

## APPENDIX B

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### ***Cultural Heritage Landscape Strategy Implementation – Phase Three: Draft Conservation Plan***

#### *Gairloch Gardens*

*1288 - 1306 Lakeshore Road East, Oakville, Ontario*

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"Chestnut Point", c. 1926

Town of Oakville  
Heritage Planning  
January 2021

Figure 1: Cover photo as seen in Canadian Homes and Gardens magazine, August 1926. “‘Chestnut Point,’ Residence of Col. W. G. MacKendrick Near Oakville, Ontario.”

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# 1. Introduction

This plan applies to the property located at 1288 - 1306 Lakeshore Road East, known as Gairloch Gardens. This property has heritage value as a significant designed cultural heritage landscape. By the terms of the *Ontario Heritage Act*, it is unlawful to alter this property in any way that is likely to affect the property's heritage attributes unless there is a prior application to the Town and the Town consents to the alteration. By the terms of provincial law and policy, Town decisions affecting heritage planning matters shall ensure that the cultural heritage value or interest of significant heritage resources is conserved.

This plan provides guidance to the property owner/applicant and the Town and provides information to all persons interested in the conservation of this significant heritage resource. It is intended to provide a clear and efficient process to assess proposed alterations and ensure that proposed alterations meet applicable heritage requirements.

## 1.1 Context of this Conservation Plan

Since 2005, the Province has directed municipalities to conserve cultural heritage landscapes through its *Provincial Policy Statement* (2005, revised 2020). Most recently, the Province supplemented that direction with new landscape conservation policies in the 2019 *Growth Plan for the Greater Golden Horseshoe*.

In January 2014, consistent with provincial policy direction, Oakville's Town Council adopted a Cultural Heritage Landscapes Strategy (the "Strategy" or the "CHL Strategy"). The Strategy provides the foundation to identify and inventory candidate cultural heritage landscapes, and evaluate such landscapes to identify significant cultural heritage landscapes. The CHL Strategy has involved three phases of activity, being Inventory, Assessment, and Implementation.

Phase One of the Strategy – Inventory - commenced in June 2015, and screened over sixty properties across the Town for candidate cultural heritage landscapes. This screening-level inventory either categorized properties as being 'high priority', 'medium priority', 'low priority, or properties that required 'no further action'. Gairloch Gardens was one of sixteen properties categorized as a medium priority property.

Phase Two of the Strategy – Assessment - commenced in June 2016. The eight properties identified in Phase One as being high priority properties were the first to be assessed and by October 2018, the evaluation of these landscapes was complete. In April 2018, the Phase Two evaluation of the medium priority landscapes commenced with the assessment of the town-owned, heritage designated (By-law 1976-87) Erchless Estate property. The assessment of town-owned, heritage designated (By-law 1986-192) Gairloch Gardens began in July 2018. Relevant Town Staff and outside stakeholders were consulted, and working with the Town's Planning Services staff, assisted in the identification of the property's relevant cultural heritage attributes.

On 15 April 2019, pursuant to section 29 of the *Ontario Heritage Act* (OHA), the Council for the Town of Oakville recognized Gairloch Gardens as a significant designed cultural heritage landscape, and directed Planning Services staff to move the property into Phase Three of the Strategy: Implementation of Protection Measures. With this identification, a draft Notice of Intention to Designate was prepared to

replace By-law 1986-192 (the “heritage designation by-law”), a by-law designating the property as being of historic and architectural value and interest. On January 18, 2021, By-law 2021-006, a by-law to designate Gairloch Gardens as a cultural heritage landscape, was enacted. The new heritage designation by-law is one aspect of the Town’s implementation of a Town-wide strategy to conserve its significant cultural heritage landscapes.

## 1.2 Understanding Cultural Heritage Landscapes

The Province provides a definition and examples of cultural heritage landscapes.

The definition is the following:

**Cultural heritage landscape:** means 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 Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association.

Provincial policy further describes how a cultural heritage landscape may be identified:

Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the *Ontario Heritage Act*, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms.

The Town’s CHL Strategy follows provincial policy and requirements. It also recognizes international guidance in providing that there are three types of recognized landscapes: designed landscapes, organically evolved landscapes, and associative landscapes.

As set out in the Statement of Cultural Heritage Value, the Gairloch Gardens cultural heritage landscape is a designed cultural heritage landscape that is an elegant example of an early 20<sup>th</sup> century lakefront estate built by and for a wealthy Toronto family. The estate includes structures, spaces, and natural and man-made elements, which represent the various activities of the MacKendrick and Gairdner families; it is the location of *Oakville Galleries in Gairloch Gardens*; and, as a public park, it allows the community and visitors alike the opportunity to connect with Oakville’s past and to explore a small portion of its lakeshore. The cultural heritage value or interest of the property was identified as early as 1986, when the Town of Oakville designated the property under the *Ontario Heritage Act*.

Gairloch Gardens is also significant as one of the few remaining, publicly accessible, early 20<sup>th</sup> century lakefront estates in Oakville.

## 1.3 Meaning of Conservation

Provincial policy in the 2020 *Provincial Policy Statement* and the 2019 *Growth Plan* provides a specific definition of “conserved”:

**Conserved:** means the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

This conservation plan also makes use of the *Standards and Guidelines for the Conservation of Historic Places in Canada* (the “*Standards and Guidelines*”). In 2013, the Town endorsed the *Standards and Guidelines* for application in the planning, stewardship and conservation of heritage resources in the Town. The Town considers the *Standards and Guidelines* to provide useful direction on how to conserve landscapes.

The *Standards and Guidelines* provides a specific definition of “conservation”:

**Conservation:** means all actions or processes that are aimed at safeguarding the *character-defining elements* of a cultural resource so as to retain its *heritage value* and extend its physical life. This may involve “*Preservation*,” “*Rehabilitation*,” “*Restoration*,” or a combination of these actions or processes.

## 1.4 Purpose of this Conservation Plan

The purpose of this cultural heritage landscape conservation plan (“conservation plan” or “plan”) for Gairloch Gardens is to guide and mitigate future alterations to the Gairloch Gardens property, which are likely to affect its cultural heritage value as embodied in its heritage attributes. For such alterations, the plan provides direction on ensuring that any alteration conserves the Gairloch Gardens CHL as a significant cultural heritage landscape. It does so by requiring that Town decisions retain the property’s stated cultural heritage value or interest.

This plan is not a maintenance plan for the Gairloch Gardens cultural heritage landscape. Nor is it an operational plan. Maintenance, meaning routine non-destructive actions that preserve the existing form and operations are exempt from Town heritage review. Other activities are exempt from heritage review because they will not affect the property’s heritage attributes.

This plan provides details on those actions which are exempt from Town review and decisions and those which require Town review and decisions. These are laid out in Part 3, Actions subject to Town Heritage Review, and Schedule 4 (Category ‘A’ Actions – Exempt Works), Schedule 5 (Category ‘B’ Alterations – Town review and consent), and Schedule 6 (Category ‘C’ Alterations – Town Council review and consent).

Although there are no known registered archaeological sites within the boundaries of the cultural heritage landscape, the lack of registered archaeological sites does not imply that the property has no Pre-Contact or Euro-Canadian archaeological resources, rather it is a reflection of the fact that few archaeological assessments have been undertaken in the area. Based on the Ministry of Heritage, Sport, Tourism and Culture Industries’ *Criteria for Evaluating Archaeological Potential: A Checklist for the Non-Specialist*, the area has archaeological potential as it:

- 1) has known archaeological sites within 300 m;
- 2) is within 300 m of a primary water source;
- 3) has topographical features within the landscape;
- 4) there were food harvest areas on the landscape;
- 5) there are indications of early Euro-Canadian settlement within 300 m of property; and,
- 6) there were early historic transportation routes within 100 m of landscape.

Section 5.4 of *Livable Oakville* directs that should development potentially “cause an impact to archaeological resources or areas of archaeological potential, an assessment by a qualified professional will be required in accordance with provincial standards and guidelines.” As such, the property owner/applicant may be required to commission archaeological assessments before any proposed subsurface work may commence.

## 1.5 Components of this Conservation Plan

Consistent with the Town’s definition of a cultural heritage landscape conservation plan, this Plan has the following components:

**Part 1. Introduction** - provides the context and purpose of this conservation plan.

**Part 2. The Gairloch Gardens Property** - provides details on the Gairloch Gardens property cultural heritage landscape. It provides an overall description of the landscape that includes the specific boundaries of the landscape. It also includes a description of the property’s cultural heritage value or interest and its heritage attributes. Based on the property’s identified heritage attributes and cultural heritage value, this part of the plan divides the landscape into three conservation areas, and identifies the key features specific to each area. This part concludes with a description of the condition of the cultural heritage landscape.

**Part 3. Actions Subject to Town Heritage Review** - provides details on what actions are exempt from heritage review by the Town (Category ‘A’), and what actions require Town review and consent (Categories ‘B’ and ‘C’).

1. Category ‘A’ actions are those actions that (1) will not alter Gairloch Gardens in any manner and/or (2) will not affect the property’s heritage attributes or impact its cultural heritage value or interest. Category ‘A’ actions require no notice to, review by, and/or consent from the Town under the *Ontario Heritage Act*. Exempt actions include property maintenance insofar as the maintenance is a routine, repeated activity, and reversible temporary installations.
2. Category ‘B’ actions are alterations that are likely to affect the property’s heritage attributes and may impact its cultural heritage value or interest. These alterations require notice to, review by, and/or consent from Town staff under the *Ontario Heritage Act*, prior to any work being undertaken. As Gairloch Gardens has archaeological potential, the property owner/applicant may be required to commission archaeological assessments before any proposed subsurface work may commence.

3. Category 'C' actions are alterations that are likely to affect the property's heritage attributes and may impact its cultural heritage value or interest. These alterations require notice to and review by Town staff, the Heritage Oakville Advisory Committee; and, the review and consent of Council, prior to any work being undertaken. As Gairloch Gardens has archaeological potential, the property owner/applicant may be required to commission archaeological assessments before any proposed subsurface work may commence.

**Part 4. Guidelines for Alterations** - sets out the policy framework to be applied by the Town to make decisions on alterations that are likely to affect the heritage attributes of the property. The framework has two parts, summarized through two checklists. The first part identifies the property's heritage attributes that are likely to be affected by proposed alterations and identifies the most appropriate/relevant conservation *Standards and Guidelines*, as outlined in Parks Canada's *Standards and Guidelines for the Conservation of Historic Places in Canada*. The plan sets out a checklist for this part of the policy framework in Schedule 9, the *Heritage Guidelines Checklist*. The second part of the policy framework identifies each cultural heritage value or interest that is likely to be affected by the proposed alteration and whether the impact is positive, negative or neutral. The plan sets out a checklist for this part of the policy framework in Schedule 10, the *Heritage Values Checklist*.

**Part 5. Application Process** - describes the Town process for reviewing proposed actions that require notice to, review by and/or consent from the Town staff. For Category 'B' alterations, the Town process includes Town staff review and a decision on whether the alteration receives consent, including any conditions of consent. For Category 'C' actions, the Town process involves Town staff review and preparation of a report to Council. It concludes with Council review of the staff report and any additional relevant information in order to make a decision on the alteration, including any conditions of consent.

## 2. The Gairloch Gardens Property

### 2.1 Description of the Property

The cultural heritage landscape is located on the south side of Lakeshore Road East, east of Morrison Road and west of Maple Grove Drive. Lower Morrison Creek runs along the west side of the property and Lake Ontario lies to the south. The significant cultural heritage landscape includes three 20<sup>th</sup> century buildings, and two late 20<sup>th</sup>/early 21<sup>st</sup> century accessory outbuildings; carefully designed gardens; and various hardscaping elements. The property serves as a neighbourhood park.



Figure 2: Gairloch Gardens, 1288-1306 Lakeshore Road East, Oakville

## 2.2 Statement of Cultural Heritage Value or Interest

One key component of a heritage resource's public significance is its stated "cultural heritage value or interest." Provincial policy requires that significant cultural heritage landscapes be "conserved," which the Province defines to mean that the identified cultural heritage value or interest is retained.

The Designation By-law #2021-006, attached as Schedule 1, outlines the property's Statement of Cultural Heritage Value or Interest and its associated heritage attributes.

## 2.3 Distinct Areas Within the Property

The Gairloch Gardens property's designed cultural heritage landscape is composed of areas characterized by specific functions and geophysical features which can be divided into two sections – one section that is related to the structures and their associated uses; and another section that is related to the estate grounds. In order to offer guidance that reflects these distinct contexts, this plan organizes the property into three conservation areas: (1) the Tablelands; (2) the Parklands; and, (3) the Waterfronts. These three conservation areas, as well as being historically interrelated, are also physically linked through a system of pathways, and views and vistas.



Figure 3: Conservation Areas

### Area 1: The Tableland

The Tableland's predominant geographical feature is the man-made embankment upon which the property's three principal structures and MacKendrick's long, winding driveway are located. Comprised of a broad, sweeping lawn punctuated by mature trees and gardens, the tableland area affords significant views and vistas to, from, and between the three historic buildings, Lake Ontario, the gardens, and Lower Morrison Creek. This area is also the location of the property's two smaller parking lots, which, unlike the buildings, lawns, and gardens, have no cultural heritage value or significance.

### Area 2: The Parkland

The Parkland encompasses the majority of the property and is largely an open, grassed space punctuated by mature trees; broad lawns; Lt. Col. MacKendrick's two man-made ponds; and, intricate and well-manicured gardens including the remnants of MacKendrick's early 20<sup>th</sup> century designed garden. Hardscaping features include winding walking paths; stone stairs and retaining walls; and, a small wooden pedestrian bridge which spans a small meandering stream. These parkland features help form, and are integral to the views and vistas to, from, and between the buildings; Lake Ontario; and, Lower Morrison Creek. Also within this area is the largest of the three parking lots found on the property. Unlike the

lawns, landscaping elements, and hardscaping elements, the parking lot has no cultural heritage value or significance.

