

## REPORT

### PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: JANUARY 15, 2018

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**FROM:** Planning Services Department

**DATE:** December 20, 2017

**SUBJECT:** Notice of Intention to Designate - 191 Burnhamthorpe Road East

**LOCATION:** 191 Burnhamthorpe Road East

**WARD:** 5

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#### RECOMMENDATION:

That a Notice of Intention to Designate under Part IV, Section 29 of the *Ontario Heritage Act* for the connected barn on the property at 191 Burnhamthorpe Road East be issued.

#### KEY FACTS:

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

- The property at 191 Burnhamthorpe Road East is listed on the Oakville Heritage Register as a non-designated property of potential cultural heritage value or interest for its historic farmstead, including barns and outbuildings, historically associated with the agricultural development of Trafalgar Township;
- In support of their Notice of Intention to Demolish the applicants submitted a Heritage Impact Assessment authored by Golder Associates;
- Town staff have reviewed the Heritage Impact Assessment and recommend that the connected barn on the property has significant cultural heritage value that merits protection through designation under Part IV, Section 29 of the *Ontario Heritage Act*.
- The subject notice must be dealt with by Council by January 22, 2018.

#### BACKGROUND:

The subject property is located on the north side of Burnhamthorpe Road East, west of Trafalgar Road and east of Sixth Line. A location map of the property is attached as Appendix A.

The property was listed on the Oakville Register of Properties of Cultural Heritage Value or Interest (Not Designated) as it showed potential cultural heritage value for its historic farmstead, including barns and outbuildings, historically associated with the agricultural development of Trafalgar Township. Specifically, the property

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contains a 1952 farmhouse; a connected barn; a complex of four other agricultural buildings; a group of silos and a grain truck weighing platform.

The owner has submitted a notice of intention to demolish for the buildings on the property, which was completed on November 23, 2017. In accordance with the *Ontario Heritage Act*, Council has 60 days to consider the request. The 60-day notice period expires on January 22, 2018. As part of the notice of intention to demolish, the applicant has submitted a Heritage Impact Assessment (attached as Appendix B).

This property was also included in Phase One of the implementation of the Cultural Heritage Landscape Strategy. An inventory report was completed by Laurie Smith Heritage Consulting for the property (attached as Appendix C). The priority rating for the property was identified as low due to previous loss of historic resources on the property.

#### **COMMENT/OPTIONS:**

##### Evaluation of Property

When a notice of intention to demolish is submitted for a listed property, research is completed, either by the applicant or Heritage Planning staff, 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 Heritage Register. 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 Heritage Register and the owners may then proceed with applying for demolition.

##### Research and Review

Heritage Planning staff reviewed both the Heritage Impact Assessment completed by Golder Associates on behalf of the applicant, hereinafter the HIA, (Appendix B) and the Town's Cultural Heritage Landscape Strategy Implementation Phase One: Inventory, *Inventory Report: 191 Burnhamthorpe Rd. East, McDuffie Farm*, hereinafter the Inventory Report, (Appendix C) and conducted two site visits. From careful review of all information available, it is Heritage Planning staff's opinion that

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the subject property merits protection for its connected barn which, as one of the best preserved and intact examples of historic barns in Oakville, has cultural heritage value according to Ontario Regulation 9/06 (evaluation attached as Appendix D).

#### *Design/Physical Value*

The following is a description of the existing buildings, structures and features on the site and their respective cultural heritage value:

- Farmhouse – The 1952 farmhouse is a one-and-a-half-storey, gable-roofed, red brick structure constructed in the Minimal Traditional style of architecture. However, the farmhouse is not rare or unique, and at the time of its construction it was built using common methods and techniques. Therefore, inclusion of the farmhouse as a heritage attribute in a designation by-law for the property is not recommended.
- Connected barn – The connected barn is rare, representative and an early heritage attribute which provides context to the property as a former farm complex. The connected barn should be included as a heritage attribute in the property's designation by-law.
- Outbuildings, silos and truck weigh scale – The outbuildings, silos and truck weigh scale are not rare or unique, and at the time of their construction they were built using common methods and techniques. Therefore, inclusion of the farmhouse in the designation by-law for the property is not recommended.

