

## REPORT

### PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: DECEMBER 10, 2018

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**FROM:** Planning Services Department

**DATE:** November 14, 2018

**SUBJECT:** Heritage Designation By-law - 3451 Tremaine Road -  
By-law 2018-161

**LOCATION:** 3451 Tremaine Road

**WARD:** 7

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**RECOMMENDATION:**

That by-law 2018-161, a by-law to designate the Van Sickle Farmhouse and Dairy Building at 3451 Tremaine Road as a property of cultural heritage value or interest, be passed.

**KEY FACTS:**

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

- In July 2017, Planning and Development Council issued a Notice of Intention to Designate for the Van Sickle Farm at 3451 Tremaine Road;
- The property owner objected to the proposed heritage designation and the matter was referred to the Conservation Review Board;
- Town staff prepared for the Conservation Review Board hearing by retaining Letourneau Heritage Consulting to provide a full Cultural Heritage Evaluation Report for the property;
- Shortly before the scheduled Conservation Review Board hearing, the property owner withdrew their objections to the proposed heritage designation;
- Staff have considered the new information and recommendations with the Letourneau Heritage Consulting report and have made several changes to the statement of cultural heritage value or interest and the heritage attributes of the property to be included in the designation by-law. These changes refine and provide clarification on the statement of cultural heritage value or interest and the heritage attributes of the property contained in the 2017 Notice of Intention to Designate.

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**BACKGROUND:**

The subject property is located on the border of the Town of Oakville and the City of Burlington on the north side of Tremaine Road between Highway 407 and Burnhamthorpe Road West.

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 the c. 1895 brick farmhouse, and its associations with the rural development of Trafalgar Township. The property was included in the Cultural Heritage Landscape Strategy Implementation; however, the Phase Two Research and Assessment report determined that the property was not be a significant cultural heritage landscape and it was removed from that process. The property was retained on the Oakville Register of Properties of Cultural Heritage Value or Interest for its collection of built heritage resources, including the farmhouse, barns and stone outbuilding, at that time thought to be a smokehouse.

In June 2017, the property owner submitted a Notice of Intention to Demolish for the buildings on the property. In response to the Notice of Intention to Demolish, Heritage Planning staff evaluated the cultural heritage value or interest of the buildings according to Ontario Regulation 9/06. A report was presented to the Heritage Oakville Advisory Committee who supported the staff recommendation to designate the property under Part IV of the *Ontario Heritage Act*. Following that, Town Council issued a Notice of Intention to Designate (attached as Appendix A) in order to conserve the cultural heritage value or interest of the property.

The property owner objected to the Notice of Intention to Designate in August 2017 and the matter was referred to the Conservation Review Board for a hearing that was scheduled for November 2018. In preparation for the hearing, the Town retained Letourneau Heritage Consulting to prepare a detailed Cultural Heritage Evaluation Report (attached as Appendix B), along with an expert witness statement. The property owner permitted Town staff and the consultants access to the exterior of the property. Along with information gained from the site visit, Letourneau Heritage Consulting completed additional research to determine the historic use of the stone outbuilding and provide a comparative review of other buildings in Oakville of similar age and design.

On October 22, 2018, the property owner submitted a Notice of Withdrawal to the Town and Conservation Review Board. The Conservation Review Board hearing was subsequently cancelled. As the only objection to the Town's Notice of Intention to Designate has been withdrawn, the Town can now proceed with passing the heritage designation by-law.

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**COMMENT/OPTIONS:**

Heritage Planning staff are proposing minor revisions to the heritage designation by-law from the Notice of Intention to Designate. While the Conservation Review Board hearing was cancelled and there is no recommendation from the Board to consider, Heritage Planning staff support the recommendations of the Letourneau Heritage Consulting report based on their additional research.

The Letourneau Heritage Consulting report recommends several revisions to the statement of cultural heritage value or interest and description of heritage attributes. These recommendations do not add new values or heritage attributes to the heritage designation by-law, but have refined and clarified the values and heritage attributes from the Notice of Intention to Designate. Heritage Planning staff agree with the recommendations from Letourneau Heritage Consulting and have made revisions to the statement of cultural heritage value or interest and the heritage attributes in By-law 2018-161, which can be found in the By-law section of this Planning and Development Council Agenda.

**CONSIDERATIONS:****(A) PUBLIC**

Notice of the Passing of By-law is required to be sent to the property owner, Ontario Heritage Trust and published in the local newspaper.

**(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.

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**APPENDICES:**

Appendix A – 2017 Notice of Intention to Designate  
Appendix B – Cultural Heritage Evaluation Report

Prepared by:  
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Heritage Planner

Recommended by:  
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Manager, Policy Planning and Heritage

Submitted by:  
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