### Area 3: The Waterfront

The Waterfront's predominant geographical feature are the shores of Lake Ontario and Lower Morrison Creek. Comprised of a combination of pathways and grassed banks the waterfront area affords significant views and vistas to, from, and between the buildings; Lake Ontario; and, Lower Morrison Creek.

### The Whole of the Landscape

Together, these three conservation areas describe the whole of the landscape. They also highlight different qualities that help guide appropriate conservation practices.

## 2.4 Views and Vistas

Included in the property's significant heritage attributes are several views and vistas within the property and between the property and the waterfronts.



Figure 4: Views and Vistas

These views include:



View 1 – View from the northeast corner of the property, from the stone pillars located at the driveway on Lakeshore Road East, looking southwest towards the Tableland and the Parkland. July 2020



View 2 – View from the second set of stone pillars located further down the driveway, looking southeast towards *The Studio*, the lawns, mature trees, and gardens within the Tableland. July 2020



View 3 – View from the stone arch located on the driveway by *Chestnut Point*, looking west towards the Tableland's gardens. August 2018



View 4 – Views from the Tableland, standing on *Chestnut Point's* terrace, looking west toward the Parkland and southeast toward Lake Ontario. July 2020



View 5 – View from the southeast corner of the property, from the top of the pathway running from *Chestnut Point* down to Lake Ontario, looking southeast towards *The Teahouse*, the Tableland gardens, and Lake Ontario. August 2018



View 6 – Vista of Lake Ontario as seen from *The Teahouse* looking southeast. December 2018



View 7 – Views from the southeast corner of the property, from the lakefront pathway, looking southeast to Lake Ontario, east to Toronto, and west to Oakville. July 2020



View 8 – Views from the southwest corner of the property, from the lakefront pathway looking north towards Chestnut Point, The Teahouse, and The Studio on the Tableland; and, looking northwest toward the Parkland’s gardens, ponds and Lower Morrison Creek. July 2020



View 9 – Views from the Parkland pathway, between the ponds, looking north towards Chestnut *Point*, *The Studio*, and the Tableland gardens; and, looking northwest towards Lower Morrison Creek, the Parkland’s ponds, formal gardens, and small wooden pedestrian bridge. July 2020



View 10 - Views from within the Parkland’s formal garden, in the southwest corner of the property, looking southeast toward the ponds and Lake Ontario; and, looking northwest towards the Parkland’s mature trees, broad lawns and gardens. July 2020

## 2.5 Condition of Heritage Attributes as of August 2019

In general, a property's cultural heritage value or interest is conserved when all the heritage attributes are in good condition, individually and as a whole. By contrast, a heritage attribute that is in poor condition, or which has been destroyed or demolished, may compromise the cultural heritage landscape's cultural heritage value or interest.

A condition assessment considers the CHL's individual heritage attributes as well as the cultural heritage landscape as a whole, and assigns ratings of Poor, Fair or Good.

The current physical condition of Gairloch Gardens' heritage attributes serves a benchmark for ensuring the conservation of the property's heritage attributes and its cultural heritage value or interest. As part of this Conservation Plan, Planning Services staff undertook a condition assessment of the Gairloch Garden cultural heritage landscape, (individual heritage attributes as well as the cultural heritage landscape as a whole), on August 28, 2019. The results are outlined in the chart in Appendix A, the Current Condition Assessment of Heritage Attributes.

Oakville Galleries staff, and the Town's Facilities & Construction Management; Parks & Open Space; and, Recreation and Culture staff reviewed the condition assessment and provided their comments.

The assessment and review concluded that the property as a whole are generally in good condition, with the following comments:

### Area 1: The Tableland

- The Tableland's long, winding driveway, broad, sweeping lawn, mature trees, and gardens all appear to be in good condition. They are maintained seasonally and/or as required. Some of the mature trees may be nearing the end of their lifespan.
- The Tableland's significant views and vistas to, from and between the three historic structures, Lt. Col. MacKendrick's residence (*Chestnut Point*), and his tea house (*The Teahouse*), and Gairdner's artist studio (*The Studio*), Lake Ontario, the gardens, and Lower Morrison Creek are intact and unobstructed.
- The three historic structures (*Chestnut Point*, *The Teahouse*, and *The Studio*), including their interior attributes, all appear to be in good condition with no evident structural issues. They are maintained seasonally and/or as required.

### Area 2: The Parkland

- The Parkland's open, grassed space; mature trees; broad lawns; and, intricate and well-manicured gardens, including the remnants of Lt. Col. MacKendrick's early 20<sup>th</sup> century designed garden are maintained seasonally and/or as required and appear to be in good condition. Some of the mature trees may be nearing the end of their lifespan.
- Lt. Col. MacKendrick's two man-made ponds appear to be in good condition with no structural issues evident. They are maintained seasonally and/or as required.

- The Parkland's hardscaping features, including the winding walking path; stone stairs and retaining walls; the small wooden pedestrian bridge which spans a small meandering stream; and, the large parking lot all appear to be in good condition and are maintained seasonally and/or as required.
- The Parkland's significant views and vistas to, from and between the buildings; Lake Ontario; and, Lower Morrison Creek are intact and unobstructed.

### **Area 3: The Waterfronts**

- The Waterfronts' shores of Lake Ontario and Lower Morrison Creek; its pathways; and, its grassed banks are maintained seasonally and/or as required and appear to be in good condition.
- The Waterfront's significant views and vistas to, from and between the buildings; Lake Ontario; Lower Morrison Creek; its pathways; and, its grassed banks are intact and unobstructed.

## **3. Actions Subject to Town Heritage Review**

As outlined in Section 1.4, the purpose of this plan is the conservation of the Gairloch Gardens property as a significant cultural heritage landscape by ensuring its heritage attributes and cultural heritage value or interest are retained. Town consent is required for any action that is likely to affect Gairloch Garden's heritage attributes, value, or interest. It is the property owner/applicant's responsibility to maintain the property and, where necessary, to obtain consent from the Town before making any alterations and/or undertaking restoration or repair work to the property's heritage attributes.

Although the property does not contain registered archaeological sites, it does include areas of archaeological potential. As such, the property owner/applicant may be required to commission archaeological assessments before any subsurface work may commence.

In addition, applicants are encouraged to refer to the *Oakville Strategy for Biodiversity* when planning Category 'B' and 'C' actions in order to identify best practices.

This part of the plan categorizes anticipated actions on the property into one of three categories: *Category 'A' Actions – Exempt Works*, no Town staff review is required; *Category 'B' Alterations – Town review and consent*, Town staff review and consent is required; and, *Category 'C' Alterations – Town Council review and consent*, Town Council's review and consent is required.

### **3.1 Property Alterations**

Direction regarding alterations that are likely to affect the property's heritage attributes is taken from Section 33 of the *Ontario Heritage Act*, which provides that:

(1) No owner of property designated under section 29 shall alter the property or permit the alteration of the property if the alteration is likely to affect the property's heritage attributes [...] unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the alteration.

(2) An application [...] shall be accompanied by information and material.

(3) A council may require that an applicant provide any other information or material that the council considers it may need.

Further, the *Ontario Heritage Act* defines “alter” as follows:

“alter” means to change in any manner and includes to restore, renovate, repair or disturb and “alteration” has a corresponding meaning;

Based on these requirements, this plan exempts from Town staff review those actions that will not change the Gairloch Gardens property and those actions that will not affect the property’s heritage attributes. A key example of an exempted action is property maintenance. Maintenance means routine non-destructive actions to protect, preserve or stabilize the existing form, material and integrity of the property.

## **3.2 Three Categories of Planned Actions**

This plan addresses planned actions under three categories: ‘A’, ‘B’, and ‘C’. These actions are further described in Schedules 4, 5 and 6. In situations where proposed activities are not identified in Schedules 4, 5 or 6, the owner/applicant is required to provide notice to, review by, and/or consent from Town staff and/or Town Council before any work is undertaken. Upon being contacted by the owner/applicant Town staff will review the proposal and confirm within which category of activity the proposal falls.

Details are set out below.

### **3.2.1 Category ‘A’ Actions – Exempt Works**

Category ‘A’ actions are those actions that (1) will not alter Gairloch Gardens in any manner and/or (2) will not affect the property’s heritage attributes nor impact its cultural heritage value or interest. Category ‘A’ actions require no notice to, review by, and/or consent from the Town under the *Ontario Heritage Act*. Exempt actions include property maintenance insofar as the maintenance is a routine, repeated activity, and reversible temporary installations.

The list of Category ‘A’ actions is set out in Schedule 4.

Note that this list does not authorize the alteration of any heritage attributes. Town staff are available for consultation to clarify the scope of exempt works.

### **3.2.2 Category ‘B’ Alterations – Town Review and Consent**

Category ‘B’ actions are alterations that are likely to affect the property’s heritage attributes and may impact its cultural heritage value or interest. These alterations require notice to, review by and/or consent from Town staff under the *Ontario Heritage Act*, prior to any work being undertaken.

Although the property does not contain registered archaeological sites, it does include areas of archaeological potential. As such, the property owner/applicant may be required to commission archaeological assessments before any subsurface work may commence.

The list of Category 'B' alterations is set out in Schedule 5.

Should Town staff not support a proposed Category 'B' alteration, staff will forward the application to the Heritage Oakville Advisory Committee for review and to Council for a final decision.

### **3.2.3 Category 'C' Alterations – Town Council Review and Consent**

Proposals for alterations that are likely to affect the heritage attributes and also impact the cultural heritage value or interest of the property, require review by Town staff; Heritage Oakville Advisory Committee; and, the review and consent of Council, prior to any work being undertaken.

Although the property does not contain registered archaeological sites, it does include areas of archaeological potential. As such, the property owner/applicant may be required to commission archaeological assessments before any subsurface work may commence.

The list of Category 'C' alterations is set out in Schedule 6.

## **4. Guidelines for Alterations**

In March 2013, the Town endorsed Parks Canada's *Standards and Guidelines for the Conservation of Historic Places in Canada* (the "*Standards and Guidelines*") for application in the planning, stewardship and conservation of heritage resources in the Town. The *Standards and Guidelines* provide useful direction on how to conserve character-defining elements such as cultural landscapes and as such, this plan makes use of these same *Standards and Guidelines*.

Town decisions on cultural heritage matters must be consistent with the *Provincial Policy Statement* (2020) and conform to the *Provincial Growth Plan for the Greater Golden Horseshoe* (2019). This provincial guidance requires that significant cultural heritage landscapes such as Gairloch Gardens be conserved. Further, "conserved" means that the landscape's cultural heritage value or interest is retained. Thus, Town review of a Category 'B' or 'C' alteration must focus on whether and how the alteration affects the property's stated cultural heritage value or interest. The property's Statement of Cultural Heritage Value or Interest is set out in Schedule 1, Designation By-law #2021-006.

### **4.1 Conservation Objectives**

Any Category 'B' or 'C' alterations must ensure that the property's heritage attributes and cultural heritage value or interest is conserved. In general, conservation can include one of three options: preservation, rehabilitation or restoration.

Preservation is to be understood as protecting, retaining and stabilizing the existing form, material and integrity of the Gairloch Gardens property or of one of its individual heritage attributes, while protecting

its value.<sup>1</sup> Preservation is typically a Category ‘B’ alteration. This approach at the Gairloch Gardens property is to be considered when:

- Materials, features and spaces are essentially intact and convey the value, without extensive repair or replacement;
- Continuation or new use does not require extensive alterations or additions.

Rehabilitation or restoration should only be considered when preservation is not possible or feasible. These conservation options have greater impact on heritage attributes and may affect the cultural heritage value of the property.

Rehabilitation is to be understood as the action or process of making possible a continuing or compatible contemporary use of the Gairloch Gardens property, or of one of its individual heritage attributes, while protecting its value. Rehabilitation is typically a Category ‘C’ alteration. This approach at the Gairloch Gardens property is to be considered when alterations to the property are planned for a new or continued use.

Restoration is defined as alterations to accurately reveal, recover or represent the state of an historic place or individual component as it appeared at a particular period in its history. In some circumstances, this conservation option may apply to specific buildings and features in the cultural heritage landscape. Restoration may not be relevant to the Gairloch Gardens property’s cultural heritage landscape as a whole.

## **4.2 Ensuring that Proposed Alterations Conserve Gairloch Gardens’ Cultural Heritage Value or Interest**

This Conservation Plan provides concrete guidance on conservation through two checklists set out as Schedules 9 and 10. These checklists are a key feature of this plan. They are intended to assist the Town with ensuring that any Category ‘B’ or ‘C’ alteration will conserve the cultural heritage value or interest of the property.

Every applicant for a Category ‘B’ or ‘C’ alteration is required to complete the two checklists as part of their submission to the Town. Together, these two checklists provide the Town with the information necessary to answer the key question under Part 5 of the plan: Is the proposed alteration consistent with conserving the heritage attributes and cultural heritage value or interest of Gairloch Gardens?

### **1. Heritage Guidelines Checklist**

The Heritage Guidelines Checklist, attached as Schedule 9, sets out the property’s identified heritage attributes and the most relevant conservation standards and guidelines as outlined in Parks Canada’s *Standards and Guidelines for the Conservation of Historic Places in Canada*. The property’s heritage attributes are set out in Schedule 1, Designation By-law #2021-006. Parks Canada’s 14 Standards are

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<sup>1</sup> Based on the definition of Preservation included in the *Standards and Guidelines*

included in Schedule 7. This checklist incorporates a number of conservation principles including that proposed alterations be minimal, compatible, reversible, and easily distinguishable from the property's identified heritage attributes.

The Heritage Guidelines Checklist integrates key aspects of this plan, as follows:

- 1) It incorporates all identified heritage attributes, as set out in Schedule 1, Designation By-law #2021-006, and the most relevant Parks Canada Standard(s);
- 2) It considers whether and how the proposed alteration affects the attributes;
- 3) It considers whether and how the proposed alteration affects the cultural heritage value or interest of the cultural heritage landscape; and
- 4) It gives priority to preservation over rehabilitation and/or restoration.

