



OAKVILLE

## REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: NOVEMBER 23, 2020

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**FROM:** Planning Services Department

**DATE:** November 18, 2020

**SUBJECT:** Notice of Intention to Demolish - 93 Bronte Road

**LOCATION:** 93 Bronte Road

**WARD:** 1

Page 1

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### RECOMMENDATION:

1. That the property at 93 Bronte Road be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest;
2. That, prior to demolition, the property owners allow for the salvage of historic materials from the house;
3. That the property owner enter into a heritage easement agreement with the Town prior to the demolition of the building in order to ensure the history of the area is commemorated within any future development of this site; and
4. That the Town Solicitor be authorized to discharge the heritage easement agreement from title, at the expense of the owner, once the requirements in the agreement have been satisfied to the satisfaction of the Manager of Policy Planning and Heritage.

### KEY FACTS:

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

- The subject property is on the Oakville Register of Properties of Cultural Heritage Value or Interest as a listed property.
- A Notice of Intention to Demolish has been received with a supporting Heritage Impact Assessment.
- It is recommended that the property at 93 Bronte Road *not* be designated under the *Ontario Heritage Act* and that the property be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest.
- The subject notice must be dealt with by Council by December 22, 2020.

From: Planning Services Department  
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**BACKGROUND:**

The subject property is located on the east side of Bronte Road, just south of Lakeshore Road West. A location map for the property is attached as Appendix A. The agent for the property has submitted a heritage impact assessment report, which is attached as Appendix B.

The property was listed on the Oakville Register of Properties of Cultural Heritage Value or Interest (Not Designated) in 2009 when 354 properties were added to the Heritage Register. The property was added based on its potential cultural heritage value or interest for its historic vernacular frame house.

The property owner and agents have submitted a notice of intention to demolish for the removal of the house. The application was completed on October 23, 2020. In accordance with the *Ontario Heritage Act*, Council has 60 days to consider the request. The 60 day notice period expires on December 22, 2020.

The Heritage Oakville Advisory Committee reviewed the report and heritage impact assessment and endorsed the staff recommendation at their meeting on November 17, 2020.

**COMMENT/OPTIONS:**

When a notice of intention to demolish is submitted for a listed property, Heritage Planning staff complete and/or review research to determine the architectural, historical, and contextual merits of the property. Through this process, the property is evaluated to determine if it is worthy of designation under the *Ontario Heritage Act*. If the property meets criteria outlined in Ontario Regulation 9/06 and is considered to merit designation, a recommendation can be made to Heritage Oakville and to Council that a notice of intention to designate be issued for the property. If Council supports a recommendation to designate, Council must move that a notice of intention to designate be issued within 60 days of the notice of intention to demolish being submitted to the Town.

If the staff investigation of the property does not provide sufficient evidence that the property merits designation, a recommendation can be made to remove the property from the Oakville Register of Properties of Cultural Heritage Value or Interest. If Council supports the staff recommendation and does not issue a notice of intention to designate the property within the 60 days, the property is removed from the Oakville Register of Properties of Cultural Heritage Value or Interest and the owner may then proceed with applying for demolition.

**Research and Review**

The property owner submitted a heritage impact assessment report (HIA) by Cushing Design Group, who have researched and evaluated the property's heritage

From: Planning Services Department  
Date: November 18, 2020  
Subject: Notice of Intention to Demolish - 93 Bronte Road

value based on Ontario Regulation 9/06. Based on staff's review of the submitted HIA, the property is not considered to have sufficient cultural heritage value or interest to warrant designation under s. 29, Part IV of the *Ontario Heritage Act*.

The vernacular frame house was constructed between 1895 and 1905 and has limited design/physical value as it is not a rare or unique or early example of this style of architecture, nor does it display a high degree of craftsmanship or artistic merit. It has also been heavily modified, with most historic materials being replaced over the years. The subject building is not considered a significant representative of any particular style or design, including 'Oakville vernacular'.

In terms of historic/associative value, the property is associated with John Ingledew, the second Postmaster of Bronte Village. Also listed in the census as a merchant, the connection to Ingledew is considered interesting, but not significant enough in itself to warrant designation. The property does not demonstrate nor does it reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant to this community.

