

## REPORT

### Planning and Development Council

Meeting Date: February 5, 2024

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**FROM:** Planning Services Department

**DATE:** January 23, 2024

**SUBJECT:** Old Oakville Heritage Conservation District – Revised Study

**LOCATION:** Old Oakville

**WARD:** Ward 3

Page 1

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#### RECOMMENDATION:

1. That the 'Old Oakville Heritage Conservation District Revised Study' as attached in Appendix A to the staff report dated January 23, 2024, be approved; and
2. That staff be directed to continue work on the Old Oakville Heritage Conservation District Update to create a revised Plan and Guidelines.

#### KEY FACTS:

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

- Updates to legislation require that the Old Oakville Heritage Conservation District, passed by by-laws 1981-144 and 1982-044, be updated to conform with new provincial requirements and best practices in heritage conservation. Protection for the Old Oakville Heritage Conservation District will remain in place throughout the update process and a new by-law replaces the old by-laws.
- A heritage conservation district requires two principal documents: a study to describe the cultural heritage value of the subject area and a plan and guidelines to conserve the cultural heritage value of that area. This report is about the Old Oakville Heritage Conservation District Study, which has been undertaken by Council as per section 40 (1) of the *Ontario Heritage Act*.
- The process to update the Old Oakville Heritage Conservation District Study has involved thorough research and assessment of the Old Oakville area, as well as detailed and extensive engagement with community stakeholders, town staff, the public and the Heritage Oakville Advisory Committee.

- The draft Study was presented to the Heritage Oakville Advisory Committee in August 2023. Comments from the committee and community participants have been incorporated into the Revised Study and are outlined in this staff report. Council is being asked to approve the Revised Study as attached in Appendix A.
- Should Council approve the Revised Study, it is recommended that they then direct staff to continue work on the Old Oakville Heritage Conservation District Update to create a new plan and guidelines.
- The first draft new plan and guidelines should be available for community review and comment by late February/early March 2024. Staff anticipates having the final draft of the plan and guidelines to the Heritage Oakville Advisory Committee for review and to Council for final approval in early summer 2024.

**BACKGROUND:**

Established in 1981, the Old Oakville Heritage Conservation District (Old Oakville HCD) is Oakville's first heritage district, and one of the first in Ontario. The Old Oakville HCD extends from south of Robinson Street to the lakefront and from the Sixteen Mile Creek to Allan Street and contains 117 properties. The Old Oakville HCD was approved by the Ontario Municipal Board on July 5, 1982, through by-laws 1981-144 and 1982-044.

Since the Old Oakville HCD was established, there have been numerous changes to provincial legislation, including the *Ontario Heritage Act* (OHA), which is the heritage legislation that permits municipalities to designate individual heritage properties and districts. On September 13, 2021, Planning and Development Council received the *Old Oakville Heritage Conservation District Update Workplan* that set out the process the town would follow to bring the Old Oakville Heritage Conservation District into conformity with provincial and municipal legislation, as well as providing more clarity to property owners, staff, the Heritage Oakville Advisory Committee and Town Council on how to manage change within the district boundaries.

The town has retained Archaeological Research Associates Ltd. in partnership with Dillon Consulting and G. Douglas Valee Ltd., to assist with the update to the Old Oakville HCD.

*Updated legislation*

In the past 40 years, there have been changes to policy and legislation related to creation and requirements for heritage conservation districts (HCDs). Changes in the following legislation have resulted in new required assessments and content for heritage conservation districts:

- *Ontario Heritage Act*
- *Greenbelt Plan*
- *Growth Plan for the Greater Golden Horseshoe*
- *Provincial Policy Statement*
- *Halton Region Official Plan*
- *Livable Oakville Official Plan*
- *By-laws 1981-144 and 1982-044*
- *Accessibility for Ontarians with Disabilities Act (AODA)*
- *Green Energy Act*
- Changes brought by Bill 108 and Bill 23

#### Components of a heritage conservation district

The OHA requires that all HCDs have a study to determine the cultural heritage value or interest of the subject area and a plan and guidelines to manage future change in that area. While both a study and a plan and guidelines were completed in the early 1980s when the original by-laws were passed for the Old Oakville HCD, they require updating.