In summary, the connected barn is a diminishing resource and has significance as a rare, representative and early built heritage attribute. Various recent features that relate to the 20th century agricultural use of the property, including but not limited to the 1952 farmhouse, (constructed to replace the original 19th century farmhouse) are not considered to be of cultural heritage value and would not be identified as heritage attributes.

#### *Historic/Associative Value*

Heritage Planning staff are of the opinion that the property has historic/associative value for its association with the McDuffe (or McDuffie) and Biggar families, and with the agricultural development of Trafalgar Township. Both the McDuffe and the Biggar families are well known in the historic development of Trafalgar Township for their contribution to the area's settlement and development. The McDuffes owned the property between 1840 and 1926, and the Biggar family, who, per the 1877 Historical Atlas of Halton County were neighbours of the McDuffes, owned the subject property between 1937 and June 2017.

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Daniel McDuffe and his wife Rachel Snider raised their family on the subject property. Contemporary census and assessment records indicate that they built their house between 1845 and 1850. Between 1845 and 1860 the property value increased from £109 to \$2,400 suggesting that substantial improvements were undertaken to the property during this period. These improvements likely included the construction of outbuildings and the clearing, planting and cultivating the fields, an argument substantiated by the 1871 Census of Canada records which shows that Daniel McDuffe owned one dwelling and five barns/stables. Three generations of the Biggar family continued the farming tradition until Norman Biggar's recent retirement.

The farm and the McDuffe and Biggar families have played an important role in the agricultural development of Trafalgar Township/Oakville. The connected barn pre-dates the 1952 farmhouse and yields information about 19<sup>th</sup> and 20<sup>th</sup> century barn construction techniques. Undeveloped portions of the site may have the potential to yield archeological information.

#### *Contextual Value*

The property maintains and supports the historic agrarian character of the area. The property is physically, functionally, visually, and historically linked to its surroundings. However, the surrounding area is in transition and the subject property's contextual value is likely to significantly diminish over time, eventually losing its historic context, as the surrounding areas develop in accordance with Town policies.

#### Conclusion

Heritage Planning staff have evaluated the property at 191 Burnhamthorpe Road East against Ontario Regulation 9/06 and are of the opinion that it has significant cultural heritage value for its connected barn; for its historic associations with the McDuffe and Biggar families; for its historic associations with the agricultural development of Trafalgar Township; and, for its contextual value as a remnant of the historic agrarian character of the area. The connected barn was constructed by the McDuffe family and is a rare and representative example of a mid-19th century barn, built using contemporaneous construction methods which subsequently evolved to include 20th century elements. The McDuffe and Biggar families are significant as early Trafalgar Township settlers. Therefore, it is recommended that a notice of intention to designate be issued for the property.

A separate staff report on this matter was presented to the Heritage Oakville Advisory Committee on December 19, 2017. The Committee passed a resolution recommending to Council that a notice of intention to designate be issued for the property at 191 Burnhamthorpe Road East.

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**CONSIDERATIONS:**

**(A) PUBLIC**

None.

**(B) FINANCIAL**

None.

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

None.

**(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

**(E) COMMUNITY SUSTAINABILITY**

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

**APPENDICES:**

Appendix A – Location Map

Appendix B – Golder Associates, Heritage Impact Assessment

Appendix C – Cultural Heritage Landscape Strategy Implementation Individual Inventory Reports, Inventory Report: 191 Burnhamthorpe Rd. East, McDuffie Farm

Appendix D – Ontario Regulation 9/06 Evaluation

Appendix E – Photos of property

Appendix F – Photos of interior of connected barn

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