

Heritage Oakville Advisory Committee Meeting
October 18, 2022

Comments Received Regarding Item 4.1

Heritage permit application HP043/22-42.20N 68-70 Navy Street
– revisions to rear addition



To: Town Clerk
Councillors David Gittings, Cathy Duddeck, Janet Haslett-Theall
Heritage Advisory Committee Chair, Drew Bucknall & Committee Members

From: Anya Dunning President, Board of Directors, Oakville Lakeside Residents Association (OLRA)

c.c. OLRA Board

Date: October 14, 2022

**Re: Heritage Permit Application HP043/22-42.20N
68 – 70 Navy Street
Revisions to the Rear Addition
Submission by Oakville Lakeside Residents' Association**

As a result of a suggestion by the Town, five members of the OLRA Board of Directors and a Past President, met with the agent for the applicant, Rick Mateljan on the evening of Tuesday, October 13th to discuss the permit application for changing the roof design and adding clerestory windows to the addition for 68 – 70 Navy Street.

The purpose of the meeting was to gain a better understanding of the rationale behind the request for change, particularly given that construction is already underway and to share our various perspectives.

We appreciated the opportunity for this dialogue. However, we remain very concerned and do not agree that this application is appropriate or consistent with the overall character of the District or the intention of the heritage guidelines for change.

We have worked diligently to prepare this submission for your careful consideration. We feel that in addition to being an inappropriate change for this specific property, the analysis and rationale behind this change, even if unintentional is flawed and could be precedent setting for other properties in our cherished Old Oakville Heritage Conservation District.

OLRA Position

We do not agree with the staff recommendation for approval of this application to change the roof to permit a lofted second floor design with clerestory windows. We respectfully ask that this application be denied and that the conditions and spirit of the already approved heritage permit for this property be adhered to.

Context

We have prepared a chronological context for 68 – 70 Navy Street which we believe sets the stage for further understanding our position. Attached as Appendix A.

The two main points related to this context are as follows:

Historical Context

- The property at 68-70 Navy Street has important historical context. It sits on Navy Street, which was and continues to be well travelled and now serves as a pedestrian gateway to the Old Oakville Heritage District for residents and visitors alike. The property was owned from 1856 to 1946 by a leading family in Oakville's history (Hagamans); its original stacked plank construction was unique and the 1 ½ storey residence evolved over that time to suit the needs of the family. The heritage easement requirements imposed by the Town reinforce the historical significance of this property and building.

Heritage Permit Context

- In each of the previous applications for alteration and new additions (May 2017, May 2020 and November 2021), the applicant referenced heritage guidelines for change specifically associated with scale in height and mass of additions and noted the following:
 - *May 2017 - Proposed renovations and additions maintain the scale and character of the existing building and the community. The height of the building is not increased. The proposed additions are set back from the face of existing and lower in height*
 - *May 2020 – The proposed additions continue to be setback from the front of the heritage building and the height of the proposed additions has not increased from the previous approval*
 - *November 2021 – This building is the subject of heritage permits and building permits issued by the Town of Oakville. Every effort was made to respect the Part V District Plan and good conservation practice, but the structure is unfortunately too degraded and unsafe to be maintained and must be demolished and re-built. No visual change is proposed by this application to demolish*

It is our position that this approach was appropriate, compatible with and sympathetic to the character of the property; the 1 ½ vernacular building and the immediately surrounding 1 ½ storey buildings in the block (64 Navy Street, 115 William Street and 65 Navy Street) in the Heritage District AND that was the reason for community support associated with the heritage permit that is on file and the construction currently underway.

Key Facts

- The property is designated under Part V of the Ontario Heritage Act as part of the Old Oakville Heritage Conservation District. This District Plan has been in place since 1981/82. The current owner has been associated with this property since the 1980s (per title search conducted by applicant for Town required heritage building assessment report) and as such would have an appreciation for the expectations associated with owning and managing change associated with a property in the Town's first Heritage Conservation District.
- This property is within the boundaries of the Heritage Conservation District and as such subject to the guidelines for change in the District Plan. It is NOT a "transitional buffer" between properties on the south side of Robinson Street and the Heritage District, as the applicant's analysis suggests. As such, arguments associated with comparing height to current and potential properties on the south side of Robinson Street that are suggested in the analysis by both the applicant and Heritage Staff are not appropriate.
- In November 2021, deconstruction down to the foundation was approved through a new heritage permit on the condition that the units be rebuilt to match the plans approved in June 2020 including replicating the

“heritage” elements facing Navy Street and the contemporary addition elements to the rear. Construction in accordance with these plans got underway in January 2022.

OLRA Comments re September 2022 Application:

Our Understanding of the September 2022 Heritage Permit Application:

The applicant has now come forward (with construction already underway) to alter the roof design of the building to permit a lofted second floor design. The “change” that the applicant is seeking is:

- To increase the height of the building addition by 1.6 m across the full length of the structure to permit a full two storey interior space with vaulted ceilings;
- To add clerestory windows to the addition

It is our understanding that the June 2020 Council permitted design planned for 9-foot ceilings on the first floor and 8 ½ foot ceilings on the second floor, with the attic space removed so that some further additional height was available. This is very typical ceiling heights for 1 ½ storey buildings in the Heritage District and is not considered “low” by the real estate industry, despite the observation in the Staff Report. At the time of its approval, the June 2020 approved design was described by the applicant as consistent with heritage guidelines, maintaining the 1 ½ storey exterior height for the entire structure, and thereby maintaining appropriate scale and character.

The change that the applicant is now seeking (September 2022)* will result in a 14-foot vaulted ceiling on the second-floor addition with an average of 12 foot overall on the interior of the addition. On the exterior, the addition becomes a two-storey structure attached to the 1 ½ storey replicated “heritage” portion of the building.

*Note: the drawings submitted as part of the September 2022 submission also indicates that the height of the garages facing Navy Street have also been raised slightly. This was not noted in the application or in the Staff Report.

