

## REPORT

### PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: APRIL 15, 2019

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**FROM:** Planning Services Department

**DATE:** March 12, 2019

**SUBJECT:** 337 Douglas Avenue - Relocation and Rehabilitation

**LOCATION:**

**WARD:**

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**RECOMMENDATION:**

1. That a Heritage Easement Agreement for the conservation and relocation of the Edmund N. Killer House, currently located at 337 Douglas Avenue, be entered into between the Town and the owner in keeping with the content of this report and with a Relocation and Restoration Plan, 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 Edmund N. Killer House is currently located and on title to the lands to which the Edmund N. Killer House is to be permanently located;
3. That a notice of intention to designate the Edmund N. Killer House, pursuant to the provisions of the *Ontario Heritage Act*, be issued once the Edmund N. Killer 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 Edmund N. Killer 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.

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**KEY FACTS:**

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

- The property at 337 Douglas Avenue is listed on the Oakville Register of Properties of Cultural Heritage Value or Interest as a not-designated property of potential cultural heritage value.
- The owners are proposing to retain the historic Edmund N. Killer House and relocate it within the existing double lot in order to construct a new house on the north lot. A heritage report has been prepared by the project architect to provide the historic background of the property and an assessment of the impact of the proposed relocation.
- Staff support the relocation proposal, conditional upon the applicant agreeing to the designation of the historic house following its relocation. A Heritage Easement Agreement for the conservation and relocation of the Edmund N. Killer House and securities would also be required.

**BACKGROUND:**

The property at 337 Douglas Avenue is located on the east side of Douglas Avenue between MacDonald Road and Galt Avenue. See Appendix A for a location map. The property has been listed on the Register of Properties of Cultural Heritage Value or Interest since 2009 for its potential cultural heritage value for its c.1902 Arts and Crafts style house. Several alterations have been made to the house, including construction of a rear addition in 1975 and introduction of shed roof dormer windows, neither of which are considered to have cultural heritage value.

The property consists of two full lots (172 and 173) within the original Brantwood Survey. The house was constructed in the centre of the property, straddling both lots. The property owner has proposed the relocation of the historic house to lot 173. This will allow for the future development of Lot 172. The property is not designated under the *Ontario Heritage Act*, so no heritage permits are currently required.

A heritage report has been submitted in support of the proposal to relocate the house and is attached as Appendix B. The heritage report provides a description and history of the property and an assessment of the impact of the proposed relocation. Heritage Planning staff note that the report also includes an assessment under Ontario Regulation 9/06 that has not been accepted by staff. Using the description and history of the property from the report, Heritage Planning staff have completed their own assessment of the cultural heritage value of the property, which is included as Appendix C.

The proposed relocation of the historic house onto a single lot required variances for side yard set back, residential floor area and lot coverage, which were approved by

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the Committee of Adjustment on October 23, 2018. Heritage Planning staff reviewed the variance application and noted that heritage approval was required to complete the relocation as proposed.

The Heritage Oakville Advisory Committee reviewed the proposal at their meeting on March 26, 2019 and supported the staff recommendations.

### **COMMENT/OPTIONS:**

#### Assessment of Cultural Heritage Value

Staff have reviewed the submitted heritage report and are satisfied with the research completed for the history of the house and the description of the physical structure. However, Heritage Planning staff have undertaken their own assessment of the property's cultural heritage value according to Ontario Regulation 9/06.

Heritage Planning staff consider the house to have significant cultural heritage value, and believe that the property meets the requirements of Ontario Regulation 9/06 and merits designation under Part IV of the *Ontario Heritage Act*. The house, named the Edmund N. Killer House for its first owner, has design/physical value, historic/associative value and contextual value.

The property is considered to meet three of the nine criteria: the property is considered to have design and physical value for its representative example of an early 20<sup>th</sup> century vernacular home with Arts and Crafts and Georgian details with its rare and unique construction material of hollow terracotta blocks; the property is considered to have historical and associative value as one of the earliest houses constructed in the prestigious Brantwood Survey; and the property is important in defining, maintaining and supporting the existing residential character of the area.

The proposal involves the removal of the 1975 addition, the temporary lifting and re-location of the building to the rear of the site, demolition of the existing foundation, creation of a new foundation approximately 9.5m north of the present building location and then the placement of the building on the new foundation. A new rear addition, similar in size to the present addition, will be constructed to the rear of the home. The present detached garage (modern construction, not a heritage attribute) will be demolished and a new detached garage built to the rear of the home. The purpose of this re-location is to move the house from its present location straddling Lots 172 and 173 to a new location entirely within Lot 173. This will allow for the future development of Lot 172.

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The heritage report notes the following impacts on the house:

- The existing concrete foundation will be removed and there will be some local loss of stucco finish where windows openings are moved or where the walls are cut for the new addition. These changes all affect only the side and rear elevations of the home, however.
- No changes to windows are proposed on the front elevation. The intention is to maintain all original windows, exterior doors, trims, etc. where possible.
- The intention is to maintain the existing stucco finish as much as possible and to repair rather than replace areas of damaged stucco.
- Where replacement is required because of the condition of the existing or the size of the proposed repair the new stucco will match the existing in texture and appearance as closely as possible.

In addition to the impacts on the house, the removal of the large Red Oak tree currently located close to the house foundation on the south elevation, would be required. An arborist report has been provided (attached as Appendix D) and notes that the tree is in 'fair' condition with crown decay, trunk decay and a large dead limb. It concludes that the root system would not survive the proposed construction. The tree has not been identified as contributing to the cultural heritage value of the property, although it is in keeping with the mature trees of the Brantwood neighbourhood.

### Conclusion

Heritage Planning staff have considered the overall impact of the proposed relocation of the house and determined that the relocation would not significantly impact the cultural heritage value and heritage attributes of the house. The proposal does not remove any of the heritage attributes of the house, although some attributes will be impacted and repaired as a result of the process. The proposed relocation of the house will not remove the house from its context in the Brantwood subdivision, nor will it impact its orientation or relationship to Douglas Avenue. As noted in the heritage report, the footprint of the original house fits neatly within one of the two lots, minimizing the impact on both the character of the house and of the overall neighbourhood.

In order to ensure the historic house is protected and conserved for the future, staff has included four recommendations in this report.

1. That a Heritage Easement Agreement be prepared in accordance with the content of this report. The Heritage Easement Agreement will also include a Relocation and Restoration Plan that provides additional details for the relocation and restoration in accordance with accepted heritage conservation principles, to the satisfaction of the Director of Planning Services

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2. 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.
3. That a notice of intention to designate the property under the *Ontario Heritage Act* be issued once the house has been permanently relocated.
4. 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 Services.

## CONSIDERATIONS:

### (A) PUBLIC

None

### (B) FINANCIAL

None

### (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 – Location Map

Appendix B – Heritage Report and Drawings

Appendix C – Ontario Regulation 9/06 Assessment

Appendix D – Arborist Report

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