



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2019-057

A by-law to designate the Erchless Estate at 8 Navy Street and 110-114 King Street,
as a property of cultural heritage value or interest

WHEREAS pursuant to Section 29, Part IV of the *Ontario Heritage Act*, R.S.O. 1990, chapter O.18, the council of a municipality is authorized to enact by-laws to designate a property within the municipality to be of cultural heritage value or interest;

AND WHEREAS the property described in Schedule A to this By-law (“the Property”) being 8 Navy Street and 110-114 King Street contains the cultural heritage landscape known as the Erchless Estate;

AND WHEREAS the council of The Corporation of the Town of Oakville, by resolution passed on September 9, 2019, has caused to be served on the owners of the Property located at 8 Navy Street and 110-114 King Street, and upon the Ontario Heritage Trust, notice of intention to designate the Erchless Estate (“the cultural heritage landscape”), and further, has caused the notice of intention to be published in the Oakville Beaver, being a newspaper of general circulation in the municipality;

AND WHEREAS no objection to the proposed designation was served on the municipality by October 15, 2019, being the last date for filing an objection;

AND WHEREAS the Town Council has described the Property, set out the statement of cultural heritage value or interest for the Property, and described the heritage attributes of the Property in Schedule “B” to this By-law, which forms part of this By-Law;

COUNCIL ENACTS AS FOLLOWS:

1. That the real property legally described in Schedule “A” to this By-law, is hereby designated to be of cultural heritage value or interest under section 29 of the *Ontario Heritage Act*.

2. That the description of the Property, the statement of its cultural heritage value or interest, and the description of its heritage attributes are set out in Schedule "B" to this By-law.
3. That the attached Schedules form part of the By-law.
4. That the Town Solicitor be authorized to cause a copy of this By-law to be registered against the property legally described in Schedule "A" at the Land Registry Office and served on the property owner and on the Trust, and publish notice of this By-law in a newspaper having general circulation in the Town.

PASSED this 4th day of November, 2019

MAYOR

CLERK

SCHEDULE "A" TO
BY-LAW 2019-057

In the Town of Oakville in the Regional Municipality of Halton, property description as follows:

Erchless Estate
Cultural Heritage Landscape
8 Navy Street, 110-114 King Street, Oakville, Ontario

PIN 24779-0138 (8 Navy Street)

PCL 6-2-53, SEC H-1 ; BLKS 83 & 84, PL 1 , PT LT 6, BLK 53, PL 1 , PT LT 7, BLK 53, PL 1 , PT LT 8, BLK 53, PL 1 , PT LT 4, BLK 55, PL 1 , PT LT 1, BLK 85, PL 1 , PT LT 2, BLK 85, PL 1 , PT LT 3, BLK 85, PL 1 , PT LT 4, BLK 85, PL 1 ; PT FRONT ST, PL 1 , LYING BETWEEN SWLY LIMIT OF NAVY ST AND NWLY PRODUCTION OF THE SELY LIMIT OF BLOCK 85 ; PT OF WATER ST, AND UNNAMED ST LYING BTN BLKS 55 AND 85, THE UNNAMED STS E OF BLKS 84 AND 85, AND A STRIP OF UNDESIGNATED LAND LYING SE OF BLKS 83 AND 84, PL 1 (TOWN OF OAKVILLE), PT2, 20R19 ; SAVING AND EXCEPTING AND RESERVING THE FREE USAGE, PASSAGE AND ENJOYMENT OF, IN, OVER AND UPON ALL NAVIGABLE WATERS WHICH SHALL OR MAY BE HEREAFTER FOUND ON OR UNDER OR BE FLOWING THROUGH OR UPON ANY PART OF THE ABOVE LANDS, AS IN THE ORIGINAL GRANT FROM THE CROWN ; OAKVILLE

And

PIN 24779-0140 (110 & 114 King Street)

PCL 1-1-53, SEC H-1 ; LT 1, BLK 53, PL 1 , LT 2, BLK 53, PL 1 , LT 3, BLK 53, PL 1 , LT 4, BLK 53, PL 1 , LT 5, BLK 53, PL 1 ; PT LT 6, BLK 53, PL 1, PT LT 7, BLK 53, PL 1 , PT LT 8, BLK 53, PL 1 ; LT 3, BLK 55, PL 1 ; PT LT 2, BLK 55, PL 1 , PT LT 4, BLK 55, PL 1 ; PT WATER ST, PL 1 ; PT OF OAKVILLE HARBOUR LYING BTN THE SWLY LIMIT OF BLK 55 AND THE SWLY LIMIT OF THE EXISTING CONCRETE RETAINING WALL PL 1 DESIGNATED AS PT 1 PL 20R19 ; SAVING, EXCEPTING AND RESERVING THE FREE USAGE, PASSAGE AND ENJOYMENT OF, IN, OVER AND UPON ALL NAVIGABLE WATERS WHICH SHALL OR MAY BE HEREAFTER FOUND ON OR UNDER OR BE FLOWING THROUGH OR UPON ANY PART OF THE ABOVE LANDS, AS SET OUT IN THE ORIGINAL GRANT FROM THE CROWN. ; OAKVILLE

SCHEDULE "B" TO BY-LAW 2019-057

Description of Property

Erchless Estate is known municipally as 8 Navy Street and 110-114 King Street. Located on the west side of Navy Street, south of King Street and north of Lake Ontario, the property is adjacent to Oakville Harbour and Sixteen Mile Creek on the west, and Old Oakville Heritage Conservation District on the east. The 1.6 hectare (4.0 acre) estate includes a variety of 19th, 20th and 21st century buildings and structures and carefully designed gardens.