The applicant is now using a rationale that this new two storey height is “typical” in the Heritage District and that there are many taller buildings in the area including the Part IV designated Murray House Hotel at the southeast corner of Robinson and Navy Street, and the proposed Rosehaven townhouse development on the southwest corner of Robinson and Navy Street (both outside of the Heritage Conservation District Boundaries). Their conclusion is that by allowing their application, the result will be a streetscape that steps down from the taller buildings to the north. This interpretation is not consistent with any guidelines within the boundaries of the Heritage District Plan.

The Staff Report acknowledges that “typically” new additions are to be slightly lower than the existing house. This is an embedded practice that has been implemented over several years in this District and is also consistent with the Staff’s position on this property in 2017, 2020 and 2021. For some reason, the Staff Report for this current application abandons this well-established application of the guideline drawing on a zoning variance argument as opposed to a heritage guideline argument (which we feel is their role). In addition, like the applicant, the Staff Report references a comparison to the Murray House and the potential development at the southwest corner of Navy and Robinson Streets, which is outside the boundaries of the District Plan, as appropriate comparisons for height impact. The Staff Report goes on to say that the height increase “should not” be noticeable at the pedestrian level on Navy Street. There is no supporting documentation for this conclusion – no sidewalk pedestrian views of the application travelling south on Navy Street; no sidewalk pedestrian views travelling north on Navy Street; no sidewalk views looking across from the Part IV buildings of

the Murray House and the George Chisholm house at the north and south corners on the east side of Robinson; no views of the back of the building with the proposed rear addition from historic Water Street which is significantly lower than Navy Street. Indeed, from the back, which is very visible due to the significant change in grade at Water Street, the building will appear to be 3 stories in height and will present as a large overpowering structure with a wall of windows.

The Staff Report concludes that the proposed changes have a very minimal impact to the character of the Old Oakville Heritage Conservation District and adjacent heritage properties. There is no specific rationale provided for this statement.

OLRA Perspective:

OLRA is extremely disappointed that this application has come forward at this point in time. Construction for an approved application with community support is underway and we continue to be supportive of this design. It is very difficult to understand the basis for change at this point in time, particularly as there is no change in the footprint but there is a considerable negative impact on this property specifically and the Heritage District in general. And it is very disappointing that both the applicant and the Staff Report appear to have “switched” views from 2017, 2020 and 2021 on what is appropriate in terms of the intention of our heritage guidelines for change; and in the comparatives used to justify a case.

We do not agree with the staff recommendation for approval of this application to change the roof to permit a lofted second floor design. We respectfully ask that this application be denied and that the conditions and spirit of the already approved heritage permit for this property be adhered to so that construction on this long-neglected property can continue.

Our perspective is based on the following:

1. 68-70 Navy Street’s Prominence to the Entrance of the Old Oakville Heritage Conservation District

This property is within the boundaries of the Heritage Conservation District and as such subject to the guidelines for change in the District Plan. It is highly visible and sits at the gateway to the Old Oakville Heritage District AND historic Navy Street. This well travelled street is one of the icons that signals to everyone – residents and visitors alike that they are entering a very special area. And as such, it is important to ensure that change is managed with care and sensitivity to not disrupt the jewel which is Old Oakville.

The proposed change to the roofline (an increase of 1.6 m/5 feet 5 inches) across the entire length of the structure at the rear to create two storeys for the addition will be highly visible to pedestrians from multiple angles walking along the sidewalks of Navy Street from downtown, from the east and from the south. It will also be highly visible from Water Street, an historic roadway that is part of the Heritage District and lies at a significantly lower elevation than Navy Street.

2. Consistency with Heritage Guidelines Intention and Practice

“That scale in height and mass be compatible with surrounding buildings to ensure visual connectedness and existing sense of scale”.

Height and mass are critical elements that impact the look and feel of a built structure and significantly contribute to the “character” of a heritage district. Both the applicant and the Staff acknowledged the importance of this guideline in 2017, 2020 and 2021 when they referenced that the design with its additions continued to maintain the scale of the heritage building with proposed additions continuing to be set back from the front and the height of the building being the same and not higher.

We know from the work required by the Town that the Heritage Building Assessment report confirms the historical significance of the property at 68-70 Navy Street and as such, we believe it requires special attention.

The new proposed change in the height of the addition has the impact of losing reference to the original 1850s structure that is being replicated consistent with the Town's demolition permit requirements.

3. Choice of Comparable Properties

Both the applicant and the Staff Report compare the proposed height associated with the September 2022 application with the empty lot to the immediate north on Robinson Street and the Murray House at the southeast corner of Navy and Robinson. This is not appropriate and potentially misleading. Both of the cited "comparable" properties, lie outside the boundaries of the Old Oakville Heritage District. The Murray House is a designated Part IV building sitting outside the boundaries of the District and has always been and remains a commercial property. As such, it should not be the comparable chosen for the Part V designated residential property at 68-70 Navy Street. Further, the potential development on the vacant land on Robinson Street is also not an appropriate basis for height as it sits outside of the boundaries of the District. The properties on the south side of Robinson Street have always been intended and cited as the buffer for the Heritage District – NOT properties within the District itself.

There are more appropriate and comparable "residential" heritage properties located in the immediate neighbourhood and vicinity of 68-70 Navy Street such as , 64, and 65, Navy Street, and 115 William Street. All of these residential properties lie within the Old Oakville Heritage District boundary area and originate in a similar era.

In Summary

Through our understanding of the Old Oakville Heritage Conservation District Plan, our detailed analysis of the context for development associated with 68-70 Navy Street over several years and our consultation with the agent for the applicant, we do not agree with the staff recommendation for approval of the September 2022 application .

We respectfully ask that this application be denied. We feel that in addition to being an inappropriate change for this specific property, the analysis and rationale behind this change, even if unintentional is flawed and could be precedent setting for other properties in our cherished Old Oakville Heritage Conservation District.

We are supportive of the conditions and spirit of the already approved heritage permit for this property and would request that it be adhered to so that construction on this long-neglected property can continue to proceed immediately.

We will be requesting to delegate at the Heritage Oakville meeting scheduled for Tuesday, October 18th.