The OHA does not provide a process to make changes or updates to existing HCDs, so the town is required to follow the same comprehensive process that is required to create a new heritage conservation district. The existing protection for the Old Oakville HCD created through by-laws 1981-144 and 1982-044 will remain in place throughout the update process.

The first step in the process to create a heritage conservation district as required by the OHA is the study, which is the focus of this staff report. For clarity, the new study will be referred to as the 'Revised Study' to differentiate it from the original study completed circa 1980. The Revised Study is attached as Appendix A and includes:

- Detailed history of the HCD including pre-contact and European settlement up until present
- Built heritage character description
- Description of the streetscape and landscape context and character
- Land use character and policy review
- Cultural heritage landscapes within the Old Oakville HCD (Erchless Estate and the Oakville Harbour)
- Recommended objectives of update and plan content
- Recommended changes to municipal planning mechanisms and by-laws
- Recommended plan content, including statement of intent and objectives of proposed designation)
- Public engagement and stakeholder consultation summary including the Oakville Lakeside Residents Association and the Oakville Historical Society

The appendices for the Revised Study can be found online at:  
<https://www.oakville.ca/business-development/planning-development/planning-studies/old-oakville-heritage-conservation-district-plan-update/>

## COMMENT/OPTIONS:

### Contents of the Revised Study

The Old Oakville HCD has been conserved through its protection under the OHA which provides for carefully managed change. Heritage designation does not prohibit change. Over the past 40 years since the designation by-laws were passed, Council, staff, the Heritage Oakville Advisory Committee and community stakeholders have reviewed many heritage permits for alterations within the Old Oakville HCD. These changes have been documented and analyzed for their cumulative impact in the Revised Study.

### *Inventory sheets*

In order to review changes within the Old Oakville HCD and create a foundation for review and assessment, the Revised Study presents an examination of each property within the Old Oakville HCD. Each property is described in a detailed inventory sheet that contains the following:

- Design/physical description
- Historical description
- Contextual description
- Photographs
- Information from community partners
- Ontario Regulation 9/06 s.3 (2) criteria

The information within the inventory sheets was used to create maps and graphics that illustrate architectural styles, date of construction, architectural elements and landscape elements.

### *Statement of cultural heritage value or interest and heritage attributes*

The data collected from the inventory sheets, as well as a review of the overall streetscape and landscape of the Old Oakville HCD (explained later in this report), provided the basis for the creation of the new statement of cultural heritage value or interest for the Old Oakville HCD.

The cultural heritage values are further broken into nine potential criteria relating to design or physical value, historical or associative value and contextual value as set out in Ontario Regulation 9/06 s.3 (2) (the Regulation).

The heritage attributes, which are the overall physical elements that need to be retained to conserve the cultural heritage value or interest of the Old Oakville HCD,

were defined from the creation of the statement of cultural heritage value or interest. The heritage attributes include:

- Style of architecture
- Use of materials, influence of local culture/geography
- Minimal levels of alteration
- Architectural details (i.e., trim, windows, roofline, decorative additions, etc.)
- Landmark status or group value
- Landscapes and public open spaces
- Overall spatial pattern
- Land use
- Historic views

#### *Old Oakville HCD boundary*

The statement of cultural heritage value or interest and the definition of the heritage attributes of the Old Oakville HCD then helped to delineate the appropriate boundary for the heritage conservation district. The Revised Study contains an examination of the boundary that affirms that the properties within the existing Old Oakville HCD boundary meet the required characteristics of heritage conservation districts.

The Regulation, specifically, section 3. (2).1 requires that 25 percent or more of the properties within the boundaries must meet two or more of the criteria. The Old Oakville HCD meets this threshold. Within the Old Oakville HCD there are 90 properties (70%) that meet at least two criteria under the Regulation, therefore the Old Oakville HCD meets the criteria for designation under the OHA.

The one proposed change to the Old Oakville HCD boundary is that the properties designated under Part IV of the OHA that were formerly prohibited from being part of the Old Oakville HCD, now be included within the boundary. This includes the Erchless Estate at 8 Navy Street and the Former Post Office and Thomas House in Lakeside Park at 144 Front Street.

