



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: April 8, 2024

FROM: Planning Services Department

DATE: March 26, 2024

SUBJECT: Notice of intention to designate – 159 Balsam Drive – April 8, 2024

LOCATION: 159 Balsam Drive

WARD: Ward 3

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RECOMMENDATION:

That a notice of intention to designate be issued under section 29, Part IV of the *Ontario Heritage Act* for the Thomas and Electa Leach House at 159 Balsam Drive.

KEY FACTS:

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

- As part of the Heritage Designation Project 2023-2025, staff has evaluated the subject property and consider it worthy of conservation and heritage designation.
- Staff is recommending that the subject property be designated under section 29, Part IV of the *Ontario Heritage Act* and that a notice of intention to designate be issued by Council for the property.

BACKGROUND:

In October 2022, Ontario's Ministry of Municipal Affairs and Housing introduced Bill 23, *More Homes Built Faster Act, 2022*. The bill included several amendments to the *Ontario Heritage Act*, including a two-year time limit for listed properties to remain on municipal heritage registers. In early 2023, Policy Planning & Heritage initiated the Heritage Designation Project 2023-2025 to designate approximately 80 listed properties prior to their required removal from Oakville's Heritage Register on January 1, 2025. The subject property of this report was included as a priority within that list.

A location map for the subject property is attached as Appendix A. A Cultural Heritage Evaluation Report (CHER) has been prepared by staff for the property and

is attached as Appendix B. A draft Notice of Intention to Designate has also been prepared by staff and is attached as Appendix C.

COMMENT/OPTIONS:

The Province of Ontario has made a clear commitment to the conservation of significant cultural heritage resources through its legislation and policies, including the *Ontario Heritage Act* (2021), *Planning Act* (1990, as amended) *Provincial Policy Statement* (2020), the Growth Plan for the Greater Golden Horseshoe (2019).

The *PPS* (2020) and Growth Plan (2019) function together with the *Ontario Heritage Act* (OHA) by the shared principle that cultural heritage resources shall be conserved. The OHA sets out the procedures for evaluating and protecting heritage resources at the provincial and municipal levels. This includes the use of Ontario Regulation 9/06 as the means for determining if a property has cultural heritage value.

This commitment to heritage conservation continues at the regional and municipal level through supportive objectives and directions outlined in the Region of Halton Official Plan and the town's Livable Oakville Plan and North Oakville East and West Secondary Plans.

In accordance with the OHA, a property must meet at least two criteria of Ontario Regulation 9/06. The property at 159 Balsam Drive has been evaluated using these criteria. Staff considers the property to meet at least two or more of these criteria, and it therefore merits designation under section 29, Part IV of the OHA. The attached Cultural Heritage Evaluation Report provides more details on the cultural heritage value of the property.

Also attached is a draft Notice of Intention to Designate. This provides a clear outline of the property's cultural heritage value and the heritage attributes recommended for protection and conservation through a future designation by-law.

A separate staff report recommending designation of the property at 159 Balsam Drive was presented to the Heritage Oakville Advisory Committee on February 27, 2024. The Committee supported the designation of the property.

CONSIDERATIONS:

(A) PUBLIC

If notice is to be issued for the designation of the property, notice will be given in accordance with the town's *Ontario Heritage Act* Alternative Notice Policy.

(B) FINANCIAL

There are no financial considerations.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

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

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses Council's strategic priorities: 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 retention and conservation of this historic building through heritage designation contributes to the town's initiatives to reduce carbon footprints.

APPENDICES:

Appendix A – Location Map

Appendix B – Cultural Heritage Evaluation Report

Appendix C – Draft Notice of Intention to Designate

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