Respectfully submitted,
Anyia Dunning, President OLRA

Attachment: Appendix A

Attachment – Appendix A
OLRA Analysis
Chronological Context for 68 – 70 Navy Street

Historical Context

1856 – 1942 Owned by different members of the Hagaman family*

- Jeremiah was a well-known carriage maker whose factory was located to the west on the same block. He also grew strawberries and served on the Town of Oakville's first Council
- Benjamin (1871 to 1899) was part owner of Gage & Hagaman. a lumber & flour company
- Thomas (1899 to 1942) was a carpenter who converted the single family home to duplex

*Note: From the Heritage Building Assessment Report completed on this property as a condition imposed by the Town prior to demolition – it appears that the building was likely built earlier than 1855 using stacked plank construction. Historically, the building and the property is very much associated with the Hagaman family.

1981 – Designated under Part V as part of Old Oakville Heritage Conservation District

1980s – Property purchased by current owner

Approx 2001 – House empty and not maintained; gradual deterioration from neglect

Heritage Oakville Context

May 30, 2017 – Heritage Oakville Committee Meeting (page 2-3 of this document)

Note: Application was submitted as “alterations and new additions”

Heritage Staff comments and rationale included

OLRA Commentary

May 2020 – Heritage Oakville Committee Meeting (Page 4 – 6 of this document)

Note: Application was submitted as “alteration to original application” which was approved in 2017 but expired (after more than two years from approval)

Heritage Staff comments and rationale included

OLRA Commentary

November 16, 2021 – Heritage Oakville Committee Meeting (Page 7 – 9 of this document)

Note: Application was submitted as “demolition”

Heritage Staff comments and rationale included

OLRA Commentary

September 27, 2022 – Heritage Oakville Committee Meeting (Page 10 – 13 of this document)

Note: Application was submitted as “alteration”

Heritage Staff comments and rationale included

OLRA Commentary

Heritage Oakville Context

May 30, 2017 – Heritage Oakville Committee Meeting

4.1. Heritage permit application HP014/17-42.20N 68-70 Navy Street –New Additions

Staff Report Recommendation:

1. That Heritage Permit Application HP014/17-42.20N for the construction of new additions to 68 and 70 Navy Street, as attached in Appendix B to the report dated May 16, 2017 from Planning Services, be approved subject to the following conditions:
 - a. Details for windows, doors, siding and stucco shall be submitted to heritage planning staff for final approval prior to installation; and
 - b. That any lakestone removed from the property will be re-used as a facing for the new foundation and any remaining stone made available as salvage; and
2. That this heritage permit expire two years from the date of final approval by Council

Pages 173 - 194 of Agenda Material

Note: Application was submitted as “alterations and new additions”

Changes were described by applicant in Heritage Permit Application as follows:

- 1. Additions to existing units*
- 2. New basement walkouts for each unit*
- 3. Interior renovations*
- 4. New attached garages for each unit*
- 5. New rear deck for each unit*
- 6. New front canopy for each unit*

Rationale from applicant for undertaking alterations and how proposal is consistent with the Part V district guidelines:

- *Existing semi-detached house is vacant, derelict and has not been inhabited for several years.*
- *Proposed renovations and additions maintain the scale and character of the existing buildings and the community. The height of the building is not increased.*
- *The proposed additions are set back from the face of existing and lower in height. The proposal re-institutes stucco as the wall cladding on the existing building (the existing aluminum siding covers earlier stucco). The proposed additions are board and batten to differentiate them from the existing.*
- *The detailing of the original building is maintained. Proposed windows match the existing in scale and proportion.*

OLRA NOTE: reference to maintaining scale & character of existing building and community and not increasing height

Heritage Staff Commentary to Support Recommendations

Heritage Planning staff note that cladding materials on both units should be in keeping with the historic cladding material of the building. Traditional three-coat stucco will be required, as will wood for the board and batten. All trim on both units will be wood, painted to match the existing. The existing roof of the original house will be retained with new asphalt shingles to match the addition roof systems.

Review of Old Oakville Heritage Conservation District Guidelines

The Old Oakville Heritage Conservation District Plan provides the following applicable guidelines regarding alterations to historic buildings and new structures within the district:

- Scale in height and mass be compatible with surrounding buildings to ensure visual connectedness and existing sense of scale,
- Construction materials should be visually sympathetic with existing buildings and streetscape yet appropriate given the design of the new structure,
- Lot line setbacks be permitted to vary with consideration given to neighbouring setbacks and frontages,
- The distinguishing original qualities or character of a structure or environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible,
- Distinctive stylistic features or examples of skilled craftsmanship, which characterize a building structure, shall be treated with sensitivity,
- Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event replacement is necessary, the new material should match the replaced material in composition, design, colour, texture and other visual qualities. New windows should closely match the historic windows in size, number of panes, frame, colour and reflective qualities of the glass

Heritage Planning staff have reviewed the proposed heritage permit application against the guidelines of the District Plan and note the following:

- **Scale (height and mass) of proposed additions is appropriate and no variances to the Zoning By-law are required;**
- With several changes to the proposed materials described by staff earlier in this report, the materials will be sympathetic to the existing structure and in keeping with the character of the streetscape;
- The proposal does not require variances to the permitted setbacks for the proposed additions. It is staff's opinion that the heritage permit application has given appropriate consideration for the neighbours to the south, who have legal non-conforming setbacks very close to the property line.
- While the heritage permit application proposes removal of the southeast corner of the existing structure, it is staff's opinion that this does not detract from the character of the building or streetscape. Other proposed alterations do not remove historic materials and should improve the appearance of the building within the District streetscape.
- As this is a vernacular structure, the distinctive stylistic features are limited; however, the proposed heritage permit is sensitive to the historic style and features of the building.
- Many of the exterior elements of this building have already been altered and/or replaced over time. The proposed heritage permit will restore the exterior cladding and the non-historic windows doors will be replaced with appropriate wood windows and doors.

