

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: SEPTEMBER 10, 2018

FROM: Planning Services Department

DATE: August 20, 2018

SUBJECT: 2460 Old Bronte Road - Rehabilitation of Caleb Smith House

LOCATION: 2460 Old Bronte Road

WARD: 4

Page 1

RECOMMENDATION:

1. That a Heritage Easement Agreement for the conservation and relocation of the Caleb Smith House, currently located at 2460 Old Bronte Road, be entered into between the Town and the owner in keeping with the content of this report, with the Agreement to be in form and content satisfactory to the Town Solicitor and the Director of Planning Services or their designate;
2. That the Heritage Easement Agreement be executed in accordance with Executions By-law 2013-057 and be registered on title to the lands on which the Caleb Smith House is currently located and on title to the lands to which the Caleb Smith House is to be permanently located;
3. That a notice of intention to designate the Caleb Smith House, pursuant to the provisions of the *Ontario Heritage Act*, be issued once the Caleb Smith House has been relocated to the lands which will be its permanent site; and
4. That the Town Solicitor be authorized to discharge the Heritage Easement Agreement from title to all lands on which it is registered, at the expense of the owner, once the Caleb Smith House has been designated pursuant to the provisions of the *Ontario Heritage Act* and the requirements in the Heritage Easement Agreement have been fully satisfied to the satisfaction of the Director of Planning Services or their designate.

KEY FACTS:

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

- A site plan application was submitted for 2444-2468 Old Bronte Road which includes the Caleb Smith House at 2460 Old Bronte Road which is listed on the Oakville Heritage Register.

From: Planning Services Department
Date: August 20, 2018
Subject: 2460 Old Bronte Road - Rehabilitation of Caleb Smith House

- The owners are proposing to retain the historic Caleb Smith House within the site and to construct a new eight storey mixed use building on the remainder of the site.
- The proposal was presented to Heritage Oakville on July 24, 2018 and it was generally supported by the Committee.
- A Conservation Plan has since been submitted for the conservation of the Caleb Smith House.
- Staff are now seeking Heritage Oakville and Council support to execute a Heritage Easement Agreement for the conservation and relocation of the Caleb Smith House and for the heritage designation of the house in its final location.

BACKGROUND:

The owners of 2444-2468 Old Bronte Road submitted a site plan application for these properties. The properties are located on the west side of Old Bronte Road, south of Dundas Street. The proposed development includes an eight storey mixed use building and the conservation of the Caleb Smith House, a 19th century frame house, within the site. Details on the property and the development are attached in Appendix A. The applicants have submitted a Conservation Plan for the house which is attached as Appendix B.

On July 24, 2018, the Heritage Oakville Committee reviewed the proposed development, including a Heritage Impact Assessment completed by ERA Architects. This document provided a history of the property and assessed the impact of the development on the heritage value of the Caleb Smith House. The Committee was generally supportive of the proposal. There were some concerns regarding the space between the house and the new building and these comments have been incorporated into the site plan application review.

COMMENT/OPTIONS:

The purpose of this report is to provide an update on the plans for the Caleb Smith House and to receive support from Heritage Oakville and Council to move forward with the conservation and relocation of this historic building.

As part of the approval process for the site plan application, Planning staff included several heritage-related conditions. These conditions require the owner to: enter into a Heritage Easement Agreement to conserve and relocate the historic house; provide financial securities to ensure that happens; and submit a Conservation Plan for the historic house. A Conservation Plan has already been submitted and is attached as Appendix B.

From: Planning Services Department
Date: August 20, 2018
Subject: 2460 Old Bronte Road - Rehabilitation of Caleb Smith House

The Conservation Plan provides details on how the building is to be relocated, conserved and rehabilitated. It also provides information on the demolition of portions of the house which are not considered to be of strong historical significance. The owners plan to construct a new rear addition onto the Caleb Smith House but these details have not yet been finalized. Once a notice of intention to designate for the property has been passed by Council, any future alterations beyond the scope of the Heritage Easement Agreement, such as a new rear addition, will require a heritage permit.

In order to continue moving forward with these outstanding requirements and to ensure the historic house is protected and conserved for the future, staff has included four recommendations in this report.

The first is that a Heritage Easement Agreement be prepared in accordance with the content of this report. The second is that the Heritage Easement Agreement be executed in accordance with the Executions By-law 2013-057 and be registered on title to the lands on which this house will sit temporarily and then permanently. The third recommends that a notice of intention to designate the property under the *Ontario Heritage Act* be issued once the house has been permanently relocated. The fourth and final recommendation authorizes staff to discharge this Agreement from all lands on which it was registered once the heritage designation is in place and once the Heritage Easement Agreement has been fully implemented to the satisfaction of the Director of Planning.

The next step is for the Heritage Easement Agreement to be finalized, executed and registered. If Council moves to issue a notice of intention to designate the property under the *Ontario Heritage Act*, the intention will be to designate the whole of the property on which the Caleb Smith House is relocated to, but the house will be the primary heritage feature in the designation by-law.

A separate report regarding this matter was presented to the Heritage Oakville Committee on August 28, 2018. The Committee supported the above staff recommendation.

CONSIDERATIONS:

(A) PUBLIC
None

(B) FINANCIAL
None

From: Planning Services Department
Date: August 20, 2018
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(C) IMPACT ON OTHER DEPARTMENTS & USERS

Planning staff will continue working with the Legal Department and Finance Department to carry out the conditions of the development application.

(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 Livable Oakville.

APPENDICES:

Appendix A – Site Plan Application Drawings

Appendix B – Conservation Plan

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