#### *Streetscape and landscape character*

The study and plan and guidelines for the Old Oakville HCD (referred to as the 1982 Plan) organized the district area into 18 blocks. The blocks were defined by a significant intersection or landmark and further characterized by their land use, topography, vegetation, views, and architectural features. The information contained in the 1982 Plan provided the basis for a thorough review of the streetscape and landscape as it existed then versus today.

The Old Oakville HCD is special and attractive because of its very strong streetscape character. The large lot sizes, mixed building setbacks, urban fabric widenings at intersections, street lining and framing tree cover, wide viewsheds and

permeable fencing types contribute to the open landscape setting and pedestrian experience within the area.

The road grid configuration, typology and block size enable a very desirable and walkable neighbourhood in downtown Oakville. The north-west streets terminate at open spaces fronting Lake Ontario and provide lake access and view opportunities.

Navy Street and Front Street have important roles in the public realm, as well the historical built form lining and defining the residential edges of the neighbourhood. The undulating topography creates unique vantage points, and integrated architectural forms and landscape elements within the gully landscape.

The two churches, St. Jude's and St. Andrew's, are prominent landmarks within the District, as supported by the District streetscape characteristics. Other historic landmarks, views and potential gateways add to the overall character of the Old Oakville HCD, with necessary improvements to the existing street furniture and signage.

Further, the historic native tree restoration efforts are evident. The Old Oakville HCD has an abundance of mature tree growth with understorey and ground cover plantings that elevate the quality of the streetscape, as well as the natural environment.

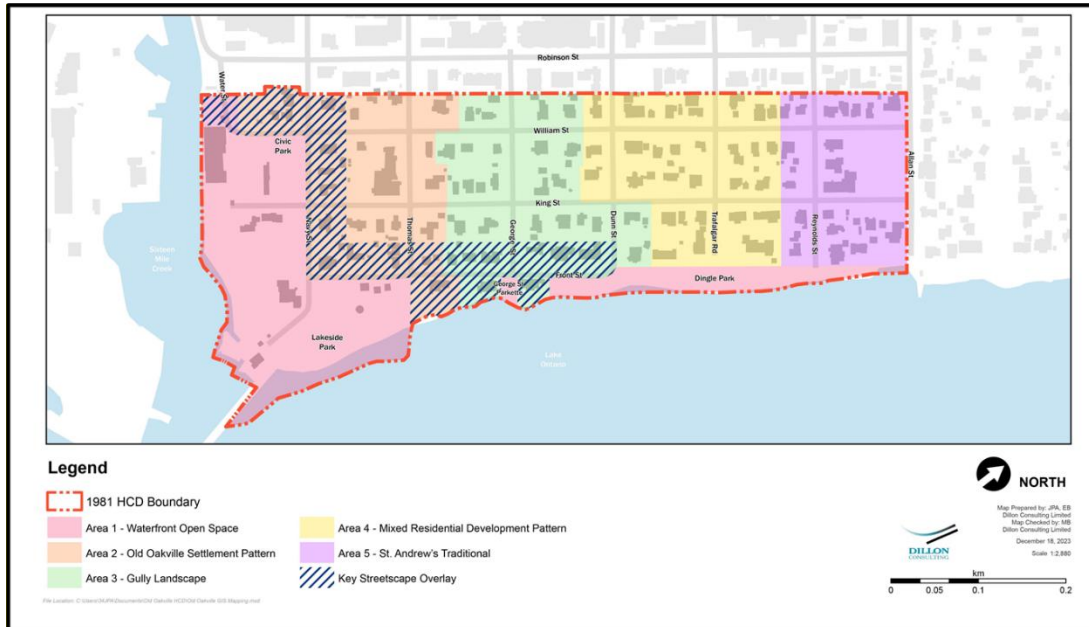
While the block analysis in the 1982 Plan provided a unique and innovative framework for heritage conservation districts at the time, the changes to policy and legislation since then has resulted in challenges in interpretation and implementation on the ground.

A major goal for the Revised Study was to build on the innovative 1982 framework while creating the basis for a modern system of assessment that could be carried into a new plan and guidelines.