OLRA NOTE: reference to maintaining scale (height and mass)

May 2020 – Heritage Oakville Committee Meeting

4.1. Heritage permit application HP005/20-42.20N 68-70 Navy Street –Alterations to existing residence Staff Report Recommendation:

1. That Heritage Permit Application HP005/20-42.20N for the alteration of the existing residences and new additions to 68 and 70 Navy Street, as attached in Appendix B to the report dated May 13, 2020, from Planning Services be approved subject to the following conditions:
 - a. Details for windows, doors, siding and stucco shall be submitted to heritage planning staff for approval prior to installation
 - b. That any lakestone removed from the existing foundation be reused as facing for the new foundation and any remaining stone made available to heritage planning staff for salvage; and
2. That this heritage permit expire two years from the date of final approval by Council

Pages 69 - 88 of Agenda Material

Note: Application was submitted as “alteration to original application approved in May/June 2017 as the heritage permit expired after more than two years from approval

Changes were described by applicant in Heritage Permit Application as follows:

1. *Changed design of front entry canopies including standing seam metal roofing*
2. *Revised windows and siding materials on previously approved side and rear additions. Introduction of standing seam metal roofing on these additions*
3. *Introduction of vertical wood siding finish on rear elevation*
4. *Removal of basement walkouts from rear elevation*
5. *Minor re-configuration of rear porches and shape of addition at rear and sides*
6. *Changes to interior floor plans*

Rationale from applicant for undertaking alterations and how proposal is consistent with the Part V district guidelines:

The proposed changes are designed to simplify the detailing of the previously approved building additions and to create more contrast between the additions and the heritage building. The proposed additions continue to maintain the scale of the heritage building. The proposed additions continue to be set back from the front of the heritage building and the height of the proposed additions has not increased from the previous approval.

The proposed changes to the rear of the previously approved building addition are more contemporary in character in order to further break down the massing of the building addition and to further define the contrast between existing and new. The use of contemporary elements as a way to balance traditional design is widely used in adaptive-re-use scenarios and is appropriate here given the size and complexity of the addition, the fact that it is visible from the rear only and because this elevation faces only the parking lot to the west.

Heritage Staff Commentary to Support Recommendations

Heritage Planning staff noted in its report that a heritage permit for similar alterations was previously approved in June 2017 but that approval has expired and significant changes have been made to the proposed design requiring committee review and Council approval

The new heritage permit application maintains many of the previously approved changes.

The differences in the 2020 application are generally stylistic, moving from traditionally inspired architectural elements to more contemporary design details. The changes include:

- Simplified porch overhangs with shed roofs on the front elevation;
- Simplified windows/garage doors in the front and side elevations of the additions to both units. Instead of 9/1 windows, 1/1 sash are proposed. The amount of windows has been reduced on the south elevation by two and increased on the north elevation by one.
- Cladding on the front and side elevations of the additions are vertical board and batten siding, instead of a combination of horizontal siding and board and batten.
- Cladding on the rear elevation is proposed to be a more narrow vertical wood siding, giving a more contemporary appearance. The siding would be stained a dark grey/black.
- The footprint of the rear addition has been changed slightly, adding floor space and changing the deck areas. The deck of the south unit has been pushed further away from the south property line and the neighbouring residence to reflect comments received in 2017.
- Additional glazing has been added to the rear elevation.

Review of Old Oakville Heritage Conservation District Guidelines

The Old Oakville Heritage Conservation District Plan provides the following applicable guidelines regarding alterations to historic buildings and new structures within the district*:

- Scale in height and mass be compatible with surrounding buildings to ensure visual connectedness and existing sense of scale,
- Construction materials should be visually sympathetic with existing buildings and streetscape yet appropriate given the design of the new structure,
- Lot line setbacks be permitted to vary with consideration given to neighbouring setbacks and frontages
- The distinguishing original qualities or character of a structure or environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible,
- Distinctive stylistic features or examples of skilled craftsmanship, which characterize a building structure, shall be treated with sensitivity,
- Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event replacement is necessary, the new material should match the replaced material in composition, design, colour, texture and other visual qualities. New windows should closely match the historic windows in size, number of panes, frame, colour and reflective qualities of the glass.

***OLRA Note: exact same guidelines used as original May 2017 application**

Heritage Planning staff have reviewed the proposed heritage permit application against the guidelines of the District Plan and note the following:*

- Scale (height and mass) of proposed additions is appropriate and no variances to the Zoning By-law are required, even with the increase in the rear addition and new porch roofs;
- The materials will be sympathetic to the existing structure and in keeping with the character of the heritage district;
- As this is an altered vernacular structure, the distinctive stylistic features are limited; however, the proposed heritage permit is sensitive to the historic character and features of the building.
- Many of the exterior elements of this building have already been altered and/or replaced over time. The proposed heritage permit will restore the exterior cladding and the non-historic windows doors will be replaced with appropriate wood windows and doors.

***OLRA Note: consistent rationale for supporting this updated design as original application of 2017**

November 16, 2021 – Heritage Oakville Committee Meeting

4.1. Heritage permit application HP053/21-42.20N 68-70 Navy Street –Removal of front wall

Staff Report Recommendation:

1. That Heritage Permit Application HP053/21-42.20N for removal of the front wall at 68-70 Navy Street, as attached in Appendix B to the report dated November 9, 2021 from Planning Services, be approved subject to the following:
 - a. That prior to removal of the front wall, the property owners complete a full heritage building assessment report detailing the construction methods and history;
 - b. That the property owner enter into a heritage easement agreement with the Town prior to the demolition of the front wall in order to ensure the history of the building is commemorated and the heritage building assessment is completed;
 - c. That the Town Solicitor be authorized to discharge the heritage easement agreement from title, at the expense of the owner, once the requirements in the agreement have been satisfied to the satisfaction of the Manager of Policy Planning and Heritage; and
2. That this heritage permit expire two years from the date of final approval by Council.

Pages 8 - 40 of Agenda Material

Note: Application was submitted as “demolition”

Rationale for demolition was described by applicant in Heritage Permit Application as follows:

This building is the subject of heritage permits and building permits issued by the Town of Oakville. The scope of these permits is interior renovations and additions. The building front and partial side wall was proposed to remain during these renovations but inspection during construction has revealed that this wall is extremely structurally degraded and cannot be safely or practically maintained. A structural engineer’s report has confirmed this. The building will effectively be demolished with the removal and subsequent replacement of this wall. Every effort was made to respect the Part V District Plan and good conservation practice but the structure is unfortunately too degraded and unsafe to be maintained and must be demolished and re-built. **Note: that no visual change is proposed by this application.** The original wall with original lake stone foundation above grade will be identical to the original.