The checklist is organized based on the landscape as a whole and the three conservation areas. For each heritage attribute listed in the checklist, an answer is required for two important questions: Is the Standard relevant to the proposed alteration; and if relevant, is the proposed alteration consistent with the Standard?

Every applicant for a Category 'B' or 'C' alteration is required to complete this checklist as part of its submission to the Town. The Town's review of an application for a Category 'B' or 'C' alteration will include a Town staff review of the Heritage Guidelines Checklist, as completed and submitted by the applicant, in order ensure that the proposed alteration is consistent with the applicable Standard. If the Town review accepts the entirety of the submitted checklist, it may be included in the Town decision. Should the Town review result in different answers to checklist questions, the Town staff will complete a new Heritage Guidelines Checklist that reflects the Town considerations.

## **2. Heritage Values Checklist**

Town decisions on proposed alterations to a protected heritage property must ensure that the property's cultural heritage value or interest is conserved. The second checklist forming part of this plan addresses this requirement. As set out in Schedule 10, this second checklist requires information on whether and how the proposed Category 'B' or 'C' alteration affects the cultural heritage value or interest of the Gairloch Gardens property.

The Heritage Values Checklist in Schedule 10 demands an answer to the question whether the proposed alteration will have a positive effect, a negative effect or no effect on the Gairloch Gardens property's cultural heritage value or interest.

Every applicant for a Category 'B' or 'C' alteration is required to complete the Heritage Values Checklist in Schedule 10 as part of its submission to the Town. If the Town review accepts the entirety of the submitted checklist, it may be included in the Town decision. Should the Town staff review result in different answers to checklist questions, Town staff should complete a new checklist that reflects the Town considerations.

The third column in this checklist addresses the “Type of effect” on the cultural heritage value or interest. There are three possible responses: positive (P), negative (N) or no effect (Nil).

## **5. Application Process**

### **5.1 Step 1: Notice to Town**

Where the property owner/applicant seeks to alter the property and the alteration is not a Category ‘A’ action, then a review of the application by the Town staff is required.

If the action is not listed as a Category ‘A’ action in Schedule 4, then the property owner/applicant is required to contact the Town staff and advise them of the proposed alteration. Given the different processes involved, the property owner/applicant should also indicate to Town staff whether the proposed alteration is listed as a Category ‘B’ alteration in Schedule 5 or a Category ‘C’ alteration in Schedule 6. Town staff will confirm whether the action is Category ‘B’ or ‘C’.

The Town notes that, if an action is not on any of the lists at Schedules 4, 5 or 6, the applicant shall advise the Town staff who will decide if the action falls within Category ‘A’, ‘B’, or ‘C’.

### **5.2 Step 2: Consultation with Property Owner/Applicant**

Town consent is required for any Category ‘B’ or ‘C’ alteration on the basis that the alteration is likely to affect the property’s heritage attributes and/or its cultural heritage value or interest. The Town will address this requirement for consent through review of the application. The application must be submitted in a manner that provides the Town with a clear understanding of the specific details and visual representation of the proposed alterations to the property. Please refer to Town staff or to the Town website for submission deadline dates for Category ‘C’ alterations.

Before the submission of an application, applicants may be required to meet with Town staff and/or Heritage Oakville Committee members to discuss the proposed alterations. This pre-consultation is an important step in the application process as it provides an opportunity for the applicant and Town staff to review the policies related to the property in order to ensure that the application meets the relevant requirements. Pre-consultation may also be required to allow Town staff to confirm whether the action is Category ‘A’, ‘B’ or ‘C’.

### **5.3 Step 3: Submission of Complete Application**

All applications for Category ‘B’ and Category ‘C’ alterations must be complete. To be deemed complete, an application must include:

- Digital copy of the completed application form and any additional written description of the proposed changes;

- Digital copy of the completed Heritage Guidelines Checklist (Schedule 9) and Heritage Values Checklist (Schedule 10);
- Digital copy of all drawings;
- Digital copy of all photographs; and

Town staff may also require drawings and visual materials to be submitted in order for an application to be deemed complete. When required by Town staff, the following must also be submitted as part of the application:

- Digital copies of a site plan or current survey of the property that shows all buildings, structures, features, critical setbacks and distances from adjacent properties, and the location of all proposed work to structures and/or landscaping;
- Digital copies of a Heritage Impact Assessment;
- Digital copies of a Structural Assessment;
- Digital copies of architectural drawings that clearly illustrate the proposal and show all proposed changes to all buildings, structures, features, landforms, water features or plantings, including 3-D drawings or artist renderings of proposed work for large scale projects;
- Digital copies of photographs of the property, including:
  - Photographs of all impacted areas;
  - Photographs of all applicable portions of the property, including landscaping and structures;
  - Photographs of any impacted views or vistas; and
  - Photographs of the surrounding area, nearby streetscape(s), and/or neighbouring properties for context.
- Physical and/or visual samples of materials proposed to be used.

On receipt of a complete application, Planning Services staff will serve a notice of receipt of the application on the applicant.

## **5.4 Category ‘B’ alterations - Town Review and Consent**

Alterations to the property that are listed as Category ‘B’ alterations in Schedule 5 require notice to, review by and/or consent from Planning Services staff, prior to any work being undertaken.

Town evaluation of submitted Category ‘B’ applications will conclude with the review of, and where necessary, the completion of the two checklists:

- (1) the Heritage Guidelines Checklist set out in Schedule 9 to this plan; and
- (2) the Heritage Values Checklist set out in Schedule 10 to this plan.

Where staff has received all required information, the Town review process should be completed in no more than five (5) business days whenever possible.

If Planning Services staff are unable to complete either checklist because they lack sufficient information to do so, staff shall take all necessary steps to obtain the required information.

Where, following completion of the two checklists, Planning Services staff concludes that the proposed alteration is consistent with conserving the cultural heritage value or interest of the Gairloch Gardens property, then Planning Services staff may consent to the application or consent to the application with terms and conditions.

Following completion of the two checklists, should Planning Services staff conclude that the proposed alteration is not consistent with conserving the cultural heritage value or interest of the Gairloch Gardens property, then Planning Services staff shall not consent to the alteration, and shall refer the alteration to the Heritage Advisory Committee for review and to Council for review and decision.

## **5.5 Category ‘C’ alterations – Town Council Review and Consent**

Alterations to the property that are listed as Category ‘C’ alterations in Schedule 6 require review by Planning Services staff; Heritage Oakville Advisory Committee; and, review and consent of Council, prior to any work being undertaken.

Town evaluation of submitted Category ‘C’ applications will conclude with the review of, and where necessary, the completion of the two checklists:

- (1) the Heritage Guidelines Checklist set out in Schedule 9 to this plan; and
- (2) the Heritage Values Checklist set out in Schedule 10 to this plan.

If Planning Services staff are unable to complete either checklist because they lack sufficient information to do so, staff shall take all necessary steps to obtain the required information.

Planning Services staff will provide their information and recommendations, including the completed checklists, to the Heritage Oakville Advisory Committee.

The Heritage Oakville Advisory Committee will review the application and make a recommendation to Council. Council will review the application and recommendations and make a final decision. If Council does not make a decision on an application within 90 days after the notice of receipt of a complete application is served, the *Ontario Heritage Act* provides that Town Council shall be deemed to have consented to the application. If mutually agreed upon, an extension can be granted.

The following are the steps that an application for consent to a Category 'C' alteration would typically go through. Please note that this process is subject to change as per provincial regulations and should be confirmed with staff prior to submission.

1)	Applicant contacts Planning Services staff to advise of proposed Category 'C' alteration and arrange pre-consultation meeting to discuss proposed work				
	↓				
2)	Applicant meets with Town staff (and members of Heritage Oakville if deemed necessary by staff) at a pre-consultation meeting prior to submission of application				
	↓				
3)	Applicant submits all required components of the application to Planning Services staff				
	↓				
4)	Planning Services staff prepares report and recommendation on the application attaching completed checklists pursuant to Schedules 9 and 10 to this plan.				
	↓				
5)	Heritage Oakville Meeting – Planning Services staff presents the report and recommendation on the application. Heritage Oakville makes a recommendation on the application and forwards the recommendation to Council for decision				
	↓				
6)	Planning and Development Council Meeting – Council makes decision to either:				
	Consent to application	<u>OR</u>	Consent to application with terms and conditions	<u>OR</u>	Refuse application

	↓				
	Applicant either:				
	Accepts consent	<u>OR</u>	Accepts consent with terms and conditions  OR Files objection to consent with terms and conditions with Town and Town refers objection to the CRB± for a hearing	<u>OR</u>	Accepts refusal  OR Files objection to refusal with Town and Town refers objection to the CRB± for a hearing
	±CRB - Conservation Review Board (tribunal that provides hearing reports setting out findings of fact and recommendations to a municipality or the Minister of Culture)				

## 5.6 Conditions of Town Consent

Town review of Category 'B' and 'C' applications may conclude that an alteration is acceptable, so long as the alteration complies with any specified terms and conditions. Where the Town decision references terms and conditions of consent, these terms and conditions are binding and enforceable by the Town.

## 6. Appendix A - Current Condition Assessment of Heritage Attributes

The following table articulates the findings of the condition assessment, which was undertaken at the time the property was identified as a cultural heritage landscape. Planning Services staff assessed Gairloch Gardens' cultural heritage landscape heritage attributes as identified in Designation By-law #2021-006, (Schedule 1). The rating system to be applied, being 'Poor', 'Fair', or 'Good', considers the physical condition and processes of the landscape.

Rating	Meaning
Poor	The attribute is not functional.

Rating	Meaning
Fair	The attribute is functional but requires some degree of improvement.
Good	The attribute is functional.

Plans dated April 1923, identify by name most of Chestnut Point's principal rooms. Reference is made to these rooms in both the condition assessment and Designation By-law #2021-006 in Schedule 1. For ease of identification, a copy of the ground floor plan is included below.

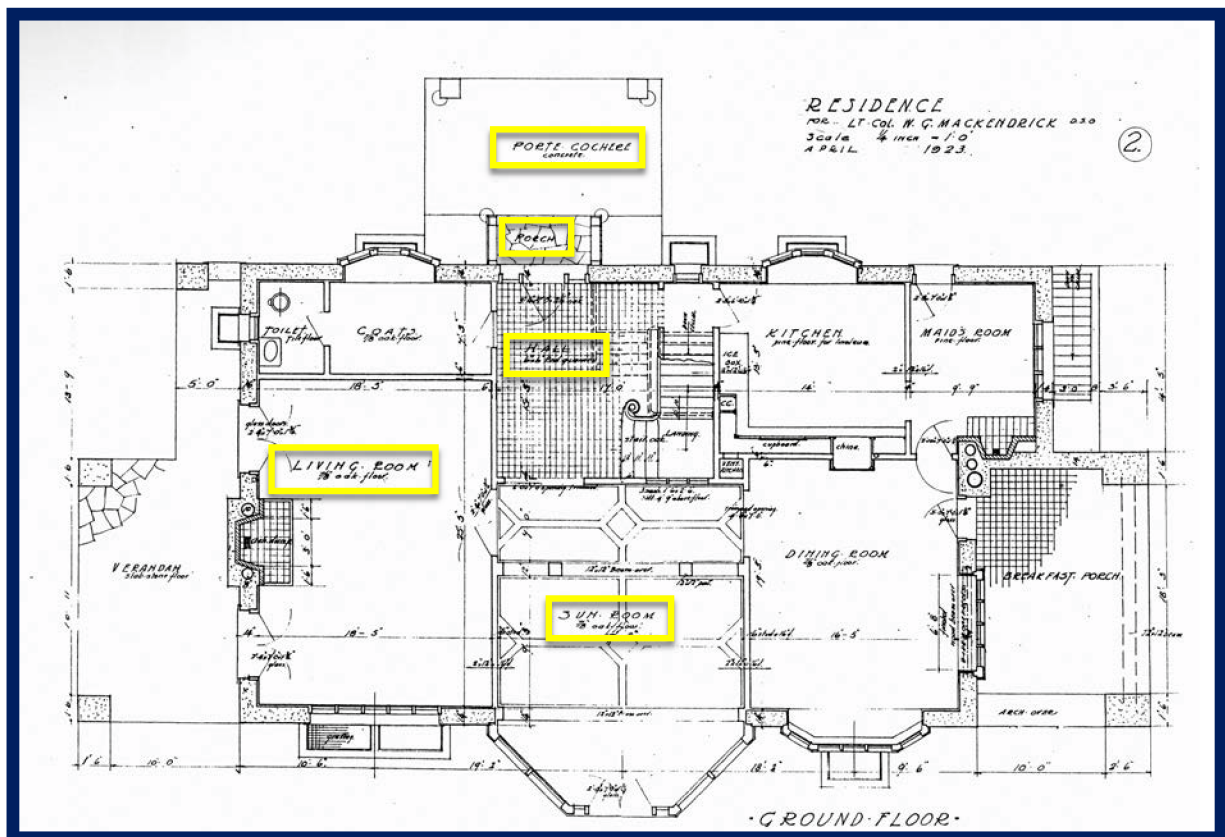









Figure 5: Ground floor plan, Chestnut Point <sup>2</sup>

<sup>2</sup> Oakville Galleries. "An Information Package on the History of The Gairloch Estate, Gardens and Gallery: Mackendrick [sic] articles." (1992). "Floor Plans and Elevations of Colonel MacKendrick's Residence (1922)". April 1923.