Statement of Cultural Heritage Value or Interest

Erchless Estate is a designed cultural heritage landscape. The property has significance as a rare and representative example of an early 19th century lakefront estate; because it is historically linked to the founding of Oakville and with Oakville's founding family, the Chisholms; as a public park that is physically, functionally, visually and historically linked to its surroundings; and, as a location important to the Mississaugas of the Credit First Nation.

The entire property is protected by an Ontario Heritage Trust Easement Agreement and is the location of multiple publicly known archaeological sites.

Design and Physical Value

Erchless Estate has design and physical value as a representative example of a designed cultural heritage landscape. The property is notable for its elevated natural embankment; its views; its natural heritage attributes; its structures; and, its landscaping and hardscaping features. As the principal structure on the property, Erchless was deliberately placed at the apex of the elevated natural embankment overlooking Lake Ontario, the mouth of Oakville Harbour, and Sixteen Mile Creek. Just as deliberately, the property's lesser, functional outbuildings were relegated to the less visually prominent part of the property. The placement of the various structures resulted in significant views and vistas to, from, and between the buildings, the lake, the harbour, and the creek. The property's early 20th century rock garden is a representative and early example of the work of renowned Canadian landscape architects, Dunington-Grubb and Stensson. The rock garden, combined with the property's variety of mature trees, shrubs, and gardens displays a high degree of craftsmanship and artistic merit.

The placement and design of the buildings, stone walls, pathways, and plantings result in significant views and represent a successful integration of architecture and landscape. Collectively, the result is a relationship between site and structures which demonstrates a high degree of craftsmanship and artistic merit and represents significant design value.

Architecturally significant structures on the property include Erchless and the Coach House and Gardener's Cottage. Erchless is comprised of the Italianate style 1828 brick Store, the c.1839 and 1858 residential additions, the 1856 Classical Revival style Custom House, and the c.1861 brick garden wall which links the residential and commercial portions of the structure. The late 19th century Coach House and Gardener's Cottage was constructed in the Shingle style of architecture. Collectively, these structures display a high degree of craftsmanship and artistic merit. Also on the property is the 1952 Cottage structure, which is an amalgamation of two separate residential buildings, and is an example of mid-20th century vernacular style construction.

Historical and Associative Value

Erchless Estate has historical and associative value because of its direct associations with early 19th century commercial development and town building. In 1834, when Oakville was declared a Port of Entry, the first Customs House was opened on the property, and in the process it became the location of the first permanent government presence in Oakville.

The property has historical and associative value through its direct associations with Oakville's founding family, the Chisholms. Various members of the Chisholm family lived at Erchless for many years, including Colonel William Chisholm (1788-1842) the founder of Oakville; William's son, Robert Kerr Chisholm (1819-1899) businessman, and politician; and, Hazel Elizabeth (Chisholm) Hart Mathews (1897-1978), author and founder of Oakville Historical Society.

The property yields, or has the potential to yield, information that contributes to an understanding of the Mississaugas of the Credit First Nation (MCFN) who, as the area's pre-contact Indigenous inhabitants, have identified the property as an area of interest; and, to early 19th century lakefront estate development activities in Oakville. Further, Erchless Estate demonstrates or reflects the work of Canadian Architects Dick and Wickson; and, of Landscape Architects Dunington-Grubb and Stensson, who defined the early years of the Canada's landscape and horticulture industry.

Contextual Value

Erchless Estate has contextual value as a publicly accessible property which defines, maintains, and supports the character of the area. As the location of Oakville Museum, Oakville Historical Society, and a public park, the property remains physically, functionally, visually, and historically linked to its surroundings including Oakville Harbour, Sixteen Mile Creek, Lakeside Park, and Old Oakville Heritage Conservation District. The property is a landmark within the Town of Oakville.