Heritage Staff Commentary to Support Recommendations

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

- This property is designated under Part V of the Ontario Heritage Act as part of the Old Oakville Heritage Conservation District.
- A heritage permit for the alterations to both units of the semi-detached building was approved in June 2020 *
- The heritage permit application is for revisions to the design of a previously approved new house specifically the removal of the existing front wall due to unforeseen significant structural issues
- Staff have reviewed this application and recommend that it be approved subject to the above condition to enter into a heritage easement agreement

COMMENT/OPTIONS:

The 2020 heritage permit approval included alterations to the existing semi-detached homes, as well as rear additions. This heritage permit was a revision to a heritage permit previously approved in 2017 for similar changes, which had expired *.

***OLRA Note: This was from May 2020 recommendation from Heritage Oakville.**

Work on the property has begun and the approved changes required that the lakestone foundation walls on the front elevation of 68-70 Navy Street be reinforced, which has been completed.

In order to re-attach the existing front frame wall to the reinforced foundation, the modern siding was removed from the wall. When this work was completed, a number of discoveries were made:

- The front wall (and presumably the whole original house) is stacked plank construction rather than the expected wood stud (with the exception of the northerly part of 70 Navy which is a later addition).
- One of the historic cladding materials, a thin and smooth stucco finished to mimic stone blocks, has been uncovered.
- The front wall has been compromised because the existing window openings are not original and their installation chopped into the original wall in a haphazard manner.
- Sections of the stacked plank have been removed to accommodate alterations over the years.
- There is a high degree of wood rot and deterioration in the remaining sections of stacked plank.

Review of Old Oakville Heritage Conservation District Guidelines

The Old Oakville Heritage Conservation District Plan provides the following applicable guidelines regarding alterations to historic buildings and new structures within the district *:

- Scale in height and mass be compatible with surrounding buildings to ensure visual connectedness and existing sense of scale,
- Construction materials should be visually sympathetic with existing buildings and streetscape yet appropriate given the design of the new structure,
- Lot line setbacks be permitted to vary with consideration given to neighbouring setbacks and frontages,
- The distinguishing original qualities or character of a structure or environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible,
- Distinctive stylistic features or examples of skilled craftsmanship, which characterize a building structure, shall be treated with sensitivity,
- Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event replacement is necessary, the new material should match the replaced material in composition,

design, colour, texture and other visual qualities. New windows should closely match the historic windows in size, number of panes, frame, colour and reflective qualities of the glass.

The Old Oakville Heritage Conservation District Plan requires restoration and repair whenever possible. In this case, the front wall was originally planned to be retained in accordance with the HCD Plan. However, based on the structural assessment, Heritage Planning staff recognize that it is not possible to repair or restore the wall and do not oppose the removal of the front wall of the semi-detached homes. Heritage Planning staff would also not require that the new wall be rebuilt in stacked plank due to the extremely prohibitive cost of lumber and in recognition that the stacked plank construction would not be visible from the exterior or interior of the building. It should be noted that no changes are proposed to the overall form, height, footprint or location of the approved additions and alterations *. These aspects have already been approved through the 2020 heritage permit. The subject heritage permit is only for the removal of the front wall, which would be reconstructed to match the exterior of the approved plans.

***OLRA Note: same guidelines referenced for 2017 and 2020 and consistent rationale that the approved 2020 design is consistent with heritage guidelines for alterations to historic buildings and new structures specifically noting form, height, footprint and location**

September 27, 2022 – Heritage Oakville Committee Meeting

4.4. Heritage permit application HP043/22-42.20N 68-70 Navy Street –revisions to rear addition

Staff Report Recommendation:

1. That Heritage Permit Application HP043/22-42.20N for revisions to the rear addition at 68-70 Navy Street, as attached in Appendix B to the report dated September 20, 2022 from Planning Services, be approved subject to the following:
 - a. that final details on the windows, doors and cladding material be submitted to Heritage Planning staff for final approval; and
2. That this heritage permit expire two years from the date of final approval by Council

Pages 88 – 102 of Agenda Material

Note: Application was submitted as “alteration”

Changes were described by applicant in Heritage Permit Application as follows:

Change roof design to permit lofted second floor design.

The rationale for the change was detailed in an attachment completed by the applicant’s architect as follows:

ANALYSIS OF PROPOSAL PER OLD OAKVILLE DOWNTOWN RESIDENTIAL AREA HERITAGE CONSERVATION DISTRICT PLAN

August 30, 2022

DISTRICT PLAN 3-2 GUIDELINES:

a) scale in height and mass be compatible with surrounding buildings to ensure visual connectedness and existing sense of scale

The application increases the height of the building by 1.6m to the maximum zoning by-law height of 9.0m. Homes of this height are typical in the HCD and there are many taller buildings in the area including the Part IV designated Murray House hotel across the street. The proposed Rosehaven townhouse development directly north of the site is proposed to be 12.6m tall and while this development is not yet approved, the applicable zoning by-law allows this height so any development on these lands will likely be a similar height. *

OLRA Note: not seen as appropriate comparison as outside of District and adjacency – Murray House was a commercial building built after residential home at 68-70 Navy Street. Comparatives that should be considered are homes along Navy Street – all 1 ½ storey in nature and built in similar era- appropriate context for comparison

b) construction materials should be visually sympathetic with existing buildings and streetscape yet appropriate given the design of the new structure

The construction materials previously approved for 68/70 Navy St. are not proposed to change by this application. The proposal changes the configuration of the roof only.

c) lot line setbacks be permitted to vary with consideration given to neighbouring setbacks and frontages,

Not applicable to this application.

d) the distinguishing original qualities or character of a structure, or environment shall not be

destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible,

None of the distinguishing original building qualities or features are proposed to be changed by this application.

e) distinctive stylistic features or examples of skilled craftsmanship, which characterize a building structure, shall be treated with sensitivity

No distinctive stylistic features or examples of skilled craftsmanship with characterize the building structure are proposed to be changed or affected by this application.

f) deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event replacement is necessary, the new material should match the replaced material in composition, design, colour, texture, and other visual qualities. New windows should closely match the historic windows in size, number of panes, frame, colour and reflective qualities of the glass,

Not applicable to this application.

g) density to be in conformity with the Official Plan,

Not applicable to this application. No change in density is proposed.

h) design, style, materials and colour for new construction to be considered on an individual basis on the premise that contemporary styles can be more appropriate in certain cases than emulating turn of the century designs.

