



OAKVILLE

## REPORT

### Heritage Oakville Advisory Committee

Meeting Date: February 25, 2025

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**FROM:** Planning and Development Department

**DATE:** February 11, 2025

**SUBJECT:** Old Oakville Heritage Conservation District Plan and Guidelines

**LOCATION:** Old Oakville

**WARD:** Ward 3 Page 1

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#### RECOMMENDATION

1. That the Heritage Oakville Advisory Committee endorse the adoption of the Old Oakville Heritage Conservation District Plan and Guidelines dated February 2025 as the Heritage Conservation District Plan required by section 41.1 (1) of the *Ontario Heritage Act*, attached as Appendix A to the report dated February 11, 2025, from the Planning and Development Department; and,
2. That the Heritage Oakville Advisory Committee endorse the designation of the Old Oakville Heritage Conservation District under Section 41 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 has been in place since it received Council and OMB approval in 1982.
- The Old Oakville Heritage Conservation District Plan and Guidelines that serves to manage change in Old Oakville has not been updated since that time.
- The planning process to update the District Plan and Guidelines was started in 2021 and consists of two major components – the District Study and a new District Plan and Guidelines.
- In February 2024, Council approved the District Study component that describes and evaluates the cultural heritage value of the Old Oakville Heritage Conservation District.

- On February 3, 2025, the statutory public meeting for the Old Oakville Heritage Conservation District Plan and Guidelines was held at Planning and Development Council. Feedback received at that meeting and provided by stakeholders has been considered for this revision of the District Plan and Guidelines.
- The Heritage Oakville Advisory Committee is required to be consulted with respect to the proposed heritage conservation district plan by section 41.1(6) c of the *Ontario Heritage Act*.
- Highlights of the draft Old Oakville Heritage Conservation District Plan and Guidelines are presented along with how feedback has been addressed.
- The report also identifies the requirements for this planning process under the *Ontario Heritage Act* as well as the update process undertaken by the town featuring an extensive and responsive public engagement program.

## BACKGROUND

Established in 1981, the Old Oakville Heritage Conservation District (the District) is Oakville's first designated district, and one of the first in Ontario. This historically significant area extends south of Robinson Street to the lakefront, and from the Sixteen Mile Creek in the west to Allan Street in the east. The intimate atmosphere of the District provides two picturesque waterfront parks, Dingle Park and Lakeside Park, as well as Oakville Museum at Erchless Estate.

The District features 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. "Vernacular" architecture is a style of regional or local building that uses conventional supplies and resources from the region in which the building is situated.

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

The Act does not prescribe a process for an update to an existing heritage conservation district plan. It does however prescribe a process for the creation of a new heritage conservation district. This is the process undertaken by the town to provide for the District Plan Update.

As part of this process, section 41 of the Act requires that two components be completed prior to passing a by-law to designate a heritage conservation district.

The first component is a study, as defined under section 40 of the Act. The Old Oakville Heritage Conservation District Study was completed in accordance with this provision and approved by Council at the [Planning and Development Council meeting of February 5, 2024](#).

At the meeting, Council also directed staff to continue the work on the District Plan Update and to create a revised District Plan and Guidelines. This second component would further satisfy the stated requirements of the Act.

The statutory public meeting required by section 41.1 (6) b of the Act was held on [February 3, 2025 at Planning and Development Council](#). The full list of statutory requirements for heritage conservation district plans and processes can be found within that staff report. Comments provided to staff in advance and at that meeting have been considered for the revision of draft District Plan and Guidelines that is attached as Appendix A to this report.

## COMMENTS

### **Highlights of the Draft District Plan and Guidelines**

*Section 5 – Guidelines for Managing Change* will be the most utilized part of the document. The formulation of this section has benefitted from a high degree of engagement, review and recommendations by key stakeholders and staff.

Section 5 features five Character Areas that were identified in the Heritage Conservation District Study. These areas provide a framework that acknowledges distinct features through the historic, streetscape and landscape analysis of Old Oakville's evolving urban fabric. Specific guidance is provided for each Area:

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

The balance of Section 5 provides direction for managing change based on a classification of properties within the District as contributing or non-contributing. Within the District, ninety properties (70% of all properties) have been identified as contributing properties.

Contributing properties exhibit physical heritage attributes which directly contribute to the cultural heritage value or interest of the District. They support the identified cultural heritage values from the Statement of Cultural Heritage Value or Interest,

and they have met more than two criteria as identified as per the *Ontario Heritage Act* and the criteria outlined in O. Reg. 9/06.

Non-contributing properties do not exhibit that threshold amount of cultural heritage value as per the criteria in O. Reg. 9/06. Non-contributing properties are included in the guidelines to provide appropriate consideration of proposed changes to the entire district, especially surrounding properties.

Section 5 continues with guidelines regarding property level changes as well as direction for classes of alterations, use of specific materials and additions to buildings and properties and landscape guidelines.

### **Personnel, Participants and Public Engagement for the District Plan Update**

For a complete description of all engagement for the update to the Old Oakville Heritage Conservation District, please refer to the staff report for the Statutory Public Meeting that took place on [February 3, 2025 at Planning and Development Council](#).

At the February 3, 2025, Statutory Public Meeting, Council identified areas that they would like additional information in advance of making a decision.

#### **Summary of additional information requested by Council:**

- Consideration should be given to the feedback from the Oakville Lakeside Resident's Association regarding height, scale and massing
- Staff should be given more credit for writing the Plan and Guidelines

#### **Comments Received**

Public input on the draft District Plan and Guidelines has been received and carefully considered by staff. These responses have been broken down to reflect different interests from various stakeholders.

