

Mr. H. R. Watson, O'Connor McLeod Hanna, LLP.
700 Kerr Street,
Oakville,
Ontario,
L6K 3W5

February 26th, 2018

Dear Mr. Watson,

Re: Delisting of 1196 Linbrook Road, Oakville, under the Ontario Heritage Act.

Further to your request respecting the above please find the following information, opinion and recommendation respecting the subject property and its removal from the Town of Oakville's municipal register. On page 15 of this letter report I conclude as follows:

- It is my opinion after having viewed the property on several occasions and having undertaken historical and architectural research that the property does not warrant inclusion in the Municipal Register of the Town of Oakville as a non-designated property.
- Moreover, there are insufficient cultural heritage values and interests that would provide a sufficiently robust or rigorous designation under Part IV of the Act.
- Accordingly, it is recommended that the subject property be removed from the Town of Oakville's municipal register as a non-designated property

Terms of Reference for a Heritage Impact Assessment (December 2013)

You have advised that Town staff requires use of the Town's *Terms of Reference for a Heritage Impact Assessment Required as part of a Complete Planning/Heritage Application* (December 2013) and you have forwarded these to me for review. I am familiar with the ToR. I would note that this request for de-listing of 1196 Linbrook Road does not anticipate or involve any development or demolition under the *Planning Act*, *Ontario Heritage Act* or the *Building Code Act* or any other regulated activity governed by statute.

The ToR's guidance in assessing the "impact of a proposed development" is not an issue here. As a consequence there is no need or rationale to address property alterations, consideration of alternatives, strategies or mitigation options. Accordingly, my work has been appropriately scoped to address the test in the Act respecting "*belief*" of cultural heritage value for listing in the register as a non-designated property.

Background

1196 Linbrook Road is generally located to the west of Morrison Road and to the east of Chamberlain Lane, in the Town of Oakville. The subject property is located on the south side of Linbrook Road.

The subject property may be generally described as a suburban, residential lot characterized by landscaped grounds with driveway, a specimen planting and a Colonial Revival house, all of which face north to Linbrook Road which is partially screened by a row of mature conifers.



View from Linbrook Road looking south showing main house and symmetrical arrangement of façade

A description of the property which is contained in the Town of Oakville's municipal register of properties of cultural heritage value or interest established under Part IV of the *Ontario Heritage Act* as follows:

Town of Oakville, SECTION F: Register of Properties of Cultural Heritage Value or Interest (NOT Designated), Page 79, November 1, 2016

This property has potential cultural heritage value for its 1930s shingle Colonial Revival style house.

The *Ontario Heritage Act* test for inclusion of a property in the register is that Council is only required to "believe" that the property is of cultural heritage value, as follows:

*27 (1) (1.2) In addition to the property listed in the register under subsection (1.1), the register may include property that has not been designated under this Part but that the council of the municipality **believes** to be of cultural heritage value or interest and shall contain, with respect to such property, a description of the property that is sufficient to readily ascertain the property.*

Once a non-designated property is included in the register the only requirement of a property owner is that where a property is to be removed or demolished that notice be served upon the municipality by the owner. Demolition or removal may only occur after 60 days, see below:

Restriction on demolition, etc.

(3) If property included in the register under subsection (1.2) has not been designated under section 29, the owner of the property shall not demolish or remove a building or structure on the property or permit the demolition or removal of the building or structure unless the owner gives the council of the municipality at least 60 days notice in writing of the owner's intention to demolish or remove the building or structure or to permit the demolition or removal of the building or structure.

The Subject Building and Colonial Revival Architecture

The Town's municipal register of properties of cultural heritage value or interest has identified the property for inclusion based upon "its 1930s shingle Colonial Revival style house". Colonial Revivals in Ontario's architecture (as distinct from "period revivals" from Europe such as Tudor) typically reflected interest as expressed elsewhere in North America of reviving residential forms and designs derived from former "colonial" periods notably those from Spanish, Dutch and Anglo-American roots. Styles and form drawn from the New England colonies of the United States Atlantic seaboard (originally based on Georgian forms with symmetrical arrangements of doors and windows and side gable roofs) gained popularity in Ontario, most notably from 1900 onwards to the present day.