The proposed building is a mix of traditional and more contemporary elements. The changes to the roof in this application here are traditional in character but are not character defining elements of the building.

4. That the landscaping, amenities and the general streetscape follow appropriate design principles, reflect the area's historic background and provide a pleasing environment for residents and visitors;

68/70 Navy St. is on the northerly edge of the Heritage Conservation District. Immediately to the north of the property is a vacant parcel which is presently the subject of a development application by Rosehaven Homes, and to the north of this is the Granary condominium building. The additional building height proposed here is not unreasonable in this circumstance as the result of the application will be a streetscape that steps down from the taller buildings to the north to the lower buildings of the HCD.*

OLRA Note: not seen as appropriate comparison as outside of District and adjacency – Murray House was a commercial building built after residential home at 68-70 Navy Street. Comparatives that should be considered are homes along Navy Street – along 1 ½ storey in nature .

Heritage Staff Commentary to Support Recommendations

KEY FACTS:

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

- This property is designated under Part V of the *Ontario Heritage Act* as part of the Old Oakville Heritage Conservation District.
- A heritage permit for similar alterations to both 68 and 70 Navy Street was approved in June 2017 but expired prior to the beginning of construction.
- A new heritage permit for alterations to both units of the semi-detached building, including revisions to the rear addition was approved in June 2020. In November 2021, after the beginning of construction, serious and irreparable damage was detected in the stacked plank interior walls of the historic portion of both units and deconstruction down to the foundation was approved through a new heritage permit. The 'historic' portions of the units are to be rebuilt to match the plans approved in June 2020.
- The owners of the property have proposed a change to the design of the rear addition to raise the roofline to create two full storeys. There are no changes

COMMENTS/OPTIONS

The heritage permit application only proposes changes to the rear additions of both units. The changes include:

- Raising the roofline of the rear addition to create a full two storey interior space with vaulted ceilings;
- Addition of clerestory windows to the rear addition.

The remainder of the alterations and additions to the houses remain the same as the previously approved heritage permits in 2020 and 2021.

Review of Old Oakville Heritage Conservation District Guidelines

The Old Oakville Heritage Conservation District Plan provides the following applicable guidelines regarding alterations to historic buildings and new structures within the district^{*}:

- Scale in height and mass be compatible with surrounding buildings to ensure visual connectedness and existing sense of scale,
- Construction materials should be visually sympathetic with existing buildings and streetscape yet appropriate given the design of the new structure,
- Lot line setbacks be permitted to vary with consideration given to neighbouring setbacks and frontages,
- The distinguishing original qualities or character of a structure or environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible,
- Distinctive stylistic features or examples of skilled craftsmanship, which characterize a building structure, shall be treated with sensitivity,
- Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event replacement is necessary, the new material should match the replaced material in composition,

design, colour, texture and other visual qualities. New windows should closely match the historic windows in size, number of panes, frame, colour and reflective qualities of the glass.

Heritage Planning staff have reviewed the proposed heritage permit application against the guidelines of the District Plan.

The majority of these guidelines are not applicable to the subject application, as it does not alter any historic architectural features, does not increase the footprint of the addition and does not change the construction materials from the previous approval.

While typically new additions are to be slightly lower than the existing house, in this case the existing house has a rather low roof height. The applicant is proposing to maintain the existing roof height on the 'historic portions' of the houses, but to raise the rear addition roofline to 9m to create vaulted ceilings inside the space. The increase in height is still within the permitted zoning for this area and no minor variances are required for the proposed work. *

OLRA Note: acknowledgement that well established practice is that typically new additions are to be slightly lower. Reference to existing house having a rather low roof height – no numbers provided to back this up; the roof lines of this house have not changed for at least 100 years

The impact to the surrounding HCD and adjacent heritage properties (the Murray Hotel) should be minimal as the height increase should not be noticeable at pedestrian level on Navy Street.

The adjacent property at the corner of Navy Street and Robinson Street has a permitted zoning height maximum of 12.6m and while there is currently no building on this site, the Town has received a development application for this site that is still in the early stages of review.

Staff find the proposed changes to the rear additions to 68 and 70 Navy Street to have a very minimal impact on the character of the Old Oakville Heritage Conservation District and adjacent heritage properties.

OLRA Notes: not seen as appropriate comparison as outside of District and adjacency – Murray House was a commercial building built after residential home at 68-70 Navy Street. The properties on the south side of Robinson are the buffer zone – NOT properties within the District. Town has traditionally treated the south side of Robinson Street as a buffer and not as a comparative for heights in the Heritage District.

Comparatives that should be considered are homes along Navy Street within the Heritage District – within this block they are 1 ½ storey in nature and built in similar era

No clear evidence to support concluding statement and could set a very dangerous precedent



To: Town Clerk

Councillors David Gittings , Cathy Duddeck , Janet Haslett-Theall,

Heritage Advisory Committee Chair, Drew Bucknall & Committee Members

From: Catherine Hurley, Oakville Lakeside Residents Association (OLRA)

Date: September 27, 2022

(Discussion item #4.4--Heritage Permit Application HP043/22-42.20N 68-70 Navy Street—Revisions to the Rear Addition)

Good Morning Heritage Oakville Advisory Committee Members:

I am delegating this morning on behalf of the Oakville Lakeside Residents Association (OLRA) as a Board Member and Chair of the Association's Heritage Committee as well as, a long time resident of the Old Oakville Heritage District residing at 24 Thomas Street.

The Association only became aware of this application late on Friday, September 23, 2022 and therefore we feel that the community at large has not been given sufficient notice to review the proposed changes outlined in today's revised heritage permit application for 68-70 Navy Street, a courtesy particularly denied to those residents in the immediate area and adjacent to the property.

