

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: DECEMBER 10, 2018

FROM: Planning Services Department

DATE: November 19, 2018

SUBJECT: Notice of intention to demolish - 1158 Burnhamthorpe Road East

LOCATION: 1158 Burnhamthorpe Road East

WARD: 6

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RECOMMENDATION:

1. That the property at 1158 Burnhamthorpe Road East be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest;
2. That the property be removed from any future implementation of the Cultural Heritage Landscape Strategy;
3. That a Heritage Easement Agreement for the salvage of materials from the Albertson-Dryland House and the construction of a new commemorative feature in a new park 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;
4. 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 Albertson-Dryland House is currently located at 1158 Burnhamthorpe Road East;
5. That a notice of intention to designate the commemorative wall, pursuant to the provisions of the *Ontario Heritage Act*, be issued once the commemorative wall has been constructed on the new park property; and
6. That the Town Solicitor be authorized to discharge the Heritage Easement Agreement from title to the lands on which it is registered, at the expense of the owner, once the new commemorative wall has been designated pursuant to the provisions of the *Ontario Heritage Act* and the requirements in the

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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:

- The property is listed on the Oakville Heritage Register for its 19th century house known as the Albertson-Dryland House.
- The owners have submitted a notice of intention to demolish for the house.
- Staff are recommending that the property be removed from the Heritage Register and be removed from any future implementation of the Cultural Heritage Landscape Strategy.
- Staff are also recommending that the owner enter into a heritage easement agreement with the Town to ensure that materials are salvaged from the house to be used in a new commemorative wall in a Town-owned park and that this wall be designated under the *Ontario Heritage Act*.

BACKGROUND:

The property at 1158 Burnhamthorpe Road East is listed on the Oakville Register of Properties of Cultural Heritage Value or Interest for its 19th century house known as the Albertson-Dryland House. The property was also included in the original inventory for the Cultural Heritage Landscape Strategy for its potential as a cultural heritage landscape. The property is located on the north side of Burnhamthorpe Road between Eighth Line and Ninth Line. See Appendix A for the location map.

The owners have submitted a notice of intention to demolish for the house, along with two documents which assess the Albertson-Dryland House. The first is a Review and Evaluation of Cultural Heritage Landscape Analyses, attached as Appendix B. This document provides an assessment of the property's cultural heritage value, including its potential as a cultural heritage landscape. The second document is a Building Condition Assessment, attached as Appendix C. This document provides an assessment of the building's structural condition.

The owners have also submitted a draft concept plan for the new commemorative wall to be constructed using materials salvaged from the historic house. Drawings showing the proposed location and design of the commemorative wall are attached as Appendix D.

COMMENT/OPTIONS:

The owners of 1158 Burnhamthorpe Road East have been working with Heritage Planning staff to formulate a plan to commemorate and conserve elements of the

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Albertson-Dryland House. Through the Review and Evaluation of Cultural Heritage Landscape Analyses document, it was determined that the property does not contain sufficient heritage value to merit designation under the *Ontario Heritage Act*. Further, it was concluded that the property does not merit protection as a cultural heritage landscape.

The Building Condition Assessment document provides an assessment of the building's structural condition and it concludes that the building is in very poor condition and unlikely to survive being relocated. Significant alterations to the framing and brick veneer would require the house to be reconstructed and the property's minimal heritage value is not considered significant enough to warrant these efforts.

It has been determined that the best way to commemorate and conserve elements of the Albertson-Dryland House is to salvage red brick and lakestone materials from the building and use these to construct a new commemorative wall in a new public park planned near the current location of the house. A concept plan for the commemorative wall, including its proposed location in a park, is attached as Appendix D.

Staff have accordingly made several recommendations. The first two recommendations are that the property be removed from the Heritage Register and that the property be removed from any future implementation of the Cultural Heritage Landscape Strategy.

Four more recommendations have been included to ensure that elements of the house are salvaged and conserved for future use in a commemorative wall. 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. The third recommends that a notice of intention to designate the new commemorative wall under the *Ontario Heritage Act* be issued once the wall has been erected on the new park property. The fourth and final recommendation authorizes staff to discharge this Agreement from the lands once the heritage designation is in place and once the Heritage Easement Agreement has been fully implemented.

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 park property on which the commemorative wall will be erected, but the wall itself will be the primary heritage feature in the designation by-law.

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A separate report regarding this matter was presented to the Heritage Oakville Committee on November 27, 2018. The Committee supported the staff recommendation.

CONSIDERATIONS:

(A) PUBLIC

None

(B) FINANCIAL

None

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Heritage Planning staff is working with Parks and Open Space regarding the installation of the commemorative wall in a future park.

(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 – Location Map

Appendix B – Review and Evaluation of Cultural Heritage Landscape Analyses

Appendix C – Building Condition Assessment

Appendix D – Concept Plan for Commemorative Wall

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