Façades of the Colonial Revival usually reflected the symmetry of the Georgian period with a central entranceway, accentuated with a decorative front porch comprising a crown, slender columns with a fanlight above the door or side lights. An equal number of bays either side distinguished the symmetrical arrangement of the front façade and typically contained rectangular sash windows with various configurations of window lights (six, eight, nine or twelve panes). Chimneys at either end of side gable houses completed the overall symmetrical form.

Colonial Revival wall materials included the use of brick, clapboard or shingles and in later examples the use of synthetic components superseded these traditional materials.

The Subject Building and Property

The subject property is listed in the municipal register on the basis of any potential cultural heritage value being vested in the residence and no other part of the property. The house is located in close proximity to the east property lot line and has had a number of attached additions built on the west façade, as well as a detached double garage that projects forward of the original building, all of which are clad in wood shingle (See photograph below and at the end of this report).



View from Linbrook Road looking south showing main house, additions and garage

The house is built to an irregular plan on a rusticated, concrete block foundation, two stories in height, likely of frame construction, with a side gable roof.

The front façade of the residence is symmetrical in design comprising three (3) bays with a centrally placed entranceway on the ground floor flanked on each side by a rectangular sash window (8 over 12) with inoperable or faux shutters. On the upper storey the symmetrical composition is repeated with a central window over the entranceway and all consisting of rectangular, almost square, sash windows (8 over 8) flanked by inoperable or faux shutters.

While the sash windows (of synthetic or metal construction) are likely replacements the central entranceway appears to be original to the building with sidelights on each side of the panelled door, a blind fanlight above, all of which is surmounted by a projecting front gable portico with a curved underside. Columns are absent and the portico is supported by paired brackets on either side of the

entranceway.

Each gable end of the residence is distinguished by an end chimney symmetrically placed that breaks the ridge line and projects above the roof. The chimney is of brick construction, painted white and flanked on either side by quarter-round windows.

All exterior wall surfaces are clad in wood shingle. Given the Town's estimated 1930s construction date the shingles are unlikely original to the building. If the construction date of the residence was the mid-1950s it may be conceivable that the shingles are original.

Additions and alterations

As noted previously there are several, one-storey additions and a garage constructed on the west side of the building façade which are not original to the house. All are sheathed in wood shingle and while presenting a generally uniform finish to the overall building mass this elongated, linear arrangement disrupts the expected symmetry associated with classical, and in this case Colonial Revival, design and construction forms.

At the south façade a rearward, two-storey linear building mass accommodates additional living space with the ground floor characterized by a bank of windows that faces onto a concrete patio and a pool area. On the upper level a balcony projects southwards from the building face. As with the front façade all exterior wall surfaces are clad in wood shingle.

Building integrity

Overall the integrity of the original building is compromised by the construction of later additions to the rear and on the west side which fundamentally disrupts the balance and symmetry expected in the classically influenced Colonial Revival style. The building plan and form is now essentially linear in nature along an east-west axis across the lot. Alterations and loss of original windows also diminish integrity.

The Subject property: Chain of title and historical associations

In reviewing the chain of title that was prepared at my request as background to this report it is evident that in 1875 the subject property comprised part of the NE1/4 of Lot 9, Concession 3 South of Dundas Street, then owned by Emma McNeil. Emma McNeil is likely the spouse of Roderick McNeil, a "small fruits grower" originally from Scotland, and shown as the owner in 1877 (Extract from Illustrated Historical Atlas of the County of Halton, see following). The lot line dividing lots 9 and 8 is now Morrison Road.



(Extract from Illustrated Historical Atlas of the County of Halton, 1877)



Detailed extract, 1877

In 1907 the property passed from Emma McNeil (Widow) to Hugh McNeil (Farmer, unmarried and presumably son, but not confirmed, of Emma McNeil). In 1911 10.77 acres and other lands passed to William Robinson and Frank Chisholm (Estate brokers) and then to John Hardy (Farmer). It seems that the property was likely actively farmed until 1939 when a parcel of 2.53 acres was sold to Mable Saunders (May 8th, 1939), spouse of William Saunders a High School Principal in the City of Toronto.

This latter transaction was modified a few months later when the property was transferred to spouse William Saunders (July 13th, 1939). An affidavit under the Land Transfer Tax Act notes specifically that:

“Building house under Government loan – Inspector insists deed to be in Husband’s name”.

It is this provision which suggests that from the 1850s to 1939 the property was actively farmed in some form and had no associated residence. This 1939 - 1941 period and subsequent related transactions with associated financial information suggest a residence now had been built and almost certainly the current structure.