**Key attributes of the significant cultural heritage landscape include its:**

Attribute	Description	Photograph	Rating
Defined geographical area	The whole designed cultural heritage landscape's including its elevated, man-made embankment overlooking Lake Ontario, the property's gardens, and Lower Morrison Creek.		Good
Unique spatial organization	The whole designed cultural heritage landscape articulates the interrelationships between the property's varied topography, natural elements, hardscaping features, and its historic structures.		Good
Physical and functional layout and circulation route patterns	The whole designed cultural heritage landscape's placement and variety of mature trees, shrubs, and gardens.		Good



**Key attributes of the significant cultural heritage landscape include its:**

Attribute	Description	Photograph	Rating
Physical, functional, visual, and historical links to the surrounding neighbourhood	The whole designed cultural heritage landscape's residential and open space setting.		Good
Three historic buildings	The whole designed cultural heritage landscape's historic buildings, specifically MacKendrick's residence ( <i>Chestnut Point</i> ) and teahouse ( <i>The Teahouse</i> ); and, Gairdner's artist studio ( <i>The Studio</i> ).	  	Good




**Key attributes of the significant cultural heritage landscape include its:**

Attribute	Description	Photograph	Rating
Views and vistas	The whole designed cultural heritage landscape's views and vistas to, from, and between <i>Chestnut Point</i> ; <i>The Teahouse</i> ; <i>The Studio</i> ; Lake Ontario; the gardens; and, Lower Morrison Creek;		Good
Waterfront access	The whole designed cultural heritage landscape's waterfront access via pathways and stairways.		Good
Park grounds	Blend of formal and informal gardens, including any remnants of MacKendrick's early 20 <sup>th</sup> century designed garden; and, the formal rose and perennial garden.		Good




**Key attributes of the significant cultural heritage landscape include its:**

Attribute	Description	Photograph	Rating
Lt. Col. MacKendrick's two man-made ponds	The whole designed cultural heritage landscape's man-made ponds which are located close to, and fed by, Lower Morrison Creek.		Good
Various hardscaping features, including its:	Pathways		Good


**Key attributes of the significant cultural heritage landscape include its:**

Attribute	Description	Photograph	Rating
Various hardscaping features, including its:	Stone wall and stone archway, running along the edge of the driveway leading to MacKendrick's former residence.		Good
Various hardscaping features, including its:	Stone stairs and walls.		Good
Various hardscaping features, including its:	Concave stone and concrete retaining wall at the lake.		Good





**Key attributes of the significant cultural heritage landscape include its:**

Attribute	Description	Photograph	Rating
Various hardscaping features, including its:	Presence of a dam within Lower Morrison Creek which supports the man-made ponds.		Good
Various hardscaping features, including its:	Stone pillars along Lakeshore Road East, at the north end of the property.		Good
Various hardscaping features, including its:	Stone pillars on the driveway between 1310 Lakeshore Road East and 1306 Lakeshore Road East, north of the studio.		Good




**Key exterior attributes of *Chestnut Point*, MacKendrick's c.1923 residence include its:**

Attribute	Description	Photograph	Rating
Early 20 <sup>th</sup> century shape and form	Constructed in the Tudor-Revival style.		Good




**Key exterior attributes of *Chestnut Point*, MacKendrick's c.1923 residence include its:**

Attribute	Description	Photograph	Rating
			
2-½ storey massing	The structure's 2-½ storey massing is consistent with early 20 <sup>th</sup> century, Tudor-Revival style architecture.		Good
Lake stone foundation	The lake stone foundation is consistent with early 20 <sup>th</sup> century, Tudor-Revival style architecture.		Good
Stone, stucco, and wood cladding materials	The structure's cladding is representative of early 20 <sup>th</sup> century, Tudor-Revival style construction materials and methods, including the first storey's lake stone structure, and the second storey's plaster stucco exterior cladding.		Good




**Key exterior attributes of *Chestnut Point*, MacKendrick's c.1923 residence include its:**

Attribute	Description	Photograph	Rating
Open, cross-gable roof configuration	Early 20 <sup>th</sup> century, Tudor-Revival architectural features, which are consistent with Arts and Crafts inspired styles of construction, materials and methods, include its overhanging eaves and exposed, wooden rafters.		Good
Arts and Crafts inspired roof	Early 20 <sup>th</sup> century, Tudor-Revival architectural features, which are consistent with Arts and Crafts inspired styles of construction, materials and methods, include its steeply sloped roof section, ending in a subtle upward curve.		Good
Eye-brow and shed dormers	Early 20 <sup>th</sup> century, Tudor-Revival architectural features, which are consistent with Arts and Crafts inspired styles of construction, materials and methods, include its eye-brow dormer window and shed dormer.		Good




**Key exterior attributes of *Chestnut Point*, MacKendrick's c.1923 residence include its:**

Attribute	Description	Photograph	Rating
			
<p>Porch and Porte Cochère's exposed wooden rafters; and stone piers</p>	<p>Early 20<sup>th</sup> century, Tudor-Revival architectural features, which are consistent with Arts and Crafts inspired styles of construction, materials and methods, include its Porch and Porte Cochère's exposed wooden rafters; and stone piers.</p>		<p>Good</p>
<p>Sunroom and Living room porches' post and beam construction; exposed wooden rafters; and stone piers</p>	<p>Early 20<sup>th</sup> century, Tudor-Revival architectural features, which are consistent with Arts and Crafts inspired styles of construction, materials and methods, include its Sunroom and Living room porches' post and beam construction; exposed wooden rafters; and stone piers.</p>		<p>Good</p>



**Key exterior attributes of *Chestnut Point*, MacKendrick's c.1923 residence include its:**

Attribute	Description	Photograph	Rating
			
Historic wood doors and windows	Associated trim, sills and headers which are architectural features that represent early 20 <sup>th</sup> century, Tudor-Revival style construction materials and methods.		Good
Historic stone chimneys	Early 20 <sup>th</sup> century, Tudor-Revival style features, which are consistent with Arts and Crafts inspired styles of construction, materials and methods, include its historic stone chimneys.		Good




**Key interior attributes of *Chestnut Point*, MacKendrick's c.1923 residence include its:**

Attribute	Description	Photograph	Rating
Layout, materials and finishes, including its:	Exposed stone walls which are architectural features that are representative of early 20 <sup>th</sup> century, Tudor-Revival style construction materials and methods.		Good
Layout, materials and finishes, including its:	Historic wood panelling and mouldings; wood paneled columns and pilasters ornamented with curving wooden brackets; and, wood picture rail and carved grapes and leaves frieze, which are architectural features that are representative of early 20 <sup>th</sup> century, Tudor-Revival style construction materials and methods.		Good
Layout, materials and finishes, including its:	Historic wood doors and windows including all associated trim, which are architectural features that are representative of early 20 <sup>th</sup> century, Tudor-Revival style construction materials and methods.		Good

**Key interior attributes of *Chestnut Point*, MacKendrick's c.1923 residence include its:**

Attribute	Description	Photograph	Rating
Layout, materials and finishes, including its:	Coved ceilings and coved window openings which are architectural features that are representative of early 20 <sup>th</sup> century, Tudor-Revival style construction materials and methods.		Good
Layout, materials and finishes, including its:	Wood ceiling beams which are architectural features that are representative of early 20 <sup>th</sup> century, Tudor-Revival style construction materials and methods.		Good



**Key interior attributes of *Chestnut Point*, MacKendrick's c.1923 residence include its:**

Attribute	Description	Photograph	Rating
Layout, materials and finishes, including its:	Historic fireplaces, including their marble and stone surrounds, and carved wooden/decorative mantles which are architectural features that are representative of early 20 <sup>th</sup> century, Tudor-Revival style construction materials and methods.		Good
Layout, materials and finishes, including its:	Historic wood and tile floors which are architectural features that are representative of early 20 <sup>th</sup> century, Tudor-Revival style construction materials and methods.		Good
Layout, materials and finishes, including the:	Hall's historic wood staircase, curved wood handrail, moulding, and trim which are architectural features that are representative of early 20 <sup>th</sup> century, Tudor-Revival style construction materials and methods.		Good


**Key interior attributes of *Chestnut Point*, MacKendrick's c.1923 residence include its:**

Attribute	Description	Photograph	Rating
			




**Key attributes of MacKendrick's c.1923 *The Teahouse* include its:**

Attribute	Description	Photograph	Rating
Low stone walls, including the curved south wall	Its low stone walls are consistent with Arts and Crafts inspired styles of construction, materials and methods, and they reflect those used in the construction of <i>Chestnut Point</i> .		Good
Timber-frame, wood roof supported by stone piers	Its timber-frame wood roof and stone piers are consistent with Arts and Crafts inspired styles of construction, materials and methods, and they reflect those used in the construction of <i>Chestnut Point</i> .		Good




**Key attributes of MacKendrick's c.1923 *The Teahouse* include its:**

Attribute	Description	Photograph	Rating
Stone stairs	Its stone stairs are consistent with Arts and Crafts inspired styles of construction, materials and methods, and they reflect those used in the construction of <i>Chestnut Point</i> .		Good



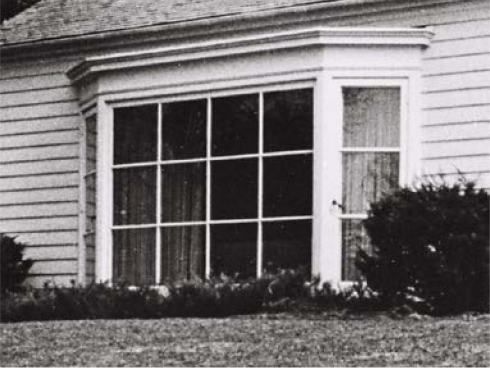
**Key exterior attributes of *The Studio*, Gairdner's c. late 1940s artist studio includes its:**

Attribute	Description	Photograph	Rating
Shape and form	Constructed in the Modern style.	 	Good
1-storey massing	The structure's massing is consistent with late 1940s, Modern style architecture.		Good


**Key exterior attributes of *The Studio*, Gairdner's c. late 1940s artist studio includes its:**

Attribute	Description	Photograph	Rating
Horizontal wood cladding	The structure's cladding is consistent with late 1940s, Modern style construction materials and methods.		Good
Open gable roof configuration, with return eaves	The structure's roof is an architectural features that is consistent with late 1940s, Modern style, construction materials and methods.		Good
Historic four-pane skylight	The structure's skylight is an architectural feature that is consistent with late 1940s, Modern style, construction materials and methods.		Good



**Key exterior attributes of *The Studio*, Gairdner's c. late 1940s artist studio includes its:**

Attribute	Description	Photograph	Rating
Historic wood doors and windows and all associated trim	The structure's historic wood doors, windows, and all associated trim are architectural features that are consistent with late 1940s, Modern style, construction materials and methods.		Good
Historic wood louvered shutters	The structure's historic wood shutters are architectural features that are consistent with late 1940s, Modern style, construction materials and methods.		Good
12-pane projecting bay window including its two operable, three-pane casement windows/doors	The structure's bay window is an architectural feature that is consistent with late 1940s, Modern style, construction materials and methods.		Good



**Key exterior attributes of *The Studio*, Gairdner's c. late 1940s artist studio includes its:**

Attribute	Description	Photograph	Rating
Stone chimney	The structure's stone chimney is an architectural feature that is consistent with late 1940s, Modern style, construction materials and methods.	 A photograph showing a close-up of a stone chimney on a roof. The chimney is constructed from rough-hewn, greyish-brown stones. It sits on a roof covered with dark grey shingles. Some green foliage is visible at the base of the chimney.	Good

**Key interior attributes of *The Studio*, Gairdner's c. late 1940s artist studio includes its:**

Attribute	Description	Photograph	Rating
Layout, materials and finishes, including its:	Historic wood floors which are an architectural feature that is consistent with late 1940s, Modern style, construction materials and methods.	 A photograph of a large interior room. The walls and ceiling are clad in light-colored wood paneling. The floor is made of wide-plank wood. There are large windows or glass doors in the background, letting in natural light. A ceiling fan is visible.	Good
Layout, materials and finishes, including its:	Exposed, timber-frame ceiling structure which is an architectural feature that is consistent with late 1940s, Modern style, construction materials and methods.	 A photograph of the same interior room, showing the exposed timber-frame ceiling structure. The wooden walls and floor are visible. The lighting is similar to the previous photo, highlighting the natural wood tones.	Good

**Key interior attributes of *The Studio*, Gairdner's c. late 1940s artist studio includes its:**

Attribute	Description	Photograph	Rating
Layout, materials and finishes, including its:	Historic wood panelling which is an architectural feature that is consistent with late 1940s, Modern style, construction materials and methods.		Good
Layout, materials and finishes, including its:	Historic stone fireplace, hearth and simple wood mantel which are architectural features that is consistent with late 1940s, Modern style, construction materials and methods.		Good

## 7. Schedules

### Schedule 1 – Designation By-law #2021-006

#### Description of Property:

Gairloch Gardens is known municipally as 1288 – 1306 Lakeshore Road East. Located on the south side of Lakeshore Road East, east of Morrison Road and west of Maple Grove Drive. Lower Morrison Creek runs along the west side of the property and Lake Ontario lies to the south. The 4.5-hectare (11.2 acre) property is a significant cultural heritage landscape and is currently the location of Oakville Galleries in Gairloch Gardens.

#### Statement of Cultural Heritage Value or Interest:

Gairloch Gardens is a designed cultural heritage landscape. The property has significance as a rare and representative example of an early 20th century lakefront estate; because it is historically linked to Lt. Col. William Gordon MacKendrick and James Arthur Gairdner; and, as a public park that is physically, functionally, visually, and historically linked to its surroundings.

#### Design and Physical Value:

Gairloch Gardens has design and physical value as a representative example of a designed cultural heritage landscape. The property is notable for its elevated man-made embankment, views, natural heritage attributes, structures, landscaping and hardscaping features. As the principal structures on the property, MacKendrick's residence and Gairdner's artist studio were deliberately placed on the elevated man-made embankment overlooking the shore of Lake Ontario, the property's gardens, and the banks of Lower Morrison Creek. Just as deliberately, MacKendrick's early 20th century teahouse and the property's functional outbuildings were relegated to less visually prominent parts of the property.

The placement and design of the various structures, hardscaping elements, and the mature vegetation result in significant views and vistas to, from, and between the three historic buildings, Lake Ontario, the gardens and Lower Morrison Creek. The result of this successful integration of architecture and landscape is a cultural heritage landscape that displays a high degree of craftsmanship and artistic merit and represents significant design value.

