

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: JANUARY 18, 2021

FROM: Planning Services Department

DATE: January 5, 2021

SUBJECT: Amendment of By-law 2013-093 - 474 Lakeshore Road East et al

LOCATION: 474 Lakeshore Road East, 480 Lakeshore Road East, 86 Park Avenue, 88 Park Avenue

WARD: 3

Page 1

RECOMMENDATION:

That notice of intention to amend heritage designation By-law 2013-093 be issued.

KEY FACTS:

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

- In 2013, after a Conservation Review Board hearing, the properties at 86 Park Avenue, 88 Park Avenue and 474 Lakeshore Road East were designated under s. 29, Part IV of the *Ontario Heritage Act* for the cultural heritage value of the Broxstowe House by By-law 2013-093.
- On July 28, 2015, the Heritage Oakville Advisory Committee considered a request from the property owner to sever a portion of the lot at 474 Lakeshore Road East. The Committee supported the request, conditional upon the approval of site plan for the new residence. At that time, the Committee also endorsed the future amendment of By-law 2013-093 to remove the newly created lot (now known as 480 Lakeshore Road East) from the designated area, conditional upon site plan approval.
- The site plan for the new residence at 480 Lakeshore Road East was approved in 2017 and the new residence has since been constructed. The property owner has requested that the amendment of By-law 2013-093 be completed.

BACKGROUND:

The properties at 474 and 480 Lakeshore Road East are located on the south side of Lakeshore Road East, near the intersection of Park Avenue (see Appendix A for Location Map). The property at 474 Lakeshore Road East was designated under

From: Planning Services Department
Date: January 5, 2021
Subject: Amendment of By-law 2013-093 - 474 Lakeshore Road East et al

Part IV of the *Ontario Heritage Act* by By-law 2013-093 (attached as Appendix B), along with the properties at 86 and 88 Park Avenue, which together form the historic Broxstowe House.

On July 28, 2015, the Heritage Oakville Advisory Committee made the following recommendation:

- 1. That an amendment of By-law 2013-093 be supported, should the Consent application B15/10 (1711) be approved; and*
- 2. That the future site plan associated with the proposed development of the severed lot be referred back to the Heritage Oakville Advisory Committee as part of the review process.*

The Consent application B15/10 (1711) was approved by the Ontario Municipal Board on May 31, 2016. The subsequent site plan application SP.1711.035/01 was reviewed by the Heritage Oakville Advisory Committee at their meeting on May 30, 2017 and the new residence was supported. The site plan application SP.1711.035/01 received final approval on November 29, 2017.

COMMENT/OPTIONS:

The severance of the property at 480 Lakeshore Road East from the property at 474 Lakeshore Road East was completed through Consent application B15/10 (1711). The new residence, which was approved through SP.1711.035/01, has been constructed. As the new residence and severed lot do not have any cultural heritage value or include any heritage attributes related to Broxstowe House as identified in By-law 2013-093, it is appropriate to remove the property at 480 Lakeshore Road East from the legal description in Schedule A of the designation by-law through an amendment to said by-law.

As per the requirements of s. 30.1 (5), Part IV of the *Ontario Heritage Act*, the municipal heritage committee was consulted in 2015 regarding the proposed amendment to the legal description. Should Council decide to issue the notice of intention to amend the designation by-law, notice will be sent to the owner(s) of the property. There is a 30 day objection period, following which, if no objections are received, an amending by-law will be brought forward for passage.

Heritage Planning staff recommend that notice of intention to amend By-law 2013-093 be issued and notifications proceed as required by the *Ontario Heritage Act*.

From: Planning Services Department
Date: January 5, 2021
Subject: Amendment of By-law 2013-093 - 474 Lakeshore Road East et al

CONSIDERATIONS:

(A) PUBLIC

Should Council support the staff recommendation, notification of the proposed amendment will be sent to the property owners of 86 Park Avenue, 88 Park Avenue, 474 Lakeshore Road East and 480 Lakeshore Road East. Public notification is not required for this amendment.

(B) FINANCIAL

None

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The Legal Services department has reviewed this report.

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- provide outstanding service to our residents and businesses
- be accountable in everything we do
- enhance our cultural environment
- be the most livable town in Canada

(E) COMMUNITY SUSTAINABILITY

A Climate Emergency was declared by Council in June 2019 for the purposes of strengthening the Oakville community commitment in reducing carbon footprints. The amendment of By-law 2013-093 does not impact the town's climate initiatives.

APPENDICES:

Appendix A	Location Map
Appendix B	By-law 2013-093

Prepared by:
Susan Schappert, CAHP, MCIP, RPP
Heritage Planner

Recommended by:
Lesley E. Gill Woods, MCIP, RPP
Acting Manager, Policy Planning and
Heritage

Submitted by:
Mark H. Simeoni, MCIP, RPP
Director, Planning Services