

REPORT

Planning and Development Council

Meeting Date: September 11, 2023

FROM: Planning Services Department

DATE: August 29, 2023

SUBJECT: Repeal of Designation By-law 1994-175 - 141 Bronte Road

LOCATION: 141 Bronte Road

WARD: Ward 1

Page 1

RECOMMENDATION:

That By-law 1994-175, a by-law to designate 141 Bronte Road as a property of historical and architectural value and interest, be repealed.

KEY FACTS:

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

- By-law 1994-175 was passed to conserve the cultural heritage value of the Old Church of the Epiphany at 141 Bronte Road.
- In 2002, Oakville Council approved the demolition of the old Church of the Epiphany, as described in By-law 1994-175, due to its structural condition.
- The designation by-law was not repealed at that time. A memorial garden commemorates the site of the old Church.
- The Anglican Diocese of Niagara, on behalf of the Church of the Epiphany, have now applied to repeal the by-law.

BACKGROUND:

The Church of the Epiphany is located on the east side of Bronte Road, just north of Lakeshore Road West. A Location Map is attached as Appendix A.

In 1994, following a recommendation from the Heritage Oakville Advisory Committee, Council passed By-law 1994-175 to designate the Old Church of the Epiphany at 141 Bronte Road under Part IV of the *Ontario Heritage Act*. The Church, which was a small white clapboard structure constructed in 1931, was the first Anglican church in Bronte. By-law 1994-175 is attached as Appendix B.

A new church building was constructed in 1956 near the Old Church to serve the needs of the growing congregation.

In 2002, the condition of the Old Church of the Epiphany was deemed structurally unsound and Council approved demolition of the structure. A memorial garden has commemorated the Old Church since its demolition, but the designation by-law was never repealed.

The owners of the Church of the Epiphany, the Anglican Diocese of Niagara, applied to repeal By-law 1994-175 on July 5, 2023. Notice of the application to repeal By-law 1994-175 was published on the town's website on July 11, 2023 in accordance with s. 32 (3) of the *Ontario Heritage Act* and the town's *Ontario Heritage Act Alternative Notice* policy. The deadline for objections to the repeal was August 10, 2023. No objections were received.

In accordance with s.32 (5) of the *Ontario Heritage Act*, Council has 90 days to consider the application to repeal By-law 1994-175. The Heritage Oakville Advisory Committee was consulted regarding the proposed repeal at their meeting on August 29, 2023 and supported the staff recommendation to repeal By-law 1994-175.

TECHNICAL & PUBLIC COMMENTS:

Designation under Part IV of the *Ontario Heritage Act* is intended to conserve heritage properties. Unfortunately, the conservation of the Old Church of the Epiphany was not possible due to structural conditions and the building was demolished with Council approval over 20 years ago.

As the reasons for designation no longer exist as stated in the heritage designation, Heritage Planning staff do not object to the owner's application to repeal By-law 1994-175.

CONSIDERATIONS:

(A) PUBLIC

Notice of the application to repeal By-law 1994-175 was posted on the town's website on July 11, 2023 with a 30 day objection period. No objections were received. Should Council repeal By-law 1994-175, notice of the repeal will be required to be published on the town's website for an additional 30 day objection period.

(B) FINANCIAL

There are no financial impacts at this time.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

There are no other impacts at this time.

(D) CORPORATE STRATEGIC GOALS

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

- Provide accountable government for excellence in service delivery and responsible management of resources.

(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. This report will not have any impact on Council's commitments.

APPENDICES:

Appendix A – Location Map

Appendix B – By-law 1994-175

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