



OAKVILLE

## REPORT

### Planning and Development Council

Meeting Date: April 8, 2024

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**FROM:** Planning Services Department

**DATE:** March 26, 2024

**SUBJECT:** Notice of Intention to Designate – 3175 Lakeshore Road West

**LOCATION:** 3175 Lakeshore Road West

**WARD:** Ward 1

Page 1

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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 Cudmore House at 3175 Lakeshore Road West.

#### **KEY FACTS:**

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

- Consent to Sever Application B23/09 (1732) for the property at 3175 Lakeshore Road West proposed removing a portion of the subject property, which is listed under s.27 of the *Ontario Heritage Act* on the Oakville Register of Properties of Potential Cultural Heritage Value or Interest.
- Heritage Planning staff has also identified the subject property as a candidate for heritage designation as part of the Heritage Designation Project 2023-2025. Staff has evaluated the subject property and considers 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 notice of intention to designate be issued by Council.

#### **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 minor variance and consent to sever have been submitted to the Town of Oakville and were deferred at the Committee of Adjustment meeting on September 19, 2023 to a future meeting in order to give the applicant additional time to resolve outstanding issues. A Heritage Impact Assessment was provided as part of that consent application that recognized the property meets two or more of the O.Reg 9/06 criteria. A condition of approval is *“That Oakville Town Council be given the opportunity to consider designation for the retained portion of the property, known as ‘Cudmore House’ under Section 29, Part IV of the Ontario Heritage Act prior to any consent being finalized for the creation of the proposed new lot.”* The Heritage Impact Assessment is attached as Appendix A.

A Cultural Heritage Evaluation Report (CHER) has also been prepared by staff for the subject property. This document provides an overview of each of the property’s history, current condition and cultural heritage value, separate from the consent application. This document 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 subject property has been evaluated using these criteria. Staff considers this property to meet at least two or more of these criteria, and therefore

the property 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 3175 Lakeshore Road East was presented to the Heritage Oakville Advisory Committee on March 26, 2024. The Committee supported the designation of the property.

**CONSIDERATIONS:**

**(A) PUBLIC**

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

**(B) FINANCIAL**

There are no financial implications to consider.

**(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 historic buildings through heritage designation contributes to the town's initiatives to reduce carbon footprints.

**APPENDICES:**

Appendix A – Heritage Impact Assessment

Appendix B – Cultural Heritage Evaluation Report – 3175 Lakeshore Road West

Appendix C – Draft Notice of Intention to Designate

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