

Appendix F: Heritage Planning Comments

Town of Oakville Memorandum

To: Mark Simeoni, Director, Planning Services

From: Susan Schappert, Heritage Planner

Date: September 7, 2017

Subject: Heritage Planning Comments re: Glen Abbey Development Application

Background

In 2009, the Livable Oakville Plan directed that a cultural heritage landscape strategy be completed. The Cultural Heritage Landscape Strategy was endorsed by Planning and Development Council in January 2014.

The property at 1333 Dorval Drive, known as 'Glen Abbey' was identified as one of 63 properties across the town in the inventory prepared in 2015 during Phase One of the implementation of the Cultural Heritage Landscape Strategy. In February 2016, as part of the completion of the Phase One inventory, Council identified the Glen Abbey property as a 'high priority' for assessment as a cultural heritage landscape.

Following the Phase Two evaluation of the property, undertaken by Letourneau Heritage Consulting, Council formally recognized Glen Abbey as a significant cultural heritage landscape on May 15, 2017 and directed that the property immediately proceed to Phase Three, which is the implementation of protection measures.

Additional research and evaluation were undertaken by independent experts Ken Moodie and Julian Smith as part of Phase Three. On August 21, 2017, Council approved a Notice of Intention to Designate under Section 29, Part IV of the *Ontario Heritage Act* for the Glen Abbey property that includes a

statement of cultural heritage value and a description of heritage attributes. The last date to file a notice of objection for the Notice of Intention to Designate is September 25, 2017.

See 'Context Documents for Reference' list at the end of this memo for a list of the background documents related to cultural heritage landscapes, if additional details are required.

Description of Development Application

The official plan amendment, zoning by-law amendment and draft plans of subdivision propose the removal of the existing Glen Abbey golf course in order to construct 3,222 residential units. The units are proposed in the form of a range of housing types inclusive of detached dwellings, townhouse, stacked townhouse and back-to-back townhouse dwellings, residential apartment buildings, and mixed-use mid-rise retail, office and apartment buildings ranging in height between two to twelve storeys. The density of the development is proposed to be focused along 'Street A', with a gradation to lower building heights toward the existing stable residential neighbourhood to the west.

In addition to the residential uses, 5,429 m² (58,438 ft²) of office commercial and 5,841 m² (62,871 ft²) of retail commercial uses are proposed in mixed-use residential and commercial buildings. An additional 546 m² (5,877 ft²) of community amenity uses including a village market within the existing stable buildings, 10.41 hectares (25.72 acres) of parks, 0.78 hectares (1.66 acres) of open space, 32.47 hectares (80.24 acres) of natural heritage system, 0.34 hectares (0.84 acres) of remnant wooded area, 1.79 hectares (4.42 acres) of buffer blocks, and 4.32 hectares (10.67 acres) of stormwater management ponds are proposed.

As part of this development application, it is proposed that the natural heritage system, inclusive of the full Sixteen Mile Creek Valley lands would be dedicated to the Town. The RayDor Estate House will be retained by the applicant and its use as an office complex maintained.

The applicants have submitted a Cultural Heritage Landscape Assessment and Heritage Impact Assessment in support of the development application.

Policy Framework for Evaluation

The impact of the proposed development application on the cultural heritage value of the Glen Abbey property is reviewed against applicable policies, which include: the Provincial Policy Statement (PPS) 2014; the 2017 Growth Plan for the Greater Golden Horseshoe Area; the Ontario Heritage Act and Ontario Regulation 9/06; the Livable Oakville Plan; and the Town of Oakville's Cultural Heritage Landscapes Strategy. Together, these policies provide a framework on how to identify and protect significant cultural heritage landscapes. They also provide direction that the management and use of significant cultural heritage landscapes should conserve the cultural heritage value or interest and heritage attributes of these landscapes.

The impact of the proposed development application has also been reviewed against the town's Notice of Intention to Designate for the Glen Abbey Property, issued on August 24, 2017.

Town of Oakville's Cultural Heritage Landscapes Strategy

The town's Cultural Heritage Landscapes Strategy provides general and specific guidance on how to conserve cultural heritage landscapes. Its general guidance identifies the three types of cultural heritage landscape accepted internationally: designed, evolving, and associative. It also provides priority to conserving cultural heritage landscapes in situ and complete.

Phase Three of the town's Cultural Heritage Landscapes Strategy is now underway to implement protection measures to conserve significant cultural heritage landscapes.

Ontario Heritage Act

The Ontario Heritage Act (OHA) provides tools to protect cultural heritage resources through designation under the Act. Ontario Regulation 9/06 is the evaluation framework that shall be used to identify cultural heritage value.

The town has issued a Notice of Intention to Designate the Glen Abbey property under Section 29, Part IV of the OHA. This Notice is based upon the town's application of Ontario Regulation 9/06 to the Glen Abbey property and its conclusion that the property meets multiple criteria for cultural heritage value. The Notice states the identified cultural heritage value of the Glen Abbey property and also describes its heritage attributes.