There are no other property owner names of any historical note from 1940 onwards.

The Subject Property: Context and surroundings

As noted earlier the subject property is located on the south side of Linbrook Road, a two lane paved road with sidewalks and a row of mature coniferous trees that parallel the road on the south side. The area can be described as a suburban residential area.

A number of residences are located in the immediate vicinity of the subject property and are generally described in the following pages. (All photographs taken on January 19th 2018.)

Immediately to the east of the subject property is 1208 Linbrook Road which is a two storey residential structure clad in an Exterior Insulation and Finish System (EIFS) See below.



423 Morrison Road is a two storey house with cross gable roof terminating the view eastwards along Linbrook Road. It is clad in stone on the ground floor with vertical cladding on the upper floor (Below).



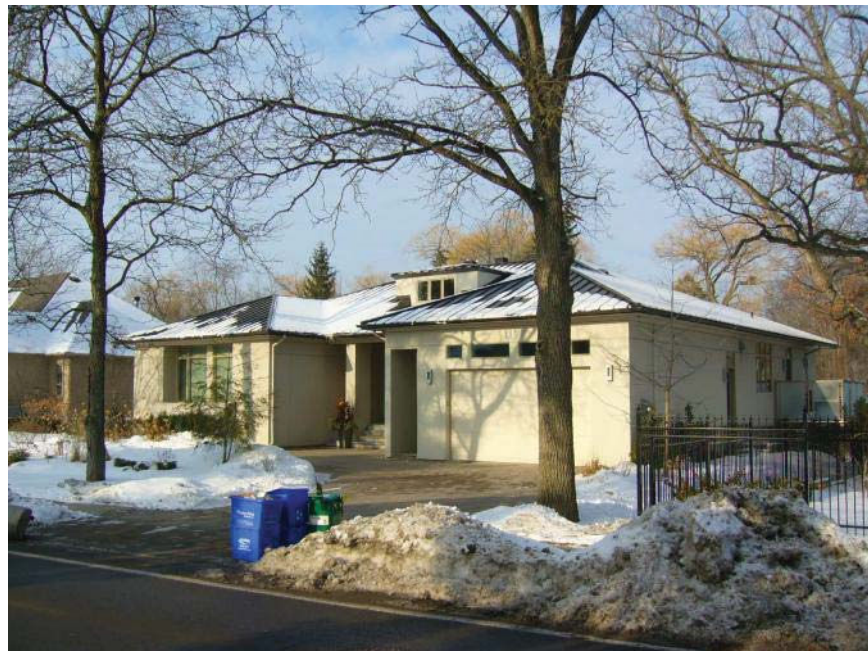
1207 Linbrook Road is located on the north side of the road and comprises a one-and-a-half storey residence with an irregularly shaped hipped roof and dormers (Below).



1199 Linbrook Road, located on the north side of the road, is a single storey, brick house with a hip roof (Below).



1191 Linbrook Road, located on the north side of the road, is a single storey, EIFS clad house with a metal roof and dormer (Below).



1185 Linbrook Road, located on the north side of the road, is a one-and-a-half storey, EIFS clad front façade residence with brick on the side façade (See below).



1190 Linbrook Road is located on the south side of the road immediately adjacent to the west of the subject property, and comprises a two storey structure clad in EIFS (See below)



The overall character of the area and the surroundings of the subject property may be described as suburban in character comprising one to two storey residences with several clad in EIFS all set within landscaped yards that are contemporary in nature. The subject property is set back from Linbrook Road and partially screened by a mature row of conifers. The property is not a landmark but due to its residential use and construction type it is functionally related to the surrounding residential area.

The character of the area and surroundings are not considered to be of cultural heritage value such that the relationship of the subject property to the area and surroundings is meaningful for the purposes of the intent of the *Ontario Heritage Act* and *Ontario Regulation 9/06*.

Ontario Regulation 9/06 and potential for municipal designation

As noted previously the subject property is listed in the Town of Oakville's Register as a non-designated property. In this instance the test for inclusion in the Register as a non-designated property is one of "belief" or "believing" that a property is of cultural heritage value. For a property to be designated by Council under Part IV of the *Ontario Heritage Act* it must satisfy one or more criteria contained in *Ontario Regulation 9/06*.

Moving forward with designation requires the application and satisfaction of meeting formal evaluation or assessment criteria. The test is no longer one of simply "believing" but knowing or having specific knowledge of purported cultural heritage values as well as specific heritage attributes.