Description of Heritage Attributes:

Key attributes of the designed cultural heritage landscape include its:

- defined geographical area, being an elevated natural embankment overlooking Lake Ontario, Sixteen Mile Creek, and the entrance to Oakville Harbour;
- unique spatial organization that articulates the interrelationships between the property's topography, natural elements, hardscaping features, and its historic structures;
- physical and functional layout and circulation route patterns, including its placement and variety of mature trees, shrubs, and gardens;
- physical, functional, visual, and historical links to the surrounding neighbourhood, as a residential and open space setting adjacent to Lakeside Park and the surrounding residential neighbourhood known as Old Oakville Heritage Conservation District;
- views and vistas to, from, and between Lake Ontario; Sixteen Mile Creek; the entrance to Oakville Harbour; Erchless; the Coach House and Gardener's Cottage; and the Cottage;
- waterfront access;
- known and potential archaeological resources;
- 1920s Dunington-Grubb and Stensson Landscape Architects designed rock garden, including its flagstone steps and path down to the water;
- park-like grounds and pathways including its curvilinear historic carriageway which now serves as a footpath;
- various wall features, including:
 - the c.1858 stone and metal fence and gates south of Erchless, which runs south from the former Custom House gate towards the harbour;
 - its late 19th century Dick and Wickson designed stone gateposts and wooden gates on King Street;
 - the presence of a masonry wall running along Navy Street; and,
 - the curved stone wall, running along the top of the bank overlooking Sixteen Mile Creek, which is a remnant of the late 19th century carriageway;
- remnant features from Captain William Wilson's home, located close to the curved stone wall, including its:
 - lake stone foundation walls, which have been used as the foundation for the water tower, the location of a garden pool/fish pond; and, are now the location of a garden; and,
 - Captain Wilson's hand pump.

Erchless' key exterior attributes include its:

- 19th century shape and form as an amalgamated residential and commercial structure, constructed in the Italianate and Classical Revival styles;
- combined 1-½ and 2-storey massing;
- lake stone foundation, exposed above grade and topped by a stone course;
- brick cladding, including brick headers above windows and doors;
- wood shingle clad, combined gabled and hipped roofs, including the:
- c.1858 residential addition's functional railed deck, a.k.a. widow's walk, with its wood handrail and decorative wood pickets;
- wood cornice, cornice returns, soffits and brackets; and,
- Custom House's centrally located pediment on the south façade, and an offset pediment on the east façade.
- 2-storey wooden balcony and porch on the west elevation, which is a replica of the late 19th century balcony;
- formal 19th century front entryway on the south elevation, including its:
- classical stone terrace with its wood handrail and decorative wood pickets; and,
- wood door including the wood paneled and glass sidelights, curved wood transom window, associated wood trim, stone header and wood hood mould;
- 19th century wood doors and windows including associated wood trim, stone sills and headers, and wood hood moulds;
- wood louvered shutters; and,
- red brick chimneys.

Erchless' key interior attributes including its:

- layout, materials and finishes, up to and including all changes made by Emelda (Beeler) Chisholm, who resided on the property until 1952, which includes its;
- red brick walls, which were originally exterior walls;
- wood stairs, paneling, mouldings, floors, and baseboards;
- wood doors and windows including all associated trim and stone headers and sills;
- plaster walls and ceiling medallions;
- built in cabinetry in the c.1839 residential addition;
- early 20th century bathroom fixtures in Emelda's, 2nd floor bathroom, including the sink with the faucet built right into the basin, the floor and wall tiles, the bathtub, and the shower with its unusual 12-shower head configuration;
- original, Neo-Classical marble and stone fireplaces, including their metal inserts; and,
- curved wood handrail in the former Custom House section.

The Coach House and Gardener's Cottage's key exterior attributes including its:

- late 19th century shape and form, constructed in the Shingle style;
- 1-½ storey massing;
- lake stone foundation, exposed above grade;
- wood shingle cladding;
- steeply pitched, cross gable roof, clad in wood shingles, including the wood-shingled cupola and the eyebrow vent opening;
- wood tongue and groove soffits, porch ceilings and exposed rafter tails;
- wood doors and windows, including all associated trim, sills, flared wood shingle headers, and wood brackets.
- red brick chimney;
- asymmetrically tapered stone column at the north-east corner of the building;
- ridge beam hoist, or "catshead"; and,
- stone manure pit walls.

The Coach House and Gardener's Cottage's key interior attributes including its: layout, materials and finishes, which include its:

- wood floors, stairs, baseboards, chair railings, mouldings, and wood screen wall with vertical slats;
- wood windows and doors and associated trim;
- plaster walls;
- wooden cupboards in the stable area; and,
- remnant stable partitions, made of wood and metal bars.

The Cottage's key exterior attributes include its:

the mid-20th century shape and form, as an amalgamation of two separate residential buildings, constructed in the vernacular style;

- 1-storey massing;
- remnant lake stone foundation;
- wood board and batten cladding;
- low pitched, cross, open gable roof; and,
- brick chimney.

The Cottage's key interior attributes, found in the section built for Dr. Juliet (Chisholm) Turney, including the:

- entry room's (aka lobby area) wood plank floors; and,
- main room's flagstone floors, painted brick fireplace with wood mantelshelf, and wood beamed ceilings.

Explanatory Note

Re: Heritage Designation By-law No. 2019-057

By-law No. 2019-057 has the following purpose and effect:

To designate 8 Navy Street and 110-114 King Street, being the cultural heritage landscape of the Erchless Estate, as a property of cultural heritage value or interest pursuant to the provisions of the *Ontario Heritage Act*, R.S.O., 1990, Chapter O.18, Part IV, Section 29.