Architecturally significant structures on the property include MacKendrick's early 20<sup>th</sup> century residence "Chestnut Point" and contemporaneous teahouse "The Teahouse", and Gairdner's mid-20<sup>th</sup> century artist studio known as "The Studio". Chestnut Point and the teahouse buildings were constructed in the Tudor Revival style of architecture, while The Studio was constructed in the Modern style. Also of note is a large early 20<sup>th</sup> century concave stone and concrete retaining wall which forms part of the retaining wall along Lake Ontario at the southern end of the property. These structures are representative examples of their respective architectural styles and display a high degree of craftsmanship and artistic merit.

#### Historical and Associative Value:

Gairloch Gardens has historical and associative value because of its direct associations with the theme of early 20<sup>th</sup> century lakefront estate development activities in Oakville. It is also associated with the late

19<sup>th</sup> /early 20<sup>th</sup> century concept known as the Park Movement, which arose out of concern for the health of residents of over-crowded, densely packed urban areas. The movement espouses the view that parks provide restorative environments in which the population can enjoy their leisure time engaging in refined activities such as concerts and sporting events, and improving themselves at horticultural displays, museums, art galleries and libraries.

The property has historical and associative value through its direct association with property owners Lt. Col. William Gordon MacKendrick and James Arthur Gairdner, two wealthy Toronto businessmen who physically and fundamentally shaped the subject property into what it is today. Further, the property has historical and associative value through its direct association with Oakville Galleries in Gairloch Gardens, a not-for-profit contemporary art museum, and Gairloch Gardens, a public park.

The property yields, or has the potential to yield, information that contributes to: an understanding of early 20<sup>th</sup> century lakefront estate development activities in Oakville; to the Mississaugas of the Credit First Nation (MCFN) who, as one of the area's pre-contact Indigenous inhabitants, have an interest in Lower Morrison Creek; and, to the archaeological record of the area.

The property's c.1923 Tudor Revival residence is a copy of MacKendrick's Toronto home which reflects the work of Ashton Spencer Pentecost, "a talented delineator". Further, it demonstrates the work of local architect William Gould Armstrong who designed Gairdner's c.1948 Modern Classical artist studio. Lt. Col. MacKendrick had a passion for gardening, and remnant landscape elements reflect the design and/or work of both MacKendrick and James Gairdner. MacKendrick was a member of the Toronto Horticultural Society and was President from 1910 until 1913. In 1917, fellow Toronto Horticultural Society member Howard Burlingham Dunington-Grubb, who is recognized as being the father of landscape architecture in Canada, laid out a practical checklist to be considered in the planning of suburban and country house gardens. This list is sure to have influenced the design of the subject property.

#### Contextual Value:

Gairloch Gardens has contextual value as a publically accessible park which defines, maintains, and supports the character of the area. The area composes large, and remnants of large, late 19<sup>th</sup> and early 20<sup>th</sup> century estates, as well as more modest mid to late 20<sup>th</sup> and early 21<sup>st</sup> century residential buildings. Between 1900 and 1930, so many wealthy Toronto families purchased property along the lakefront and built large homes, stables and beautifully landscape grounds that the area came to be known as "Millionaire's row". The property is physically, visually, and historically linked to its surroundings, including a number of remnant historic lakefront estates, Lake Ontario, and Lower Morrison Creek. The property is a landmark within the Town of Oakville.

#### Description of Heritage Attributes:

The heritage attributes of the Gairloch Garden CHL relate to its overall cultural heritage value, its design/physical, historical/ associative, and contextual values.

These include:

Attributes supporting the CHL's overall cultural heritage value or interest:

- defined geographical area, which has been modified by human activity, being an elevated, man-made embankment overlooking Lake Ontario, the property's gardens, and Lower Morrison Creek;

- unique spatial organization that articulates the interrelationships between the property's varied topography, natural elements, hardscaping features, and its historic structures; and,
- physical and functional layout and circulation route patterns, including its placement and variety of mature trees, shrubs, and gardens.

Attributes supporting the CHL's design and physical value:

- Chestnut Point's exterior attributes, including:
  - early 20<sup>th</sup> century shape and form constructed in the Tudor-Revival style;
  - 2-½ storey massing;
  - lake stone foundation;
  - stone, stucco, and wood cladding materials, including the first storey's lake stone structure, and the second storey's plaster stucco exterior cladding;
  - open, cross-gable roof configuration with overhanging eaves and exposed, wooden rafters;
  - Arts and Crafts inspired, steeply sloped roof section, ending in a subtle upward curve;
  - eyebrow and shed dormers;
  - Porch and Porte Cochère's exposed wooden rafters and stone piers;
  - Sunroom and Living room porches' post and beam construction, exposed wooden rafters, and stone piers;
  - historic wood doors and windows including associated trim, sills and headers; and,
  - historic stone chimneys.
- Chestnut Point's interior attributes, including:
  - layout, materials and finishes including:
    - exposed stone walls;
    - historic wood panelling and mouldings, wood paneled columns and pilasters ornamented with curving wooden brackets, and wood picture rail and carved grapes and leaves frieze;
    - historic wood doors and windows including all associated trim;
    - coved ceilings and coved window openings;
    - wood ceiling beams;
    - historic fireplaces, including their marble and stone surrounds, and carved wooden/decorative mantles;
    - historic wood and tile floors; and,
    - the Hall's historic wood staircase, curved wood handrail, moulding, and trim.
- The Teahouse's:
  - low stone walls, including the curved south wall;
  - timber-frame wood roof supported by stone piers, which match those on Chestnut Point; and,
  - stone stairs.
- The Studio's exterior attributes, including:
  - shape and form, constructed in the Modern style;
  - 1-storey massing;
  - horizontal wood cladding;
  - open gable roof configuration with return eaves;
  - historic four-pane skylight;
  - historic wood doors and windows and all associated trim;
  - historic wood louvered shutters;
  - 12-pane projecting bay window including its two operable, three-pane casement windows/doors; and,

- stone chimney.
- The Studio's interior attributes, including:
  - layout, materials and finishes including:
    - historic wood floors;
    - exposed, timber-frame ceiling structure;
    - historic wood panelling; and,
    - historic stone fireplace, hearth and simple wood mantel.

Attributes supporting the CHL's historical and associative value:

- park grounds, with its blend of formal and informal gardens, including any remnants of MacKendrick's early 20<sup>th</sup> century designed garden; and, the formal rose and perennial garden;
- Lt. Col. MacKendrick's two man-made ponds;
- three historic buildings, specifically MacKendrick's c.1923 residence (Chestnut Point) and teahouse (The Teahouse), and Gairdner's c.1948 artist studio (The Studio);
- various hardscaping features, including the:
  - pathways;
  - stone wall and stone archway running along the edge of the driveway leading to MacKendrick's former residence;
  - stone stairs and walls;
  - concave stone and concrete retaining wall at the lake;
  - presence of a dam within Lower Morrison Creek which supports the man-made ponds;
  - stone pillars along Lakeshore Road East, at the north end of the property; and,
  - stone pillars on the driveway between 1310 Lakeshore Road East and 1306 Lakeshore Road East, north of the studio.

Attributes supporting the CHL's contextual value:

- physical, functional, visual, and historical links to the surrounding neighbourhood, as a residential and open space setting;
- views and vistas to, from, and between Chestnut Point; The Teahouse; The Studio; Lake Ontario; the gardens; and, Lower Morrison Creek; and,
- waterfront access.

## Schedule 2 – Glossary

**“Alter”** means to change in any manner and includes to restore, renovate, repair or disturb and “alteration” and “altering” has a corresponding meaning. (*Ontario Heritage Act*, s. 1)

**“Character-defining element”** means the materials, forms, location, spatial configurations, uses and cultural associations or meanings that contribute to the *heritage value* of a *historic place*, and which must be retained in order to preserve its *heritage value*. (*Standards and Guidelines*) Note: This term may be used interchangeably with the terms ‘*heritage attribute*’ or ‘*heritage attributes*’.

**“Compatible”** when used together with any building, use, alteration or any other form of change means consistent with the heritage attributes value of a property, and which has little or no adverse impact on its appearance, heritage attributes, and integrity. (*Downtown Oakville Heritage Conservation District Plan and Guidelines*, 2013)

**“Conservation”** means all actions or processes that are aimed at safeguarding the *character-defining elements* of a cultural resource so as to retain its *heritage value* and extend its physical life. This may involve “*Preservation*,” “*Rehabilitation*,” “*Restoration*,” or a combination of these actions or processes. (*Standards and Guidelines*)

**Conserved:** means the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments. (*Provincial Policy Statement*, 2020)

**Cultural heritage landscape:** means 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 Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the Ontario Heritage Act, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms. (*Provincial Policy Statement*, 2020)

**“Cultural heritage value”** means the aesthetic, historic, scientific, cultural, social or spiritual importance or significance for past, present and future generations. The heritage value of an historic place is embodied in its character-defining materials, forms, location, spatial configurations, uses and cultural associations or meanings. (*Standards and Guidelines*)

**“Distinguishable”** means a change that strikes a balance between imitation and contrast, thereby complementing the property in a manner that respects its heritage value or interest.

**Heritage attributes:** means the principal features or elements that contribute to a protected heritage property’s cultural heritage value or interest, and may include the property’s built, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting

(e.g. significant views or vistas to or from a protected heritage property). (*Provincial Policy Statement*, 2020) Note: This term may be used interchangeably with the term '**character-defining element**'.

**"Heritage Oakville Advisory Committee"**, or 'Heritage Oakville', is a municipal heritage committee that Council established, by by-law, to advise and assist council on heritage related matters. Heritage Oakville reviews heritage permits and other heritage-related matters. [*Ontario Heritage Act*, s. 28(1)]

**"Maintenance"** means the routine, cyclical, nondestructive actions necessary to slow the deterioration of an historic place. It entails periodic inspection; routine, cyclical, non-destructive cleaning; minor repair and refinishing operations; replacement of damaged or deteriorated materials that are impractical to save. (*Standards and Guidelines*)

**"Permanent"** means lasting or intended to last indefinitely.

**"Property"** means real property and includes all buildings and structures thereon. (*Ontario Heritage Act*, Part IV, 2005, c. 6, s. 14.)

**"Reversible"** means a change that permits restoration to the prior state or condition at a later date without damaging the heritage attributes of a property. This is particularly important if a change is related to a new use that may also later change. Reversible alterations are not destructive.

**"Structure"** means a building or other manufactured thing erected on land by humans that is distinct in visual form and materials from the land itself and natural elements and includes any structure designated under the Building Code, as amended, a building permit for which has been issued under the authority of the Building Code Act. (Town of Oakville, amended Site Alteration By-law 2018-044)

**"Subordinate"** means an alteration that does not detract from the property or affect its heritage value.

***Where this plan uses terms defined under provincial law and policy and Town by-laws and policies, those definitions, as amended, apply to the use of these terms in this plan.***

## Schedule 3 – Decision-Making Tree

Please note that the process set out below is subject to change as per provincial regulations and should be confirmed with staff prior to submission.

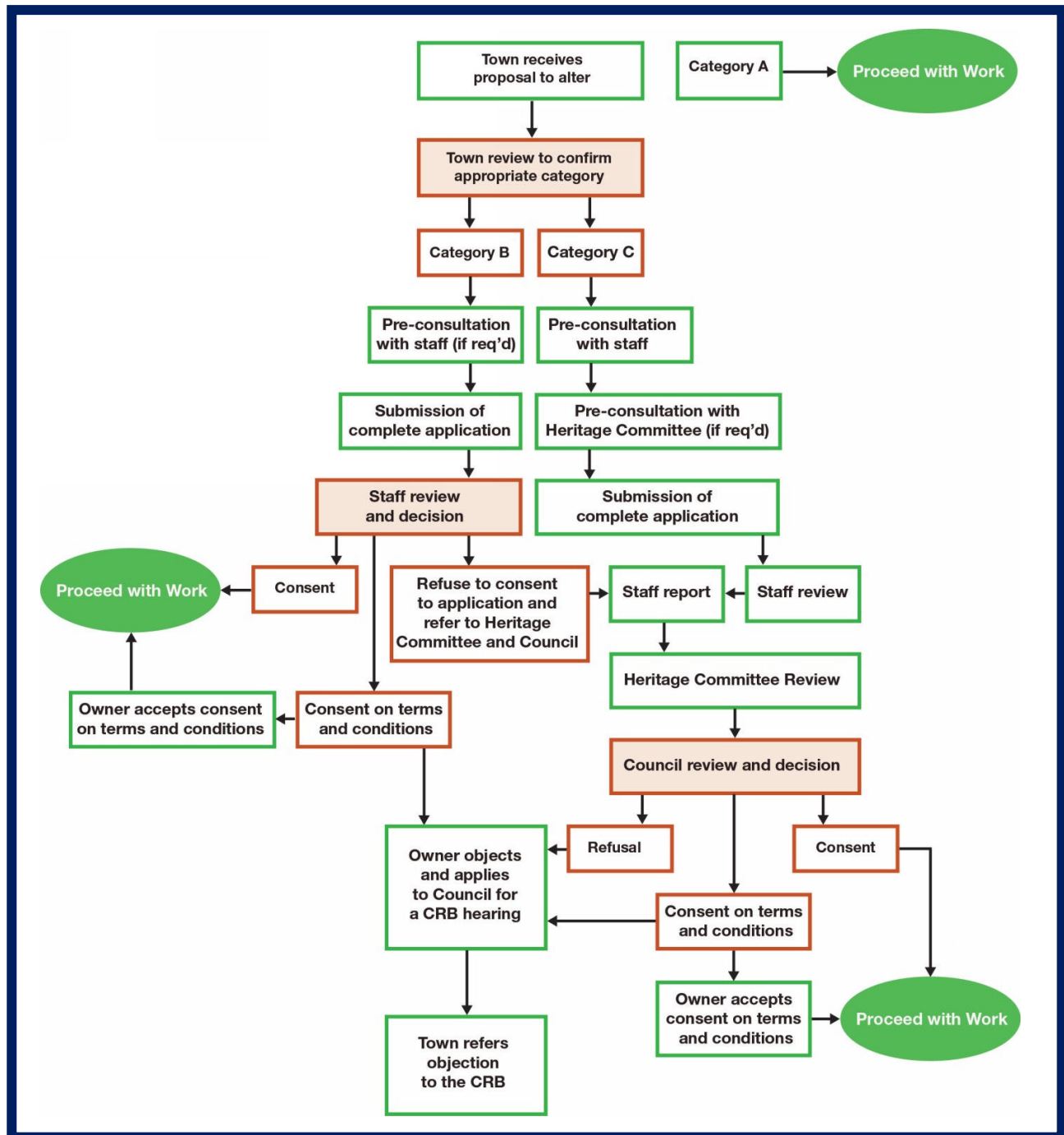


Figure 6: Decision Making Tree

## **Schedule 4 – Category ‘A’ Actions – Exempt Works**

Category ‘A’ actions are those actions that (1) will not alter Gairloch Gardens in any manner and/or (2) will not affect the property’s heritage attributes nor impact its cultural heritage value or interest. Category ‘A’ actions require no notice to, review by, and/or consent from the Town under the *Ontario Heritage Act*. Exempt actions include property maintenance insofar as the maintenance is a routine, repeated activity, and reversible temporary installations.

