation as necessary.

**(D) CORPORATE STRATEGIC GOALS**

This report addresses the corporate strategic goals to:

- 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 retention and conservation of the G.S. Wood House would contribute to the town's initiatives to reduce carbon footprints.

**APPENDICES:**

Appendix A – Notice of Objection

Appendix B – Designation By-law 2022-060

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