The criteria referenced in *Ontario Regulation 9/06* are arranged in a system of three core heritage values:

- design value or physical value;
- historical value or associative value; and
- contextual value.

These three core criteria are also divided into three sub-criteria which in turn contain a number of discrete qualifiers or descriptors. The qualifiers or descriptors are critical in understanding how the criteria are applied in the evaluation of a property. In essence they may be considered as "tests", in a similar fashion to certain matters under the *Planning Act*.

The criteria contained in *Ontario Regulation 9/06* are listed in their entirety as follows:

1. *The property has design value or physical value because it,*
 - i. *is a rare, unique, representative or early example of a style, type, expression, material or construction method,*

ii. displays a high degree of craftsmanship or artistic merit, or

iii. demonstrates a high degree of technical or scientific achievement.

2. The property has historical value or associative value because it,

i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,

ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or

iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

3. The property has contextual value because it,

i. is important in defining, maintaining or supporting the character of an area,

ii. is physically, functionally, visually or historically linked to its surroundings, or

iii. is a landmark.

There are numerous combinations of criteria and sub-criteria (e.g., a rare example of a style or a rare example of a type or a rare example of a material and so on) and in effort to maintain some element of simplicity and clarity the following is provided as a summary evaluation based on research and site visits.

Specifically, with respect to design or physical value the property is not:

- a rare example of a style, type, expression, material or construction method
- unique example of a style, type, expression, material or construction method
- representative example of a style, type, expression, material or construction method or
- early example of a style, type, expression, material or construction method.

There are a number of later alterations and additions to the *circa* 1940 structure which detract from classifying the structure as a “representative example”. For such a classification it would be anticipated that the residence would exist today much as it appeared in 1940 when first constructed. This is not the case here.

With respect to historical or associative value the property does not:

- have direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community
- yield information that contributes to an understanding of a community or culture,
- have the potential to yield information that contributes to an understanding of a community or culture
- demonstrate the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community
- reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community

In regard to contextual value the property is not:

- important in defining the character of an area
- important in maintaining the character of an area
- important in supporting the character of an area
- visually linked to its surroundings
- historically linked to its surroundings
- a landmark

The property can be reasonably identified as being physically and functionally linked to its surroundings as it is a residential structure in a residential neighbourhood. This is not considered to be sufficient as a rationale to support designation, particularly as the surroundings and area character are of no specific cultural heritage value or interest.

Opinion and recommendation

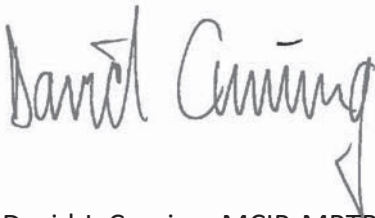
It is my opinion that the considerably altered property does not display any cultural heritage values in a sufficiently robust manner to satisfy in any meaningful way the intent of the Act in recognizing and conserving properties of cultural heritage value or interest.

It is my opinion after having viewed the property on several occasions and having undertaken historical and architectural research that the property does not warrant inclusion in the Municipal Register of the Town of Oakville as a non-designated property.

Moreover, there are insufficient cultural heritage values and interests (as identified in the evaluation tests in *Ontario Regulation 9/06*) that would provide a sufficiently robust or rigorous designation under Part IV of the Act.

Accordingly, I recommended that the subject property be removed from the Town of Oakville's municipal register as a non-designated property.

If you have any questions please email me at heritageplanning@bell.net or telephone at 905 529 5142.



David J. Cuming, MCIP, MRTPI, RPP, CAHP

Photographs (November 30th, 2017)



View from Linbrook Road looking south showing main house, additions and garage



View from Linbrook Road looking south showing main house and symmetrical arrangement of façade

DAVID CUMING, MCIP, MRTPI, RPP, CAHP

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View from Linbrook Road looking southwest showing garage



View of central entranceway, portico, sidelights and blind fanlight



View of detail of central entranceway, portico, sidelights, blind fanlight, paired brackets and curved underside



View of sash window with eight (8) over twelve (12) lights or panes flanked by faux shutters with exterior wall of wood shingles



View of west gable end with white painted brick chimney and flanking quarter round windows



View of rear façade looking northeast.

DAVID CUMING, MCIP, MRTPI, RPP, CAHP

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View of rear façade looking northwest showing one-storey additions.