### **1. Maintenance**

#### ***Maintenance of property***

1. Normal use of the property, including rentals;
2. Watering, both automated and hand watering;
3. Daily and seasonal upkeep of garden beds and decorative plantings;
4. Trash removal;
5. Mowing of lawns;
6. Manual weed control;
7. Regular maintenance of trees and shrubs, including pruning of dead/damaged limbs and the removal of self-seeded saplings;
8. Removal of trees and shrubs in accordance with By-law 2009-025, a by-law to authorize and regulate the planting, care, maintenance and removal of trees on Town property and ensuring the sustainability of the urban forest;
9. Replacement of trees with new native species in the same location, as long as the trees are permitted to be removed in accordance with this section *Maintenance of property*;
10. Planting and maintenance of decorative flowerbeds and grass areas; and
11. Driveway and parking lot surface upkeep including filling in cracks and potholes.

#### ***Facilities maintenance***

12. Repair of facilities with same materials;
13. Snow removal, salting and sanding as needed;
14. Resurfacing of driveways and/or parking lots;
15. Repair and repainting of existing signage;
16. Installation of new directional or traffic control signage;
17. Repair of above ground utilities or services;
18. Repair and repainting of existing non-heritage fencing; and
19. Installation of temporary seasonal decorations, including lighting and signage.

#### ***General Building maintenance***

20. Interior improvements affecting only non-heritage interior attributes;
21. Re-roofing with same materials;
22. Installation of security and amenity lighting;
23. Repair and replacement in-kind of non-heritage eaves trough and downspouts on all buildings;
24. Re-painting of exterior cladding and trim;
25. Installation of storm windows and doors, if applicable; and
26. Repair of non-heritage, exterior stairs and steps with same materials.

## **2. Alterations That Will Not Affect Heritage Attributes**

1. Subsurface works of less than 30 days that will not result in permanent change to the ground surface or land massing;
2. Repaving of parking lots and driveway to existing footprint with same materials;
3. In kind replacement or repair of damaged features after unexpected events including inclement weather, vandalism, electrical, mechanical damage. (Note: repairs that are not 'in kind' may require heritage review);
4. Reversible, temporary installations (returned to original condition within 30 days), such as roping off areas; and, temporary installations, including things such as tents, portable washrooms, and signage;

### ***Emergency Actions***

5. Emergency actions required to address safety issues resulting from a storm or similar natural event that are not in-kind replacement or repair, so long as impact to heritage attributes are avoided or minimized as practicable and the property owner/applicant prepares and submits to the Town's Planning Services staff, as soon as practicable, a photographic record of the damage incurred to the property and work undertaken; and
6. Emergency actions required to address site operations resulting from a storm or similar natural event that are not in-kind replacement or repair and may impact the heritage attributes of the property, so long as the property owner/applicant prepares and submits to the Town's Planning Services staff, as soon as practicable, a photographic record of the damage incurred to the property and work undertaken and an application for the applicable heritage approval.

## Schedule 5 – Category ‘B’ Alterations – Town review and consent

Category ‘B’ actions are alterations that are likely to affect the property’s heritage attributes and may impact its cultural heritage value or interest. Under the *Ontario Heritage Act*, these alterations require notice to, review by and/or consent from Town staff prior to any work being undertaken. Although the property does not contain registered archaeological sites, it does include areas of archaeological potential. As such, the property owner/applicant may be required to commission archaeological assessments before any subsurface work may commence.

1. Addition/removal/replacement of, or other changes to permanent hard landscaping features that are not identified as heritage attributes in Designation By-law #2021-006 (as set out in Schedule 1), as follows:
  - a. parking lots;
  - b. patios;
  - c. in ground planters.
2. Addition/removal/replacement of, or other changes to, permanent signage;
3. Addition/removal/replacement of, or other changes to, light standards;
4. Addition or removal of up to four trees;
5. Addition/removal/replacement or other changes to paths and walkways.
6. Addition/removal/or replacement of a new permanent building or structure provided that the entire footprint of the alteration, including all open porches and spaces, is less than 15 square metres (or 161 square feet);
7. Minor revision to previously approved section 33 *Ontario Heritage Act* alterations.

## **Schedule 6 – Category ‘C’ Alterations – Town Council review and consent**

Category ‘C’ actions are alterations that are likely to affect the property’s heritage attributes and/or impact its cultural heritage value or interest. Under the *Ontario Heritage Act*, these alterations require notice to and review by Town staff, the Heritage Oakville Advisory Committee, and the review and consent of Council prior to any work being undertaken. Although the property does not contain registered archaeological sites, it does include areas of archaeological potential. As such, the property owner/applicant may be required to commission archaeological assessments before any subsurface work may commence.

1. Addition/removal/replacement of, or other changes to heritage attributes as identified in Designation By-law #2021-006 (Schedule 1);
2. Construction of a new permanent building or structure that is greater than 15 square metres (or 161 square feet);
3. Addition to or partial removal of a permanent building or structure, that has a total footprint, including all open porches and spaces, that is greater than 15 square metres (or 161 square feet);
4. Addition or removal of more than four trees.

## Schedule 7 – Parks Canada’s 14 Standards

Parks Canada’s *Standards and Guidelines for the Conservation of Historic Places in Canada* sets out 14 Standards which are to be applied to historic places that have been recognized for their heritage value. These standards can also be applied to new construction which is attached, adjacent, or related to resources such as, but not limited to, archaeological sites such as battlefields or shipwrecks; landscapes with their related natural and built features; and, individual buildings or entire urban districts.

The 14 Standards include:

### General Standards (all projects)

1. Conserve the heritage value of a historic place. Do not remove, replace, or substantially alter its intact or repairable character-defining elements. Do not move a part of a historic place if its current location is a character-defining element.
2. Conserve changes to a historic place which, over time, have become character-defining elements in their own right.
3. Conserve heritage value by adopting an approach calling for minimal intervention.
4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.
5. Find a use for a historic place that requires minimal or no change to its character-defining elements.
6. Protect and, if necessary, stabilize a historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.
7. Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.
8. Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.
9. Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place, and identifiable upon close inspection. Document any intervention for future reference.

### Additional Standards Relating to Rehabilitation

10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.

Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.

11. Conserve the heritage value and character-defining elements when creating any new additions to a historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
12. Create any new additions or related new construction so that the essential form and integrity of a historic place will not be impaired if the new work is removed in the future.

#### Additional Standards Relating to Restoration

13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

#### **Summarizing the Standards:**

- Respect and conserve heritage value;
- Respect authenticity;
- Minimize change;
- Adhere to the hierarchy of interventions: Maintain, conserve; repair and lastly replace. Repair and replace must be based on industry recognized best practices;
- Undertake an evaluation/condition assessment to determine if change is necessary;
- Before repair or replacement occurs: protect the character-defining element – aka the heritage attribute; stabilize it; and, mitigate damage and loss of information;
- Determine the gentlest change possible;
- Make changes compatible, distinguishable and reversible;
- Document changes made.

## Schedule 8 – Summary of proposed alterations

Please provide a brief but clear description of the alteration(s) being proposed to the Gairloch Gardens cultural heritage landscape.

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## Schedule 9 – Heritage Guidelines Checklist

The checklist set out below addresses key input to the Town in relation to an application to the Town under section 33 of the *Ontario Heritage Act* for the Gairloch Gardens property. Based on the cultural heritage landscape conservation plan for this property, this checklist requires information on whether and how the proposed Category ‘B’ or ‘C’ alteration affects the heritage attributes of Gairloch Gardens, as set out in Schedule 1, Designation By-law #2021-006.

The checklist set out below integrates key aspects of the Gairloch Gardens property cultural heritage landscape conservation plan, as follows:

- 1) It incorporates all identified heritage attributes, as set out in Schedule 1, Designation By-law #2021-006, and the most relevant Parks Canada Standard(s);
- 2) It considers whether and how the proposed alteration affects the attributes;
- 3) It considers whether and how the proposed alteration affects the cultural heritage landscape as a whole and the individual conservation areas; and
- 4) It gives priority to preservation over rehabilitation and/or restoration.

The checklist is organized based on the landscape as a whole and the three conservation areas. For each heritage attributes listed in the checklist, an answer is required for two important questions: Is the Standard relevant to the proposed alteration; and if relevant, is the proposed alteration consistent with the Standard? Columns four and five in this checklist addresses these questions and allow for three possible responses: Yes (Y), No (N), or Not Applicable (N/A).

Every applicant for a Category ‘B’ or ‘C’ alteration is required to complete this checklist as part of their submission to the Town. Town heritage review of an application for a Category ‘B’ or ‘C’ alteration will include a staff review of the Heritage Guidelines Checklist, as completed and submitted by the applicant, in order ensure that the proposed alteration is consistent with the applicable Standard. If the Town review accepts the entirety of the submitted checklist, it may be included in the Town decision. Should the Town review result in different answers to checklist questions, Town staff will complete a new Heritage Guidelines Checklist that reflects the Town considerations.

Schedule 9 – Heritage Guidelines Checklist The Whole Landscape				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
1. Its defined geographical area, which has been modified by human activity, being an elevated, man-made embankment overlooking Lake Ontario, the property's gardens, and Lower Morrison Creek;	1, 3, 4, 5, 6, 9, and 12.	Conserve the elevated, man-made embankment's landform, and the physical and visual relationships between the <i>structures</i> and landscape by minimizing physical change to the elevated, man-made embankment.		
2. Its unique spatial organization that articulates the interrelationships between the property's varied topography, natural elements, hardscaping features, and its historic structures;	All 14.	<p>Retain the estate's unique spatial organization by conserving the historic <i>structures</i> on the <i>property</i>. Conserve architectural <i>heritage attributes</i> including their materials; massing; shape; form; and, relevant details.</p> <p>Do not introduce <i>structures</i> to the <i>property</i> that would overshadow the <i>shape, form and massing</i> of MacKendrick's <i>Chestnut Point</i> and the <i>Teahouse</i>; and, Gairdner's <i>The Studio</i>. Do not introduce <i>structures</i> to the <i>property</i> that would negatively impact and/or cloud the authenticity of the relationships between the historic <i>structures</i>.</p> <p>When <i>altering</i> or adding to the <i>property's</i> topography, natural elements, hardscaping features, and/or its historic <i>structures</i>, ensure their form, material and detailing are <i>compatible</i> with, <i>subordinate</i> to, and <i>distinguishable</i> from the early/original heritage</p>		

Schedule 9 – Heritage Guidelines Checklist The Whole Landscape				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
		attributes. They must also be <i>reversible</i> , and must not negatively impact the estate's unique spatial organization.		
3. Its physical and functional layout and circulation route patterns, including its placement and variety of mature trees, shrubs, and gardens;	All 14.	Conserve the estate's physical and functional layout and circulation route patterns as <i>heritage attributes</i> which inform the visitor's experience. <i>Alterations</i> and/or additions to the <i>property's</i> layout and circulation pattern, including its placement and variety of mature trees, shrubs and gardens must conform to all applicable Parks Canada's <i>Standards and Guidelines</i> , including being <i>compatible</i> with, <i>subordinate</i> to, and <i>distinguishable</i> from the early/original <i>heritage attributes</i> . They must also be <i>reversible</i> , and must not negatively impact the <i>property's</i> layout and circulation routes. For example, when introducing new features such as lighting, signage, or vegetation, ensure that the heritage value of the <i>cultural heritage landscape</i> is preserved. Do not replace, substantially <i>alter</i> , add to, or remove those <i>heritage attributes</i> as doing so could create a false sense of historical development, and would cloud the <i>property's</i> authenticity.		