Despite these procedural challenges, the community's acute interest and sensitivity towards this development, most likely attributed to the sudden demolition of the former historic cottages that used to be on this property, (to be precise, the 1859 Jeremiah Hagaman House, a one and half-storey vernacular residence formerly designated under Part V of the Ontario Heritage Act as part of the Old Oakville Heritage Conservation District) may account for many of these 11th-hour written delegations that appear before you this morning.

Of the many thoughtful comments provided by Lakeside residents, there are three community observations in particular that resonated with our Association and I would like to share these with you this morning:

Community Comment # 1 – 68-70 Navy Street's Prominence to the Entrance to the Old Oakville Heritage Conservation District:

"This property is within the boundaries of the Heritage Conservation District and as such subject to the "guidelines for change" outlined in the Old Oakville Heritage District Plan. It sits at the gateway to the Old Oakville District AND historic Navy Street. This well travelled street is one of the icons that signals to everyone – residents and visitors alike that they are entering a very special area. And as such, it is important to ensure that change is managed with care and sensitivity to not disrupt the jewel which is Old Oakville".

Community Comment # 2 – Adherence to Old Oakville Heritage District Plan Guideline:

- a) *“That Scale in height and mass be compatible with surrounding buildings to ensure visual connectedness and existing sense of scale”.* Height and mass are critical elements that impact the look and feel of a built structure and significantly contribute to the “character” of a heritage district.

The Association supports the community’s perspective that the Heritage Permit Application before you today, should but hasn’t demonstrated whether and how the proposed changes are compatible with the existing “built environment” and therefore, the “character” of the Old Oakville Heritage District.

“The new build on this property was originally approved on the basis that it should mirror the original 1850s structure that was demolished and fit in with the neighbouring historic cottages. What is being proposed is a significant change that will be visible from multiple angles including Navy Street and Water Street – both historic roads that are within the boundaries of the Old Oakville Heritage District and the Block Analysis”.

“This new proposed change in both the height of the rear addition of this duplex by 1.6m to the maximum zoning by-law of 9.0 m and materials has the impact of losing reference to the original 1850s structure that the originally approved new build was supposed to mirror”. “Any addition to a heritage structure should be lower in height and scale to the original portion”.

The OLRA supports the community’s view that what is being proposed today does not reflect the spirit and intention of the original heritage permit. “If what is before this Committee now had been presented originally, we feel it would have faced significant community opposition as not being compatible with or sympathetic to the character of the District and what the District Plan envisions for new builds”.

Community Comment # 3 - The Choice of Comparable Properties

“Comparing the proposed height with the property to the immediate north on Robinson Street and the Murray House at the southeast corner of Navy and Robinson is not appropriate and misleading”.

Both of the cited “comparable” properties in today’s Heritage Permit Application, lie outside the boundaries of the Old Oakville Heritage District. The Murray House, is a designated Part IV building and has always been and remains a commercial property and as such should not be the comparable chosen for a residential property development at 68-70 Navy Street. Further, the planned development on the vacant land on Robinson Street is also not an appropriate basis for height as it sits outside of the boundaries of the District. The properties on the south side of Robinson Street have always been intended as the buffer for the Heritage District – NOT properties within the District itself”.

The Association supports that there are more appropriate and comparable “residential” heritage properties located in the immediate neighbourhood and vicinity of 68-70 Navy Street such as: 53, 64, and 65, Navy Street, and 115 William Street all of these lie within the Old Oakville Heritage District boundary area and request that they be given due consideration in this heritage permit application process. And further contends that Heritage Permit approval today will set a negative precedent for the District in years to come.

In Summary:

In support of these community comments, the OLRA respectfully does NOT agree with the staff recommendation for approval of the Heritage Permit Application now before the Committee (HP043/22-42.20N) and asks that this Application be denied and that the conditions and spirit of the prior Heritage Permit be reinstated and adhered to.

Respectfully submitted,

Catherine Hurley, Director, OLRA Board

Cc: Anya Dunning, OLRA President, & OLRA Board

From: Patricia McTavish [REDACTED]
Date: September 26, 2022 at 12:10:37 PM EDT
To: townclerk@oakville.ca
Subject: Heritage Permit Application HP043/22-42.2ON 68-70 Navy St

Office of the Town Clerk: Please forward this email to the members of the Heritage Advisory Committee prior to the meeting on Tuesday, September 27 and please post it on the agenda with the public comments.

RE: Heritage Permit HP043/22-42.2ON, 68-70 Navy St.

Dear Heritage Advisory Committee Members;

I will make this brief in consideration of your time. I am disappointed by the "eleventh hour" Heritage Permit Application to increase the height of the rear addition of this duplex by 1.6m to the maximum zoning by-law of 9.0m to create "vaulted ceilings and clerestory windows".

I am further perplexed that the Planning Services Department are recommending that the Heritage Committee approve this permit application based on the height of the Murray House (a commercial building) across the street and the townhouses (proposed) at Robinson and Navy.

The original permit application was to restore this heritage property - then it was demolished. The new build that was proposed and approved was to be of the same size and height of the original - and now, when construction has already commenced, they are asking to change the height of the addition for vaulted ceilings and clerestory windows!

I request that the Heritage Advisory Committee do not approve this application.

Sincerely,

Trish McTavish

[REDACTED] Navy St

[REDACTED]

October 14, 2022

Heritage Oakville

Here is our original submission on this application. I am confirming that after meeting with the representative of the owner our view has not changed. We are opposed to the application.

Anita Mackey and Michael Shaen

September 26, 2022

Office of the Town Clerk: Please forward this email to the members of the Heritage Advisory Committee prior to the meeting on Tuesday, September 27 and please post it on the agenda with the public comments.

RE: Heritage Permit HP043/22-42.2ON, 68-70 Navy St.

Dear Heritage Advisory Committee Members;

My husband and I live at [REDACTED] Navy Street in the one and half storey heritage house immediately [REDACTED] and to the south of the property subject to the application. We just became aware of this application on Friday September 23, 2022. We understand the application was submitted on Sept 2, 2022 to the Town. I find it quite unacceptable that there would have been no notice of this application to all the owners adjacent to this property especially given the interest and the sensitivity due to the demolition of the existing historic cottages that used to be on this property. Even if a notice from the Town or the applicant is not required by regulation (which cries out for a change) at least by courtesy it should have been given. This has left us very little time to respond and will not allow us to delegate tomorrow at the meeting.