##### *Mississaugas of the Credit First Nation (MCFN)*

Comments from MCFN are attached as Appendix B to the staff report. Changes have been requested to the Statement of Cultural Heritage Value or Interest and to the description of the Character Areas to use appropriate language and references.

##### *Six Nations of the Grand River (Six Nations)*

Comments from Six Nations are attached as Appendix C to the staff report. Changes have been requested to the Statement of Cultural Heritage Value or Interest, and the list of Heritage Attributes. Consideration of more environmentally friendly guidance relating to the Indigenous cultural heritage landscape, especially the planting of native species and retention of mature trees.

### *Residents and Local Stakeholders*

Communication has been received from individual residents, local historians, and the Heritage Sub-Committee of the Oakville Lakeside Residents Association. These are attached as Appendix D to the staff report. Several questions and issues have been raised through the engagement process, including:

- Concern that the guidelines for height, scale and massing for additions to buildings needs to be strengthened and clarified
- Ensuring that demolition requirements for non-contributing properties are fair and equitable
- Concerns that the existing zoning does not appropriately address height, scale, massing and setbacks and therefore should not be mentioned in the District Plan and Guidelines
- Minor corrections of construction dates and images for specific properties
- More images should be included in Section 5 Guidelines

These comments have been reviewed by staff and the consulting team and have been considered in the revised Draft Plan and Guidelines as follows:

### ***Height, Scale and Massing***

Stakeholders have concern regarding overly permissive, or unclear guidelines for additions to both contributing and non-contributing properties. There is specific concern with permission to construct additions that are higher than the existing buildings. This has been addressed through new wording that only permits additions that are higher than the existing building in extenuating circumstances, not as-of-right. A proposal to construct an addition taller than the existing building would be reviewed on a case-by-case basis to ensure that it does not have a negative impact on the property, Character Area or District.

### ***Demolition Requirements***

To improve clarity about the demolition requirements for non-contributing properties, wording has been adjusted. Non-contributing properties can be demolished, as they do not directly contribute to the cultural heritage value or interest of the District. The only restriction for demolition is the approval of the new proposed building at the same time as the demolition to avoid premature demolitions that leave empty lots within the District and disrupt its character.

### ***Zoning Concerns***

Planning staff recognize that updates to the Town of Oakville's Zoning By-law would assist in strengthening the objectives and guidelines of the District Plan and Guidelines. Consideration for new zoning provisions for the town's heritage conservation districts is in progress. Staff has maintained the references to the Zoning By-law in the District Plan and Guidelines to remain consistent with other district plans in Oakville.

**Minor Edits, Additional Photos**

Staff has corrected various errors as noted by stakeholders. To provide more images within the Section 5 Guidelines, the images previously contained within Appendix G – Photographic Examples have been moved into the appropriate sections within 5.3 – Guidelines for Contributing Properties. Additionally, several examples have been added to Appendix E – Examples of Good Neighbours.

**CONCLUSION**

The Old Oakville Heritage Conservation District Plan and Guidelines are the result of extensive community engagement meshed with best practices in heritage conservation. The revised Old Oakville Heritage Conservation District Plan and Guidelines has retained many of the principles of heritage conservation that were embodied in the original plan, but aims to be more user-friendly, clear and consistent, while also adhering to the heritage conservation standards that the town adopted in the *Standards and Guidelines for the Conservation of Historic Places in Canada*.

The revised Old Oakville Heritage Conservation District Plan and Guidelines do not propose any changes to the boundary of the District, except for the inclusion of the properties at 8 Navy Street and 144 Front Street which were previously excluded from the heritage district due to designation under Part IV of the *Ontario Heritage Act*. Changes to the *Ontario Heritage Act* in 2005 allowed Part IV properties to also be designated under Part V of the Act as part of a heritage conservation district.

The District Plan and Guidelines meet all the requirements of the *Ontario Heritage Act* and staff are confident that it is a defensible and reasonable plan for the management of heritage resources in the Old Oakville Heritage Conservation District.

Staff recommend that the Heritage Oakville Advisory Committee endorse the proposed resolutions which will be presented to Council on March 17, 2025, and would satisfy the requirements of the *Ontario Heritage Act* by passing a District by-law and adopting the District Plan and Guidelines in the same by-law.

**CONSIDERATIONS****(A) PUBLIC**

The public and stakeholders for the Old Oakville Heritage Conservation District have been notified of the statutory public meeting following town policies and the statutory requirements of the *Ontario Heritage Act*.

**(B) FINANCIAL**

There are no financial considerations associated with this item.

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

The draft District Plan and Guidelines has been circulated for review and comment to town departments that may be impacted, including Building Services, Parks and Open Space, Forestry Services, Roads and Works, Transportation and Engineering, and Legal. Feedback provided has been incorporated into the Draft District Plan and Guidelines attached to this report.

**(D) COUNCIL STRATEGIC PRIORITIES**

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

**(E) CLIMATE CHANGE/ACTION**

Town Council declared a Climate Emergency in June 2019 for the purpose of strengthening Oakville's community commitment to reduce carbon footprints. This update to the Old Oakville Heritage Conservation District Plan and Guidelines supports the conservation of Oakville's cultural heritage resources, including built heritage. The greenest and most sustainable building is the one that already exists.

**APPENDICES**

Appendix A – Draft Old Oakville Heritage Conservation District Plan and Guidelines dated February 2025

Appendix B – Comments from Mississaugas of Credit First Nation

Appendix C – Comments from Six Nations of the Grand River

Appendix D – Comments from Residents and Local Stakeholders

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