

REPORT

Planning and Development Council

Meeting Date: May 21, 2024

FROM: Planning Services Department

DATE: May 14, 2024

SUBJECT: Old Oakville Heritage Conservation District Process Update

LOCATION: Old Oakville Heritage Conservation District

WARD: Ward 3

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RECOMMENDATION:

That the “Next Steps” in the report ‘*Old Oakville Heritage Conservation District Process Update*’ by the Planning Services department dated May 14, 2024, be endorsed in accordance with s.41.1 (7) of the *Ontario Heritage Act*.

KEY FACTS:

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

- The Old Oakville Heritage Conservation District (the District) was established in 1981. Heritage Planning staff have been working closely with the community to update the heritage conservation district study and the plan and guidelines.
- This report sets out the process that Planning staff will follow to complete the final requirements under the *Ontario Heritage Act* for the new plan and guidelines before asking Council to consider the passing of a new District by-law.

BACKGROUND:

Established in 1981, the Old Oakville Heritage Conservation District is Oakville's first designated district, and one of the first in Ontario. This historically significant district extends south of Robinson Street to the lakefront from the Sixteen Mile Creek in the west to Allan Street in the east.

The district boasts early vernacular homes, nineteenth-century lakeside cottages, turn-of-the-century luxury houses and churches. Architectural styles are diverse and include 19th-century Georgian, Neo-Classical, Victorian and Classical Revival, many

of which are a vernacular interpretation of the style. The intimate atmosphere of the Old Oakville Heritage District provides two picturesque waterfront parks, Dingle and Lakeside Park, as well as Oakville Museum at Erchless Estate.

The Old Oakville Heritage Conservation District Plan has served the community well for 40 years and has been instrumental in maintaining the unique character of this residential area. With changes to the *Ontario Heritage Act* (the Act) in 2005 and 2021, the Plan requires updating to meet the requirements of current legislation.

There is no process in the Act to update existing heritage conservation district plans and therefore the full process for the creation of a heritage conservation has been followed throughout the ongoing process to update the Old Oakville Heritage Conservation District.

COMMENT/OPTIONS:

The *Ontario Heritage Act* requires two components to be completed prior to passing a by-law to designate a heritage conservation district under section 41, Part V of the Act. The first component is a study, as defined under section 40, Part V of the Act. The Old Oakville Heritage Conservation District Study was completed in accordance with the Act and approved by Council on February 5, 2024 and Council directed staff to move forward with the creation of a new plan and guidelines.

The first draft of the new plan and guidelines was released on February 21, 2024. A public meeting to review the contents of the new plan and receive feedback from stakeholders was held on March 21, 2024. Additional consultation was undertaken with stakeholders as required, including the Oakville Lakeside Residents Association and feedback was also provided to staff via email.

The second draft of the new plan and guidelines, which has been revised to address the feedback received from stakeholders, will be publicly available for review by the end of May.

Next Steps

Part V of the *Ontario Heritage Act* sets out the next steps that must be observed before final adoption of the new plan in s.41.1 (6) - (12) as follows:

Consultation

(6) Before a by-law adopting a heritage conservation district plan is made by the council of a municipality under subsection 41 (1) or under subsection (2), the council shall ensure that,

- (a) information relating to the proposed heritage conservation district plan, including a copy of the plan, is made available to the public;*

- (b) at least one public meeting is held with respect to the proposed heritage conservation district plan; and*
- (c) if the council of the municipality has established a municipal heritage committee under section 28, the committee is consulted with respect to the proposed heritage conservation district plan. 2005, c. 6, s. 31.*

Notice of public meeting

(7) The clerk of a municipality shall give notice of a public meeting to discuss a proposed heritage conservation district plan in such manner as the council of the municipality determines is appropriate and to such persons and bodies the council believes may have an interest in the plan. 2005, c. 6, s. 31.

Time of public meeting

(8) The public meeting shall take place 20 days after notice is given under subsection (7) or at such later time as may be specified in the notice. 2005, c. 6, s. 31.

Oral representations

(9) Any person attending the public meeting shall be given an opportunity to make oral representations with respect to the plan. 2005, c. 6, s. 31.

Information provided at meeting

(10) The council of a municipality shall ensure that information is provided to persons attending a public meeting explaining that, in accordance with subsection 41 (8), a person who does not raise objections to the adoption of a proposed heritage conservation district plan by making oral representations under subsection (9) or written submissions under subsection (11) may be later denied an opportunity to appeal the passing of a by-law adopting the plan under subsection 41 (1) or under subsection (2). 2005, c. 6, s. 31.

Written submissions

(11) Any person or body may make written submissions with respect to a proposed heritage conservation district plan to the council of a municipality at any time before the by-law adopting the plan is made. 2005, c. 6, s. 31.

Copies of proposed plan available

(12) The council shall provide copies of a proposed heritage conservation district plan to any person upon request.

In accordance with the above provisions, Planning staff anticipate bringing the revised draft of the new plan and guidelines to Planning and Development Council on June 24, 2024 for the statutory public meeting required under section 41.1 (6) (b). This meeting will require 20 days notice in accordance with section 41.1 (8). Notice will be mailed to all owners of property within the District, posted on the town's website, emailed to all stakeholders who have requested to be part of the District Update mailing list and shared with groups including the Oakville Lakeside Residents Association and the Oakville Historical Society. The notice will include the meeting date, time and location, as well as a link to the plan and guidelines on the town's website and the information required by section 41 (10).

Input received at the statutory public meeting will be considered for additional revisions to the new plan and guidelines.

The Act also requires consultation with the municipal heritage committee as per section 41.1 (6) (c). It is staff's intention to bring forward the revised new plan and guidelines to the Heritage Oakville Advisory Committee following the statutory public meeting at their July or August meeting. Feedback from the Heritage Oakville Advisory Committee will be considered, and the final draft of the new plan and guidelines is anticipated to be brought forward to Planning and Development Council with the new District by-law in September 2024.

Conclusion

The process to update the Old Oakville Heritage Conservation District has included extensive stakeholder consultation which will result in a new plan and guidelines that reflects the community's feedback and values. This report sets out the procedural context that Planning staff will follow to complete all requirements under the *Ontario Heritage Act* for the new plan and guidelines for the Old Oakville Heritage Conservation District.

CONSIDERATIONS:**(A) PUBLIC**

The public and stakeholders for the Old Oakville Heritage Conservation District will be notified of the statutory public meeting in accordance with town policies.

(B) FINANCIAL

There are no additional budget implications at this time.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The Legal Department has reviewed this report.

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses Council's strategic priorities of 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. An update to the Old Oakville Heritage Conservation District supports the conservation of Oakville's heritage resources. The greenest building is the one that already exists.

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