#### *Landscape character areas*

The Revised Study contains an analysis of the streetscape described above and resulted in the identification of five landscape character areas that are based on the patterns, similarities and differences in the urban fabric and physical characteristics of each area. The areas are:

- Area 1 – Waterfront Open Space
- Area 2 – Old Oakville Settlement Pattern
- Area 3 – Gully Landscape
- Area 4 – Mixed Residential Development Pattern
- Area 5 – St. Andrews Traditional



In addition to the character areas, an overlay that recognizes the key streetscapes of the Old Oakville HCD has been identified. The 'Key Streetscape Overlay' reflects the significant and unique interface between open space, private properties and road right of ways along Water Street, Navy Street and Front Street.

These streetscapes define an important intact residential edge within the Old Oakville HCD, historic commercial centre and harbour road functions of Navy Street and Water Street, and characteristic narrow one-way laneway of Front Street.

The five landscape character areas and one streetscape overlay, share unique historic attributes as a group of properties within the Old Oakville HCD. The character areas are largely defined by the historical and experiential quality of Old Oakville's streetscape, landscape and tangible aspects of the community's development patterns. It is important to note that all five character areas and one overlay collectively contribute to the overall values and heritage attributes of the Old Oakville HCD, which will be carried through the development of district-wide guidelines in the updated plan and guidelines.

The Revised Study provides a detailed physical description of each character area, including key considerations for the future plan and guidelines to contemplate and a list of properties within each area. The areas build on the information and ideals of the 1982 Plan and will provide specialized guidance tailored to each area in the future plan and guidelines.

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### Policy Review

As required by the OHA for heritage conservation district studies, a review of the current planning and policy frameworks has been completed for the Old Oakville HCD.

### *Zoning*

In the town's zoning by-laws, the area is a primarily low-density residential neighbourhood with Waterfront Open Space and Parks and Open Spaces linkages along the creek and lake shorelines. Zoning By-law 2014-14 is intended to support compatible redevelopment within the HCD, however, an opportunity has been identified through the recent town study to re-examine the heights, front and side yard setbacks, and building heights to protect the cultural heritage value and heritage attributes of the Old Oakville HCD. This opportunity has been developed through the ongoing South Oakville Residential Zoning By-law Review to ensure that the heritage conservation goals of Old Oakville are appropriately reflected in town zoning.

### *Cultural heritage landscapes*

While the Old Oakville HCD is itself a cultural heritage landscape (CHL), there are also two smaller CHLs identified within the Old Oakville HCD: the Erchless Estate and the Oakville Harbour. Both CHLs are protected through recent Part IV designation by-laws and also have Conservation Plans specific to the values and attributes of their respective cultural heritage landscapes. At this time, there are no other potential cultural heritage landscapes identified within the Old Oakville area. The future plan and guidelines for the Old Oakville HCD will need to clearly identify how the overlapping CHLs are addressed to ensure clarity when managing change to impacted properties.

### *Livable Oakville Official Plan*

The Livable Oakville policies support the continued designation and boundary of the Old Oakville HCD, specifically section 5.2.1 (c) which states that the town may establish heritage conservation districts and adopt heritage conservation district plans for each district.

### Public Engagement

The *Old Oakville Heritage Conservation District Workplan* report that Planning and Development Council received in September 2021 emphasized that public engagement would be extremely important for the process to update the Old Oakville HCD. While the OHA does not have any statutory requirements for public meetings during the study phase outside of consultation with the municipal heritage advisory committee, staff is pleased to report that extensive public engagement has been ongoing since 2021.

The kick off public meeting for the Old Oakville Heritage Conservation District Update took place online on October 21, 2021. An additional presentation was made at the Oakville Lakeside Residents Association (OLRA) board meeting on February 9, 2022, to provide an introduction to the update process. When the consultants were retained in the late spring of 2022, they began work on the engagement strategy and were introduced to the OLRA at an online meet and greet in July 2022.

From September to October of 2022, staff met with various stakeholders, including Oakville Public Library staff, the Oakville Historical Society (OHS) at its Speaker's Night, and the OLRA for a walking tour of the district with the consultants.

In December 2022, a Public Information Meeting was held at St. John's Church to provide an update on the ongoing work. An online survey was opened in December 2022 to collect feedback on the approach to the draft Study, collecting 51 responses.