Provincial Policy Statement

The PPS 2014 defines a cultural heritage landscape as follows:

*"a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are **valued together for their interrelationship, meaning or association.**"* [emphasis added]

As made explicit in the PPS, the cultural heritage value of cultural heritage landscapes is found in their interrelationships, meanings and associations - not in their isolated components. The components are to be "valued together", not separately.

Section 2.6.1 of the PPS states that significant cultural heritage landscapes shall be conserved. By "conserved", the PPS means that a landscape is identified, protected, managed and used in a manner th

Growth Plan

The 2017 Growth Plan for the Greater Golden Horseshoe also addresses cultural heritage. It states:

4.2.7.1: "Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas."

All decisions made on or after July 1, 2017 in respect of the exercise of any authority that affects a planning matter will conform with the 2017 Growth Plan.

Livable Oakville Plan

The existing policies of the Livable Oakville Plan include strong policy guidance for the Town to conserve cultural heritage resources. Specifically, Section 5.3.12 states:

The Town shall identify, evaluate and conserve cultural heritage landscapes in accordance with the Cultural Heritage Landscape Strategy.

Proposed Heritage Official Plan Amendment

Arising from Phase Three of the town's Cultural Heritage Landscapes Strategy, Planning staff are proposing amendments to the cultural heritage policies of the Livable Oakville Plan. The proposed Official Plan Amendment (OPA) underscores the policy direction of Livable Oakville regarding the conservation of cultural heritage landscapes. The proposed OPA also reinforces the need to complete a heritage evaluation that addresses the OHA requirements to state the cultural heritage value and describe the heritage attributes of a cultural heritage resource before any impact assessment is completed. It also implements the PPS 2014 direction to address the cultural heritage value or interest of a property under the OHA; it recognizes cultural heritage landscapes as part of the town's urban structure; and it provides for site-specific land use designations, policies and cultural heritage landscape conservation plans.

Staff and Peer Review of ERA Report

Heritage Planning staff have reviewed the Cultural Heritage Landscape Assessment & Heritage Impact Assessment: Proposed Redevelopment of the Glen Abbey Golf Club, Oakville prepared by ERA Architects Inc. dated November 9, 2016 (ERA report).

The ERA report was completed prior to Council's identification and recognition of the property as a significant cultural heritage landscape on May 15, 2017. The property had already been identified by Council as a high priority potential cultural heritage landscape on February 16, 2016, and had proceeded to the detailed research and evaluation phase.

Heritage Planning staff's initial review of the ERA report revealed concerns with the evaluation of the cultural heritage landscape of the property, the statement of cultural heritage value or interest, the listing of heritage attributes and the resulting assessment of the impact of the development application. The review indicated that the ERA report did not meet the requirements of the existing policy framework as described on page two of this report, as it failed to appropriately identify the cultural heritage landscape, which led to its failure to recommend protection measures that would conserve the cultural heritage landscape.

As Heritage Planning staff had concerns with the ERA report, described briefly above, they recommended that the town retain the services of a peer reviewer to assist with the town's review of the ERA report. The peer review of the ERA report was completed by Julian Smith, of Julian Smith & Associates Architects (and is attached to this memo). Mr. Smith is internationally renowned as an expert on cultural heritage landscapes and has provided the town with a report on the cultural heritage

landscape values of the Glen Abbey property as part of the implementation of Phase Three of the Cultural Heritage Landscape Strategy.

Heritage Planning staff and Mr. Smith have identified and share fundamental issues with the ERA report:

- The ERA report does not properly identify the Glen Abbey property. It identifies the property as an 'evolved' cultural heritage landscape. This conclusion is flawed and incorrect. The ERA report has not demonstrated why the property is considered to be 'evolved' in the full context of the three types of internationally recognized cultural heritage landscapes. As summarized in the town's Cultural Heritage Landscapes Strategy, the three types are: evolved, designed and associative. The distinction between the types of cultural heritage landscapes is critical and the town and Mr. Smith share the opinion that the property is a 'designed' cultural heritage landscape, not 'evolved'.
- The flawed identification of the property as an 'evolved' landscape has led to a flawed evaluation of the cultural heritage landscape.
- Contrary to statements made in the ERA report, Mr. Smith and Heritage Planning staff accept that Ontario Regulation 9/06 applies without qualification to the evaluation of cultural heritage value for designed cultural heritage landscapes.
- The proposed Statement of Significance and list of heritage attributes in the ERA report do not reflect the property's value as a designed cultural heritage landscape.
- Given the conclusion that ERA's identification and evaluation of the cultural heritage landscape is flawed, ERA's assessment of the impact of the proposed development is not accurate or relevant because it is based on a misleading and incomplete assessment of the cultural heritage landscape itself.
- The 'Six Big Ideas' contained within the ERA report are not appropriate conservation strategies for the conservation of the Glen Abbey golf course. While the ERA report acknowledges that there is cultural heritage value in the golf course and that the property is a cultural heritage landscape, the Six Big Ideas fail to retain the overall value of the property as a designed landscape; instead, these ideas attempt to fragment the cultural heritage value into individual components that do not conserve the interrelated and integrated design of the golf course or its relationships, meanings and associations.
- The residential, office, and retail components, although not discussed in the ERA report except for the brief mention in the introduction, together form the most important Big Idea. It is surprising that none of these components are included in the 'Six Big Ideas'. These components occupy a majority of the site, they change the site from open green space to an emphasis on built form, they fundamentally alter the ecology of the site and its adjacent neighbourhoods, and, most significantly in the context of the Heritage Impact Assessment, they destroy the Glen Abbey golf course in its present form as a cultural heritage landscape of recognized significance.