Schedule 9 – Heritage Guidelines Checklist The Whole Landscape				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
4. Its physical, functional, visual, and historical links to the surrounding neighbourhood, as a residential and open space setting;	1, 3, 4, 5, 6, 9, 11, and 12.	Conserve the estate's design, which articulates and informs the various links between the <i>property</i> and the neighbourhood. Conserve the open space setting of the <i>property</i> . Retain the <i>property's</i> various <i>structures</i> in their current locations and configurations.		
5. Its views and vistas to, from, and between <i>Chestnut Point</i> ; <i>The Teahouse</i> ; <i>The Studio</i> ; Lake Ontario; the gardens; and, Lower Morrison Creek;	1, 3, 4, 5, 9, and 12.	Conserve the estate's views and vistas as they articulate the estate's visual character. Retain the historic <i>structures</i> in their original locations. Do not introduce <i>structures</i> to the <i>property</i> , which will negatively impact its views and vistas. Interventions such as <i>alterations</i> , additions or new uses must have minimal impact on the estate's heritage attributes; they must be visually <i>compatible</i> and identifiable; they must protect the heritage attributes' essential form and integrity; and, they must be <i>reversible</i> .		
6. Its various hardscaping features, including the: <ul style="list-style-type: none"> <li>○ pathways;</li> <li>○ stone wall and stone archway running along the edge of the driveway leading to MacKendrick's former residence;</li> <li>○ stone stairs and walls;</li> </ul>	All 14.	Conserve the physical and visual relationships created by the layout of the estate's park grounds and its hardscaping features. Minimize physical change to the estate's hardscaping features, as they are <i>character-defining elements</i> that are representative of the estate's evolution. Conserve the angular character of its stone walls, stairs and pillars; and, the fluid character of the stone archway and the concave stone and concrete retaining wall. Do not introduce elements from other		

Schedule 9 – Heritage Guidelines Checklist The Whole Landscape				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
<ul style="list-style-type: none"> <li>○ concave stone and concrete retaining wall at the lake;</li> <li>○ presence of a dam within Lower Morrison Creek which supports the man-made ponds;</li> <li>○ stone pillars along Lakeshore Road East, at the north end of the property; and,</li> <li>○ stone pillars on the driveway between 1310 Lakeshore Road East and 1306 Lakeshore Road East, north of the studio.</li> </ul>		places or properties, or combine features from the estate that historically never co-existed. Undertake preventative maintenance, and when necessary replace the <i>heritage attributes</i> with in-kind materials and construction methods.		

Schedule 9 – Heritage Guidelines Checklist Area 1 – The Tablelands				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
7. The three historic buildings, specifically, MacKendrick's c.1923	All 14.	Conserve the estate's three historic buildings as they have historical and associative value as the physical		

Schedule 9 – Heritage Guidelines Checklist Area 1 – The Tablelands				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
residence ( <i>Chestnut Point</i> ) and teahouse ( <i>The Teahouse</i> ); and, Gairdner's c.1948 artist studio ( <i>The Studio</i> );		embodiment of the activities of two wealthy Toronto businessmen who physically and fundamentally shaped the subject <i>property</i> into what it is today. Conserve the estate's three historic buildings as they inform the estate's unique spatial organization; its physical and functional layout; and, its various links to surrounding neighbourhood.		
8. <i>Chestnut Point's</i> early 20 <sup>th</sup> century shape and form constructed in the Tudor-Revival style;	All 14.	Conserve <i>Chestnut Point's</i> physical and visual dominance by maintaining its shape and form. Do not introduce <i>structures</i> to the <i>property</i> that are taller than its 2-½ storey massing.		
9. <i>Chestnut Point's</i> 2-½ storey massing;	1, 2, 3, 5, 8, 9, and 11.	Conserve <i>Chestnut Point's</i> massing. Conserve any <i>alterations</i> or additions that have become <i>heritage attributes</i> in their own right. Should a new use be proposed for <i>Chestnut Point</i> there must be no, or minimal, change to its massing. Protect <i>Chestnut Point</i> through regular preventative maintenance using industry-recognized maintenance methods.		
10. <i>Chestnut Point's</i> lake stone foundation;	1, 3, 7, 8, 9, 10, and 13.	Conserve <i>Chestnut Point's</i> lake stone foundation by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize the foundation		

Schedule 9 – Heritage Guidelines Checklist				
Area 1 – The Tablelands				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
		walls until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to all applicable Parks Canada's <i>Standards and Guidelines</i> . Follow the accepted heritage practice of restore first, repair next, replace last. Replacement must be in-kind and changes must be <i>compatible, distinguishable</i> , based on sufficient physical evidence, and documented.		
11. <i>Chestnut Point's</i> stone, stucco, and wood cladding materials, including the first storey's lake stone structure, and the second storey's plaster stucco exterior cladding;	1, 3, 7, 8, 9, 10, 11, 12, 13, and 14.	Conserve <i>Chestnut Point's</i> stone, stucco and wood cladding by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize the cladding until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to all applicable Parks Canada's <i>Standards and Guidelines</i> . Follow the accepted heritage practice of restore first, repair next, replace last. Replacement and new additions must be in-kind, and must be <i>compatible, distinguishable</i> , based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace		

Schedule 9 – Heritage Guidelines Checklist Area 1 – The Tablelands				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
		missing <i>heritage attributes</i> based upon reputable oral evidence.		
12. <i>Chestnut Point's</i> open, cross-gable roof configuration with overhanging eaves and exposed, wooden rafters;	1, 3, 4, 7, 8, 9, 10, 11, 12, 13, and 14.	<p>Conserve <i>Chestnut Point's</i> open, cross-gable roof configuration. Do not replace, substantially <i>alter</i>, add to, or remove the overhanging eaves and exposed, wooden rafters, as they are significant <i>heritage attributes</i>. Doing so could create a false sense of historical development, and would cloud the <i>structure's</i> authenticity.</p> <p>When necessary, stabilize the overhanging eaves and exposed, wooden rafters until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined.</p> <p><i>Alterations</i> and additions must conform to all applicable Parks Canada's <i>Standards and Guidelines</i>. Follow the accepted heritage practice of restore first, repair next, replace last. Replacement must be in-kind, and must be <i>compatible, distinguishable</i>, based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.</p>		

Schedule 9 – Heritage Guidelines Checklist Area 1 – The Tablelands				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
13. <i>Chestnut Point's</i> Arts and Crafts inspired, steeply sloped roof section, ending in a subtle upward curve;	1, 3, 4, 7, 8, 9, 10, 13, and 14.	Conserve <i>Chestnut Point's</i> Arts and Crafts inspired, steeply sloped roof section by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize the steeply sloped roof until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to all applicable Parks Canada's <i>Standards and Guidelines</i> . Follow the accepted heritage practice of restore first, repair next, replace last. Replacement must be in-kind, <i>compatible</i> , <i>distinguishable</i> , based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.		
14. <i>Chestnut Point's</i> eyebrow and shed dormers;	1, 3, 4, 7, 8, 9, 10, 13, and 14.	Conserve <i>Chestnut Point's</i> eyebrow and shed dormers by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize the eyebrow and shed dormers until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to all applicable Parks Canada's <i>Standards and Guidelines</i> . Follow the		

Schedule 9 – Heritage Guidelines Checklist Area 1 – The Tablelands				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
		accepted heritage practice of restore first, repair next, replace last. Replacement and new additions must be in-kind, and must be <i>compatible, distinguishable</i> , based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.		
15. <i>Chestnut Point's</i> Porch and Porte Cochère's exposed wooden rafters and stone piers;	1, 3, 4, 7, 8, 9, 10, 13, and 14.	Conserve <i>Chestnut Point's</i> Porch and Porte Cochère's exposed wooden rafters and stone piers by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize the Porch and Porte Cochère's exposed wooden rafters and stone piers until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to all applicable Parks Canada's <i>Standards and Guidelines</i> . Follow the accepted heritage practice of restore first, repair next, replace last. Replacement must be in-kind, and must be <i>compatible, distinguishable</i> , based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.		

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Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
16. <i>Chestnut Point's</i> Sunroom and Living room porches' post and beam construction, exposed wooden rafters, and stone piers;	1, 3, 4, 7, 8, 9, 10, 13, and 14.	Conserve <i>Chestnut Point's</i> Sunroom and Living room porches' post and beam construction, exposed wooden rafters, and stone piers by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize the porches until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to all applicable Parks Canada's <i>Standards and Guidelines</i> . Follow the accepted heritage practice of restore first, repair next, replace last. Replacement must be in-kind, and must be <i>compatible, distinguishable</i> , based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.		
17. <i>Chestnut Point's</i> historic wood doors and windows including associated trim, sills and headers; and,	1, 3, 4, 7, 8, 9, 10, 13, and 14.	Conserve <i>Chestnut Point's</i> historic wood doors and windows including associated trim, sills and headers by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize historic wood doors and windows until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined.		

Schedule 9 – Heritage Guidelines Checklist				
Area 1 – The Tablelands				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
		<i>Alterations</i> and additions must conform to all applicable Parks Canada's <i>Standards and Guidelines</i> . Follow the accepted heritage practice of restore first, repair next, replace last. Replacement must be in-kind, and must be <i>compatible, distinguishable</i> , based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.		
18. <i>Chestnut Point's</i> historic stone chimneys.	1, 3, 4, 7, 8, 9, 10, 13, and 14.	Conserve <i>Chestnut Point's</i> historic stone chimneys by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize chimneys until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to all applicable Parks Canada's <i>Standards and Guidelines</i> . Follow the accepted heritage practice of restore first, repair next, replace last. Replacement must be in-kind, and must be <i>compatible, distinguishable</i> , based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.		

Schedule 9 – Heritage Guidelines Checklist				
Area 1 – The Tablelands				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
<p>19. <i>Chestnut Point's</i> interior layout, materials and finishes including:</p> <ul style="list-style-type: none"> <li>○ Exposed stone walls;</li> <li>○ historic wood panelling and mouldings, wood paneled columns and pilasters ornamented with curving wooden brackets, and wood picture rail and carved grapes and leaves frieze;</li> <li>○ historic wood doors and windows including all associated trim;</li> <li>○ coved ceilings and coved window openings;</li> <li>○ wood ceiling beams;</li> <li>○ historic fireplaces, including their marble and stone surrounds, and carved wooden/decorative mantles;</li> <li>○ historic wood and tile floors; and,</li> <li>○ the Hall's historic wood staircase, curved wood handrail, moulding, and trim.</li> </ul>	1, 2, 3, 4, 5, 7, 8, 9, 10, 13, and 14.	<p>Conserve <i>Chestnut Point's</i> interior layout by maintaining its shape and form. Conserve <i>Chestnut Point's</i> interior materials and finishes by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize its interior <i>heritage attributes</i> until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to all applicable Parks Canada's <i>Standards and Guidelines</i>. Follow the accepted heritage practice of restore first, repair next, replace last. Replacement must be in-kind, and must be <i>compatible, distinguishable</i>, based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.</p>		

Schedule 9 – Heritage Guidelines Checklist				
Area 1 – The Tablelands				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
20. <i>The Teahouse's</i> low stone walls, including the curved south wall;	1, 2, 3, 4, 5, 7, 8, 9, 10, 13, and 14.	Conserve <i>The Teahouse's</i> low stone walls by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize chimneys until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to all applicable Parks Canada's <i>Standards and Guidelines</i> . Follow the accepted heritage practice of restore first, repair next, replace last. Replacement must be in-kind, and must be <i>compatible, distinguishable</i> , based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.		
21. <i>The Teahouse's</i> timber-frame wood roof supported by stone piers, which match those on <i>Chestnut Point</i> ; and,	1, 2, 3, 4, 5, 7, 8, 9, 10, 13, and 14.	Conserve <i>The Teahouse's</i> timber-frame wood roof and stone piers by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize chimneys until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to all applicable Parks Canada's <i>Standards and Guidelines</i> . Follow the accepted heritage practice of restore first, repair next, replace last.		

Schedule 9 – Heritage Guidelines Checklist Area 1 – The Tablelands				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
		Replacement must be in-kind, and must be <i>compatible, distinguishable</i> , based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.		
22. <i>The Teahouse's</i> stone stairs.	1, 2, 3, 4, 5, 7, 8, 9, 10, 13, and 14.	Conserve <i>The Teahouse's</i> stone stairs by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize chimneys until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to all applicable Parks Canada's <i>Standards and Guidelines</i> . Follow the accepted heritage practice of restore first, repair next, replace last. Replacement must be in-kind, and must be <i>compatible, distinguishable</i> , based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.		
23. <i>The Studio's</i> shape and form, constructed in the Modern style;	All 14.	Conserve <i>The Studio's</i> physical and visual dominance by maintaining its shape and form. Do not introduce <i>structures</i> to the <i>property</i> that would overshadow its 1-storey massing.		

Schedule 9 – Heritage Guidelines Checklist Area 1 – The Tablelands				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
24. <i>The Studio's</i> 1-storey massing;	1, 2, 3, 5, 8, 9, and 11.	Conserve <i>The Studio's</i> massing. Conserve any <i>alterations</i> that have become <i>heritage attributes</i> in their own right. Should a new use be proposed for <i>The Studio</i> there must be no, or minimal, change to its massing. Protect <i>The Studio</i> through regular preventative maintenance using industry-recognized maintenance methods.		
25. <i>The Studio's</i> horizontal wood cladding;	1, 3, 7, 8, 9, 10, 11, 12, 13, and 14.	Conserve <i>The Studio's</i> horizontal wood cladding by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize the cladding until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to accepted heritage conservation standards and guidelines. Follow the accepted heritage practice of restore first, repair next, replace last. Replacement and new additions must be in-kind, and must be <i>compatible, distinguishable</i> , based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.		

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Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
26. <i>The Studio's</i> open gable roof configuration with return eaves;	1, 3, 4, 7, 8, 9, 10, 11, 12, 13, and 14.	Conserve <i>The Studio's</i> open gable roof configuration with return eaves by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize the roof and return eaves until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to accepted heritage conservation standards and guidelines. Follow the accepted heritage practice of restore first, repair next, replace last. Replacement and new additions must be in-kind, and must be <i>compatible, distinguishable</i> , based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.		
27. <i>The Studio's</i> historic four-pane skylight;	1, 3, 4, 7, 8, 9, 10, 11, 12, 13, and 14.	Conserve <i>The Studio's</i> historic four-pane skylight by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize the skylight until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to all applicable Parks Canada's		

Schedule 9 – Heritage Guidelines Checklist Area 1 – The Tablelands				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
		<i>Standards and Guidelines.</i> Follow the accepted heritage practice of restore first, repair next, replace last. Replacement and new additions must be in-kind, and must be <i>compatible, distinguishable</i> , based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.		
28. <i>The Studio's</i> historic wood doors and windows and associated trim;	1, 3, 4, 7, 8, 9, 10, 13, and 14.	Conserve <i>The Studio's</i> historic wood doors and windows by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize the windows and doors until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to all applicable Parks Canada's <i>Standards and Guidelines</i> . Follow the accepted heritage practice of restore first, repair next, replace last. Replacement and new additions must be in-kind, and must be <i>compatible, distinguishable</i> , based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.		