January and February of 2023 were busy reaching out to provide information on the recently released Bill 23 and its impact on the HCD update process, with staff meeting with the OLRA and the OHS to share information. As well, staff reached out to other stakeholders in the area, meeting with representatives from St. Jude's Anglican Church and the Oakville Museum and offering meetings with St. Andrew's Catholic Church and the Oakville Club. The latter two organizations indicated they would have greater involvement when the future plan and guidelines were under development.

In April 2023, two weeks after releasing the first version of the draft Revised Study for review, a Public Information Meeting was held at the Oakville Public Library. A second online survey was also released to request feedback on specific aspects of the draft Study, receiving 30 responses. In May 2023, staff met with the OLRA to receive additional feedback on the draft Revised study, resulting in a further six meetings from May to July 2023 to review and refine the property inventories.

The draft Revised Study was presented to the Heritage Oakville Advisory Committee (the Committee) in August 2023 and was well-received. Several stakeholders delegated at that meeting to request additional changes, including revisions to the landscape character areas. The Committee recommended to Council that:

*1. That the report titled 'Old Oakville Heritage Conservation District Update – Heritage Conservation District Study' dated August 2023, be endorsed, subject to:*

*a. Council's consideration of additional budget to provide for more engagement with stakeholders regarding the Landscape Character Areas in the District Study; and*

*2. That the work proceed on the 'Old Oakville Heritage Conservation District Plan and Guidelines' forthwith.*

Additional budget was provided for more engagement with stakeholders and work continued through the fall of 2023. The consultants, staff and members of the OLRA met in November 2023 to walk the Old Oakville HCD and discuss suggested revisions. This process resulted in changes to the landscape character areas in the Revised Study that more appropriately reflect the values of the community while remaining defensible by the consultants.

Public engagement on the process to update the Old Oakville HCD has been very successful and the input of the community has helped to refine the Revised Study.

Conclusion and Next Steps

In September 2021, Planning and Development Council received the *Old Oakville Heritage Conservation District Workplan* which directed staff to begin the process to update the Old Oakville Heritage Conservation District, beginning with the district study. The Revised Study for the Old Oakville HCD Conservation District Update is a result of intense public engagement and reflects all requirements of the *Ontario Heritage Act* for heritage conservation districts. The Revised Study forms the basis on which a new plan and guidelines can be created to conserve the cultural heritage values and heritage attributes of this unique and historic neighbourhood of Oakville.

The next phase of the process to update the Old Oakville Heritage Conservation District will continue to build on the engagement and stakeholder relationships formed during study process. The new plan and guidelines should reflect community input and values, as well as best practices in heritage conservation and fulfill current legislative requirements. Staff anticipates bringing forward the new plan and guidelines for additional feedback and review from stakeholders and the Heritage Oakville Advisory Committee in Q2 of 2024 and then on to Council for final consideration of the plan and guidelines and a new heritage conservation district by-law. Staff thanks all participants in the update to the Old Oakville Heritage Conservation District and looks forward to working with them throughout the next phase.

**CONSIDERATIONS:**

**(A) PUBLIC**

Public engagement for a Heritage Conservation District Study is not required by the *Ontario Heritage Act*; however, extensive engagement has been undertaken beginning in October 2022 to today, as outlined in the staff report.

**(B) FINANCIAL**

The Old Oakville Heritage Conservation District Update budget has been increased and approved in response to Council direction and an evolving project scope.

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

Impacted departments throughout the town have been consulted on the Revised Study and will continue to be involved in the creation of the Plan and Guidelines.

**(D) COUNCIL STRATEGIC PRIORITIES**

This report addresses Council's strategic priorities of Community Belonging, Environmental Sustainability and Accountable Government.

**(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 conservation of Oakville's cultural and natural heritage resources, including stewardship under the Old Oakville Heritage Conservation District, supports the positive actions taken by Council to reduce carbon footprints.

**APPENDICES:**

Appendix A – Old Oakville Heritage Conservation District – Revised Study  
(Note: the appendices to the Revised Study can be found online at [Old Oakville Heritage Conservation District Update](#)).

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