We understand the Town is recommending approval of this application. Given the historic nature of the original property and its location in the Old Oakville Heritage Conservation District we are surprised by this. One of the Guidelines , which are to apply “ to ensure compatibility of alterations to or relocation of existing structures as well as new structures with the existing built environment”, states:

- a. Scale in height and mass be compatible with surrounding buildings to ensure visual connectedness and existing sense of scale.

According to the staff report they say that while they reviewed the Guidelines they feel that “ the majority of these Guidelines are not applicable to the subject application as it does not alter any historical architectural features, does not increase the footprint of the addition and does not change the construction material from the previous approval” . We strongly disagree and feel the above guideline does apply.

Comparing the addition and the new height to the proposed new development on the corner of Navy and Robinson (as the applicant did) is irrelevant and misleading. That property is not within the Heritage District and has not even been approved. Comparing it to the Murray house is also the wrong comparison as it is not adjacent to the Murray House, and the Murray House was a commercial building not residential cottages. Our historic cottage is not even referenced by staff.

The comparison should be to what the original cottages were in height and the house at 64 Navy Street and the house at 115 William Street (which shares a property line with the back and itself is a heritage house within the district). The original application was “sold” to the neighbours as being small in scale, compatible in height, though it extended deep into the property and overlooked both 64 Navy and 115 William. The pictures speak volumes and you can easily see how much more massive in scale this appears in comparison. We were told it was only altering a small corner of the existing cottages, and now we have entirely lost them through neglect and bad planning. We did not realize only the front wall was to be saved and, of course, that too proved impossible. My neighbour at 115 William has no computer and has not been able to address her concerns.

Contrary to the position staff is taking, this large height increase at the back will be visible from Navy Street and detract from the adjacent heritage homes. It will be visible from Water Street, as well, looking up the hill. It is a bad precedent to set in this Block and in the Heritage District generally. I am not so much worried about my home being dwarfed and overlooked but the precedent set. We are planning an addition too and have been meticulous in making sure it doesn't exceed the existing height of the rooflines.

We ask that this application be turned down and the plans already approved be adhered to.

Anita Mackey
Michael Shaen
■ Navy Street

To: Town Clerk
David Gittings
Cathy Duddeck
Janet Haslett-Theall
Drew Bucknall

From: Jane Hawkrigg & Jamie Macrae

Date: September 26, 2022

RE: Heritage Permit HP043/22-42.2ON, 68-70 Navy St.

Dear Heritage Advisory Committee Members

My husband and I live at [REDACTED] Navy Street across the street from the property subject to this application.

We just became aware of this application late on Friday September 23, 2022. I am away in Western Canada on a two week business trip and have just now been able to turn my attention to this matter. The lack of notice to neighbours on a property with this interest and sensitivity is extremely disappointing and we will not be able to delegate tomorrow.

With due respect, we formally request that this submission be received and given due consideration at the Committee meeting tomorrow.

We do not agree with the staff recommendation for approval of this application and ask that this application be turned down and the plans already approved be adhered to.

Our points for this position are as follows:

1. This property is within the boundaries of the Heritage Conservation District and as such subject to the guidelines for change in the District Plan. In addition, along with our property on the east side – it sits at the gateway to the Old Oakville District AND historic Navy Street. This well travelled street is one of the icons that signals to everyone – residents and visitors alike that they are entering a very special area. And as such, it is important to ensure that change is managed with care and sensitivity to not disrupt the jewel which is Old Oakville.
2. We do not agree with the staff report that because the majority of the guidelines are not applicable to this application that it be approved. From our perspective this is not about “how many guidelines does the application fit”. This review is actually about whether a proposed change is compatible with the existing “built environment” and character of the Heritage District.

One important guideline (that one finds in all best practice of Heritage Districts) in our Old Oakville District Plan that we feel is the appropriate lens by which to view this application for change is:

- a. Scale in height and mass be compatible with surrounding buildings to ensure visual connectedness and existing sense of scale.*

Height and mass are critical elements that impact the look and feel of a built structure and significantly contribute to “character”.

The new build on this property was originally approved on the basis that it should mirror the original 1850s structure that was demolished and fit in with the neighbouring historic cottages at 64 Navy Street, 115 William Street and our home across the street 65 Navy Street and 53 Navy Street.

What is being proposed is a significant change that will be visible from multiple angles including Navy Street and Water Street – both historic roads that are within the boundaries of the Old Oakville Heritage District and the Block Analysis.

This new proposed change in both height and in material has the impact of losing reference to the original 1850s structure that the originally approved new build was supposed to mirror.

In our view this is not appropriate. If what is before this Committee now had been presented originally, we feel it would have faced significant community opposition as not being compatible with or sympathetic to the character of the District and what the District Plan envisions for new builds.

We have included a picture of the original structure from the 1972 Canadian Heritage Inventory.



Source: 1972 Canadian Heritage Inventory Photo Archives

Surrounding Buildings IN HERITAGE DISTRICT – in our view, proposal should use these as context

65 Navy Street – directly across from 68-70 Navy Street



64 Navy Street – right beside 68-70 Navy Street



115 William Street – around corner from 68-70 Navy Street and side yard on boundary with same



53 Navy Street – diagonally south across the street from 68-70 Navy Street



3. Comparing the proposed height with the property to the immediate north on Robinson Street and the Murray House at the southeast corner of Navy and Robinson is not appropriate and misleading.

Both of these properties are outside the boundaries of the District. The Murray House, which is a designated Part IV building has always been a commercial property and as such in addition to being outside of the District (and not an appropriate comparison), not comparable to a residential property. The planned development on the vacant land on Robinson Street is also not appropriate basis for height as it sits outside of the boundaries of the District. The properties on the south side of Robinson Street have always been intended as the buffer for the Heritage District – NOT properties within the District itself.

We ask that this application be turned down and the plans already approved be adhered to.

Respectfully submitted

Jane Hawkrigg

Jamie Macrae

■ Navy Street

■