Schedule 9 – Heritage Guidelines Checklist Area 1 – The Tablelands				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
29. <i>The Studio's</i> historic wood louvered shutters;	1, 3, 4, 7, 8, 9, 10, 13, and 14.	Conserve <i>The Studio's</i> historic wood louvered shutters by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize the shutters until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to all applicable Parks Canada's <i>Standards and Guidelines</i> . Follow the accepted heritage practice of restore first, repair next, replace last. Replacement and new additions must be in-kind, and must be <i>compatible, distinguishable</i> , based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.		
30. <i>The Studio's</i> 12-pane projecting bay window including its two operable, three-pane casement windows/doors; and,	1, 3, 4, 7, 8, 9, 10, 13, and 14.	Conserve <i>The Studio's</i> 12-pane projecting bay window by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize the bay window until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to all applicable Parks Canada's <i>Standards and Guidelines</i> . Follow the accepted heritage		

Schedule 9 – Heritage Guidelines Checklist Area 1 – The Tablelands				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
		practice of restore first, repair next, replace last. Replacement and new additions must be in-kind, and must be <i>compatible, distinguishable</i> , based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.		
31. <i>The Studio's</i> stone chimney.	1, 3, 4, 7, 8, 9, 10, 13, and 14.	Conserve <i>The Studio's</i> stone chimney by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize the chimney until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to all applicable Parks Canada's <i>Standards and Guidelines</i> . Follow the accepted heritage practice of restore first, repair next, replace last. Replacement and new additions must be in-kind, and must be <i>compatible, distinguishable</i> , based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.		

Schedule 9 – Heritage Guidelines Checklist Area 1 – The Tablelands				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
<p>32. <i>The Studio's</i> interior layout, materials and finishes including:</p> <ul style="list-style-type: none"> <li>○ historic wood floors;</li> <li>○ exposed, timber-frame ceiling structure;</li> <li>○ historic wood panelling; and,</li> <li>○ historic stone fireplace, hearth and simple wood mantel.</li> </ul>	1, 2, 3, 4, 5, 7, 8, 9, 10, 13, and 14.	<p>Conserve <i>The Studio's</i> interior layout by maintaining its shape and form. Conserve <i>The Studio's</i> interior materials and finishes by adopting an approach of minimal intervention and adhering to a schedule of regular preventative maintenance. When necessary, stabilize its interior <i>heritage attributes</i> until such time as the best industry-recognized maintenance, restoration, repair, or replacement methods have been determined. <i>Alterations</i> and additions must conform to all applicable Parks Canada's <i>Standards and Guidelines</i>. Follow the accepted heritage practice of restore first, repair next, replace last. Replacement must be in-kind, and must be <i>compatible, distinguishable</i>, based on sufficient physical evidence, and documented. Where insufficient physical evidence exists, replace missing <i>heritage attributes</i> based upon reputable oral evidence.</p>		

Schedule 9 – Heritage Guidelines Checklist Area 2 – The Parklands				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
33. Its park grounds, with its blend of formal and informal gardens, including any remnants of MacKendrick's early 20 <sup>th</sup> century designed garden; and, the formal rose and perennial garden;	All 14.	Conserve the estate's park grounds as a <i>character-defining element</i> that is representative of the estate's evolution. Do not introduce elements from other places or properties, or combine features from the estate that historically never co-existed. Undertake preventative maintenance. When necessary, consider replanting with authentic period flowers, shrubs and trees, based on sufficient physical evidence. Changes should be minimal, documented, and must respect the authenticity of MacKendrick's early 20 <sup>th</sup> century designed garden.		
34. Lt. Col. MacKendrick's two man-made ponds;	All 14.	Conserve the estate's two man-made ponds as <i>character-defining elements</i> that are representative of the estate's evolution. Minimize physical change. Undertake preventative maintenance, and when necessary replace the <i>heritage attributes</i> with in-kind materials and construction methods.		

Schedule 9 – Heritage Guidelines Checklist Area 3 – the Waterfronts				
Conservation: Preservation, Rehabilitation and Restoration guidelines				
Heritage Attribute	Relevant Parks Canada Standards	Summary of Parks Canada's <i>Standards and Guidelines</i>	Relevant	Consistent
35. Its waterfront access	All 14.	Conserve the estate's waterfront access as one of its significant <i>heritage attributes</i> . Impeding access to the waterfront would eradicate a historic relationship that has existed since people first occupied the area, and it would negatively impact one of the property's most important features, as one of the limited number of properties which still permits public access to the Town's waterfront.		

## Schedule 10 – Heritage Values Checklist

The checklist set out below addresses key input to the Town in relation to an application to the Town under section 33 of the *Ontario Heritage Act* for the Gairloch Gardens property. Based on the cultural heritage landscape conservation plan for this property, this checklist requires information on whether and how the proposed Category ‘B’ or ‘C’ alteration affects the cultural heritage value or interest of Gairloch Gardens, as set out in Schedule 1, Designation By-law #2021-006.

The checklist demands an answer to the question whether the proposed alteration will have a positive effect, a negative effect or no effect on Gairloch Gardens’ cultural heritage value or interest. The third column in this checklist addresses the “Type of effect.” There are three possible responses: Positive (P), Negative (N), or No Effect (Nil).

Every applicant for a Category ‘B’ or ‘C’ alteration is required to complete this checklist as part of their submission to the Town. It comprises a comprehensive list of heritage values, identifying every heritage attribute related to each. In some cases heritage attributes are related to multiple heritage values. Town heritage review of an application for a Category ‘B’ or ‘C’ alteration will include a staff review of the Heritage Values Checklist, as completed and submitted by the applicant, in order to ensure that the proposed alteration is consistent with the applicable Parks Canada Standards. If the Town review accepts the entirety of the submitted checklist, it may be included in the Town decision. Should the Town review result in different answers to checklist questions, Town staff should complete a new checklist that reflects the Town considerations.

Value	Related attribute(s)	Type of Effect
<b>1. The whole designed cultural heritage landscape has design and physical value:</b> <ul style="list-style-type: none"> <li>As a rare and representative example of an early 20<sup>th</sup> century lakefront estate;</li> <li>As a public park that is physically, functionally, visually and historically linked to its surroundings; and,</li> <li>As a result of the significant views and vistas to, from, and between the three historic buildings (<i>Chestnut Point</i>; <i>The Teahouse</i>; <i>The Studio</i>); Lake Ontario; the gardens; and, Lower Morrison Creek.</li> </ul>	a) The whole designed cultural heritage landscape, as an intact surviving example of an estate which is historically linked to Lt. Col. William Gordon MacKendrick and James Arthur Gairdner.	
	b) The combination of buildings, structures, and open space, set upon the elevated man-made embankment adjacent to the surrounding neighbourhood, which as a public park provides unimpeded public access to the waterfront.	
	c) The placement of the various structures resulted in the property's significant views and vistas.	
<b>Comments</b>		
<b>2. Design and physical value of the buildings:</b> <ul style="list-style-type: none"> <li>The early 20<sup>th</sup> century, architecturally significant structures on the property include <i>Chestnut Point</i>; <i>The Teahouse</i>; and, <i>The Studio</i>.</li> </ul>	a) <i>Chestnut Point</i> and <i>The Teahouse</i> , the early 20 <sup>th</sup> century, Tudor-Revival style buildings, and the mid-20 <sup>th</sup> century, Modern style <i>The Studio</i> .	
<b>Comments</b>		
<b>3. High degree of craftsmanship and artistic merit:</b> <ul style="list-style-type: none"> <li>The placement and design of the various structures result in significant views and vistas to, from, and between the buildings, Lake Ontario, the gardens, and Lower Morrison Creek; and,</li> </ul>	a) The placement and design of <i>Chestnut Point</i> , <i>The Teahouse</i> , and <i>The Studio</i> , the estate's principal structures, on the apex of the elevated man-made embankment, and the placement of the lesser, functional	

Value	Related attribute(s)	Type of Effect
<ul style="list-style-type: none"> <li>The placement and design of the hardscaping elements, and the mature vegetation plantings result in significant views and represent a successful integration of architecture and landscape.</li> </ul>	<p>outbuildings on the less visually prominent part of the property.</p> <p>b) The property's stone walls, including the concave stone and concrete retaining wall along the shore of Lake Ontario, its pathways, and its variety of mature trees, shrubs, and gardens.</p>	
<b>Comments</b>		
<p><b>4. The whole designed cultural heritage landscape has historical and associative value:</b></p> <ul style="list-style-type: none"> <li>Direct association with, and yields, or has the potential to yield, information that contributes to an understanding of the theme of early 20<sup>th</sup> century lakefront estate activities in Oakville;</li> <li>Direct association with the late 19<sup>th</sup>/early 20<sup>th</sup> century concept known as the Park Movement;</li> <li>Direct association with <i>Oakville Galleries in Gairloch Gardens</i>, a not-for-profit contemporary art museum;</li> <li>Direct association with Gairloch Garden, a public park;</li> <li>As a location which yields, or has the potential to yield, information that contributes to an understanding of the Mississaugas of the Credit First Nation (MCFN) who, as one of the area's pre-contact Indigenous inhabitants, have an interest in Lower Morrison Creek; and, to the archaeological record of the area; and,</li> <li>As a location which demonstrates or reflects the work of Ashton Spencer Pentecost, "a talented delineator"; local architect William Gould Armstrong; Lt. Col. MacKendrick and James Gairdner's passion for garden design.</li> </ul>	<p>a) The whole designed cultural heritage landscape as an intact surviving example of an early 20<sup>th</sup> century estate developed by and for the MacKendricks and Gairdners, two wealthy Toronto families.</p> <p>b) The whole designed cultural heritage landscape as a place that provides a 'restorative environment' through its gardens, lawns and waterfront access.</p> <p>c) <i>Chestnut Point</i> as a place where people can interact with art.</p> <p>d) The whole designed cultural heritage landscape as a symbol of civic pride, and as a place where the public could, in their leisure time, benefit from interacting with attractive, natural surroundings.</p> <p>e) The whole designed cultural heritage landscape as a place that holds significance, and unimpeded access, to members of the</p>	

Value	Related attribute(s)	Type of Effect
	<p>Mississaugas of the Credit First Nation.</p> <p>f) The whole designed cultural heritage landscape as a place where the work of Ashton Spencer Pentecost, William Gould Armstrong, Lt. Col. MacKendrick, and James Gairdner may be experienced.</p>	
<b>Comments</b>		
<p><b>5. Gairloch Gardens has contextual value as a publically accessible park:</b></p> <ul style="list-style-type: none"> <li>Gairloch Gardens is significant as a publically accessible park which defines, maintains, and support the character of the area.</li> </ul>	a) Its defined geographical area, being an elevated man-made embankment overlooking the shore of Lake Ontario, the property's gardens, and the banks of Lower Morrison Creek.	
	b) Its unique spatial organization that articulates the interrelationships between the property's varied topography, natural elements, hardscaping features, and its historic structures.	
	c) Its physical and functional layout and circulation route patterns, including its placement and variety of mature trees, shrubs, and gardens.	
	d) Its physical, functional, visual, and historical links to the surrounding neighbourhood, as a residential and open space setting.	

Value	Related attribute(s)	Type of Effect
	e) Its three historic buildings, specifically MacKendrick's c.1923 residence ( <i>Chestnut Point</i> ) and teahouse ( <i>The Teahouse</i> ), and Gairdner's c.1948 artist studio ( <i>The Studio</i> ).	
	f) Its unimpeded access to the waterfront.	
	g) Its park grounds, with its blend of formal and informal gardens, including any remnants of MacKendrick's early 20 <sup>th</sup> century designed garden; and, the formal rose and perennial garden.	
<b>Comments</b>		
<b>6. Gairloch Gardens has contextual value as a property that remains physically, functionally, visually, and historically linked to its surroundings:</b> <ul style="list-style-type: none"> <li>Including to a number of remnant historic lakefront estates, Lake Ontario, and Lower Morrison Creek.</li> </ul>	a) As the location of <i>Oakville Galleries in Gairloch Gardens</i> and a public park.	
<b>Comments</b>		
<b>7. Gairloch Gardens has contextual value as a landmark within the Town of Oakville.</b> <ul style="list-style-type: none"> <li>Gairloch Gardens is significant as a publically accessible park which defines, maintains, and support the character of the area.</li> </ul>	a) Its defined geographic area.	
	b) Its unique spatial organization.	
	c) Its physical and functional layout and circulation route patterns.	
	d) Its physical, functional, visual, and historical links to the surrounding neighbourhood.	

Value	Related attribute(s)	Type of Effect
	e) Its three historic buildings, specifically MacKendrick's c.1923 residence ( <i>Chestnut Point</i> ) and teahouse ( <i>The Teahouse</i> ), and Gairdner's c.1948 artist studio ( <i>The Studio</i> ).	
	f) Its residential and open space setting adjacent to Lake Ontario, Lower Morrison Creek and the surrounding neighbourhood.	
	g) Its views and vistas to, from, and between <i>Chestnut Point</i> ; <i>The Teahouse</i> ; <i>The Studio</i> ; Lake Ontario; the gardens; and, Lower Morrison Creek.	
	h) Its waterfront access.	
	i) Its park grounds, with its blend of formal and informal gardens, including any remnants of MacKendrick's early 20 <sup>th</sup> century designed garden; and, the formal rose and perennial garden.	
	j) Lt. Col. MacKendrick's two man-made ponds. k) Its various hardscaping features, including the: <ul style="list-style-type: none"> <li>• pathways;</li> <li>• stone wall and stone archway running along the edge of the driveway leading to MacKendrick's former residence;</li> <li>• stone stairs and walls;</li> <li>• concave stone and concrete retaining wall at the lake;</li> <li>• presence of a dam within Lower Morrison Creek which supports the man-made ponds;</li> </ul>	