Staff are also of the view that, contrary to the Livable Oakville Plan, the ERA report has not appropriately identified or evaluated the Glen Abbey property in accordance with the Town's Cultural Heritage Landscape Strategy. Though the ERA report references the Strategy, it has done so in ways that ignore or take key points out of context. Examples include:

- Discussion of the 'type' of cultural heritage landscape. On pages 89 and 186-187, the ERA report identifies the property as 'Continuing Evolved Landscape.' The report does not include the definition of the other types of cultural heritage landscapes. The ERA report does not demonstrate why/how it determined that the property is an "evolved" landscape compared to the Strategy's listed alternatives of being a "designed" or "associative" landscape.
- Conservation priorities. The ERA report fails to reference the Strategy's priority to conserving cultural heritage landscapes in situ and complete. Instead, it assumes that the piecemeal protection of individual elements of the cultural heritage landscape is permitted without qualification. Although the Strategy does include reference to alternative approaches to conservation, assessment of the alternative approaches must address the priorities set out in the Strategy. The ERA report does not address why the preferred approach is removal of the golf course cultural heritage landscape. The ERA report also fails to acknowledge that a complete cultural heritage landscape may be conserved on the property.

Conclusions

- The proposed development would remove the current designed cultural heritage landscape - the Glen Abbey golf course - and replace it with a new urban landscape. Heritage Planning staff are of the opinion that any proposed development that removes the golf course would therefore fail to conserve the cultural heritage value and the heritage attributes of the cultural heritage landscape.
- Heritage Planning staff are of the opinion that, as the proposed development fails to conserve the cultural heritage value provided by the Glen Abbey golf course designed landscape, it is not consistent with the PPS 2014 and also does not conform to the 2017 Growth Plan.
- Heritage Planning staff are also of the opinion that the failure of the proposed development to conserve the cultural heritage value of the Glen Abbey property as a designed cultural heritage landscape means that the development fails to conform to the Livable Oakville Plan regarding its cultural heritage objectives and policies. This conclusion is reinforced by the application of policies set out in the proposed official plan amendment on cultural heritage policies.

Recommendation

- Heritage Planning staff do not support the proposed development as it fails to conserve the significant cultural heritage landscape of the Glen Abbey property and recommends that the application be denied.

Context Documents for Reference:

- Livable Oakville Plan (Town of Oakville, 2009)
- Cultural Heritage Landscape Strategy (Town of Oakville, 2013)
- Planning and Development Council Report – ‘Cultural Heritage Landscape Strategy’ (Town of Oakville, January 2014)
- Phase One: Inventory report for 1333 Dorval Drive (Laurie Smith Heritage Consulting, 2015)
- Planning and Development Council Report ‘Cultural Heritage Landscapes Strategy Implementation: Phase One Inventory’ (Town of Oakville, February 2016)
- Phase Two: Cultural Heritage Landscape Assessment (Letourneau Heritage Consulting, 2017)
- Planning and Development Council Report ‘Cultural Heritage Landscape Strategy – Phase Two’ (Town of Oakville, May 2017)
- Glen Abbey Golf Course Heritage Review (Ken Moodie, 2017)
- Cultural Heritage Landscape Values and Attributes of the Glen Abbey Property (Julian Smith, 2017)
- Council Report ‘Notice of Intention to Designate - 1333 Dorval Drive (Glen Abbey Golf Club)’ (Town of Oakville, August 2017)
- Cultural Heritage Landscape Assessment and Heritage Impact Assessment (ERA, November 2016)
- Peer Review of ‘Cultural Heritage Landscape Assessment and Heritage Impact Assessment’ (Julian Smith, August 2017)
- Notice of Intention to Designate – Glen Abbey Golf Course 1333 Dorval Drive (Town of Oakville, August 2017)
- Proposed Cultural Heritage Policy Updates Official Plan Amendment, (Town of Oakville, September 2017)