Contextually, the property is historically and functionally linked to the local area, but the connections have weakened with the loss of surrounding heritage fabric in downtown Bronte. The subject property is not a landmark within the community.

### Review of Applicable Planning Policies

#### *Provincial Policy*

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* (2005), *Planning Act* (1990, as amended) *Provincial Policy Statement* (2020), the *Growth Plan for the Greater Golden Horseshoe* (2019).

Section 2.6 of the *Provincial Policy Statement (PPS) 2020* relating to Cultural Heritage and Archaeology states:

*2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.*

The *PPS (2020)* defines "significant", in regard to cultural heritage and archaeology, as:

*...resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or*

From: Planning Services Department  
Date: November 18, 2020  
Subject: Notice of Intention to Demolish - 93 Bronte Road

*interest are established by the Province under the authority of the Ontario Heritage Act.*

Further, the *PPS (2020)* and *Growth Plan (2019)* both define "conserved" as:

*the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained...*

The equivalence given to conserving built heritage resources and cultural heritage landscapes in the *PPS (2020)* is important, as it reinforces the broad scope of the *Ontario Heritage Act* beyond its initial focus on built heritage.

The *PPS (2020)* and *Growth Plan (2019)* function together with the *Ontario Heritage Act* by the shared principle that cultural heritage resources shall be conserved. The *Ontario Heritage Act* 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.

The evaluation of the property at 93 Bronte Road has not demonstrated that the property has sufficient cultural heritage value to be considered a cultural heritage resource that warrants protection through the *PPS (2020)*, *Growth Plan (2019)* and *Ontario Heritage Act*.

#### *Town Policy*

##### The Livable Oakville Plan

Section 5 of the Livable Oakville Plan states "Conservation of cultural heritage resources forms an integral part of the Town's planning and decision making. Oakville's cultural heritage resources shall be conserved so that they may be experienced and appreciated by existing and future generations, and enhance the Town's sense of history, sense of community, identity, sustainability, economic health and quality of life." Further, Section 5.3.1 of the Livable Oakville Plan states 'the Town shall encourage the conservation of cultural heritage resources identified on the register and their integration into new development proposals through the approval process and other appropriate mechanisms.' The Livable Oakville Plan is clear that cultural heritage resources should not only be conserved, but also incorporated into new developments. Commemoration is not considered 'conservation'.

As the property at 93 Bronte Road has not been identified as having significant cultural heritage value or interest through the application of provincial policies such

From: Planning Services Department  
Date: November 18, 2020  
Subject: Notice of Intention to Demolish - 93 Bronte Road

as Ontario Regulation 9/06, it is not required to be conserved through the cultural heritage policies of the Livable Oakville Plan.

### *Conclusion*

Based on staff's review of the Heritage Impact Assessment for the property, the building at 93 Bronte Road is not considered to have significant cultural heritage value and therefore does not merit designation under section 29, Part IV of the *Ontario Heritage Act*. The Heritage Oakville Advisory Committee endorsed this recommendation on November 17, 2020.

However, the property does have some interesting historic associations with John Ingledew and the historic Bronte Village that would be worthy of commemoration on the property within a new development. In order to ensure the commemoration occurs, staff recommend that the Town of Oakville enter into a heritage easement agreement with the property owner. The heritage easement agreement would be lifted following the completion of the commemorative works.

Staff also recommend that the owner allow for the salvaging architectural elements of the building where there is interest. It has become a standard practice to include this as a condition as it allows for the retention and re-use of these features and keeps these items from going to the landfill.

## **CONSIDERATIONS:**

### **(A) PUBLIC**

None

### **(B) FINANCIAL**

None

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

Heritage Planning staff will work with the Legal department to draft the heritage easement agreement.

### **(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS**

This report addresses the corporate strategic goal to:

- enhance our cultural environment
- be the most livable town in Canada

From: Planning Services Department  
Date: November 18, 2020  
Subject: Notice of Intention to Demolish - 93 Bronte Road

**(E) COMMUNITY SUSTAINABILITY**

The subject report generally complies with the sustainability objectives of the Livable Oakville Plan.

**APPENDICES:**

Appendix A – Location Map  
Appendix B – Heritage Impact Assessment

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