
***Cultural Heritage Landscape Strategy Implementation –
Phase Two: Cultural Heritage Evaluation Report***

Erchless Estate

8 Navy Street, 110 – 114 King Street, Oakville Ontario



Town of Oakville
Heritage Planning
September 2018

Figure 1 (on front cover): *Erchless*, south elevation. 11 April 2018.

Executive Summary

The purpose of this report is to determine if the subject property qualifies as a cultural heritage landscape. Cultural heritage landscapes provide a wider understanding of the context of how built resources, natural heritage and land uses function together as a whole. The subject property was assessed to determine if it has cultural heritage value per the Town of Oakville's *Cultural Heritage Landscape Strategy* and if it meets Ontario Regulation 9/06.

Erchless Estate is a designed cultural heritage landscape. It is an elegant example of a rural estate of wealthy settlers of early 19th century Upper Canada, which falls within the category of a "clearly defined landscape designed and created intentionally by man."¹ Further, the subject property meets the definition of a cultural heritage landscape, which is described as "a defined geographical area [which has] been modified by human activity and is identified as having cultural heritage value or interest by a community."² The subject property includes "structures, spaces, archaeological sites [and] natural elements that are valued together for their interrelationship, meaning and association".³

Although the Province of Ontario has identified cultural heritage landscapes as a type of cultural heritage resource, there is no province-wide standard methodological approach for their assessment. To fill this gap, Town Planning staff authored the *Cultural Heritage Landscapes Strategy* (the Strategy) which was adopted by Council in January 2014. The Strategy directs that a potential cultural heritage landscape should be evaluated using Ontario Regulation 9/06, Criteria for Determining Cultural Heritage Value or Interest under the *Ontario Heritage Act*, (OHA). As such, consideration was given to the layered, nested, and overlapping aspects of the property, including the evolution of its land-use history and its current conditions.

Should it be determined that the property be evaluated for its Provincial or National significance, a third party should be engaged to undertake this assessment.

The subject property, known locally as Erchless Estate, is located on the west side of Navy Street at its south most end. It is bounded by Lakeside Park on the east, Sixteen Mile Creek on the west; and Lake Ontario to the south. The property extends north to King Street. Historically, Front Street ran through the property, culminating at the banks of Sixteen Mile Creek. The portion of Front Street that bisected the property was eventually closed, ending on the east side of Navy Street.

Although the property sits within the Old Oakville Heritage Conservation District, it is expressly excluded from it as the pre-2005 *Ontario Heritage Act* did not permit overlapping designations. Instead, it is an individually designated property (under Section 29, Part IV of the *Ontario Heritage Act*, By-law 1976-87), which is owned by the Town of Oakville and is subject to an Easement with the Ontario Heritage Trust.

¹ United Nations Educational, Scientific and Cultural Organisation, Intergovernmental Committee for the Protection of the World Cultural and Natural Heritage, *Operational Guidelines for the Implementation of the World Heritage Convention: Definitions and Categories*, World Heritage Centre, WHC. 08/01, January 2008. Page 86 – <http://whc.unesco.org/archive/opguide08-en.pdf#annex3> - accessed 29 May 2018.

² 2014 *Provincial Policy Statement: Under the Planning Act. 6.0 Definitions: Cultural heritage landscape*. Ministry of Municipal Affairs and Housing, April 30, 2014. Page 40.

³ *Ibid.*

Per the Crown Grant, in March 1831, for £1,020 William Chisholm (1788-1842) purchased 1,000 acres of land at the mouth of Sixteen Mile Creek where he planned out the Town of Oakville and Oakville Harbour. Chisholm developed the harbour, investing heavily in shipping and shipbuilding. Soon the harbour was successfully handling trade between Toronto, Hamilton and various American cities.

The first brick building on site is thought to have been erected around 1828 and served as both a storehouse and later, when "Oakville was declared a Port of Entry and William appointed Customs Collector in 1836 the store, then discontinued, undoubtedly became the Customs House."⁴ ⁵ In the 19th century, William's son, Robert Kerr Chisholm, (1819-1899), or R.K. as he was commonly known, undertook a series of additions to the storehouse, converting the building into a family home. In 1855, construction began on the new, two-storey *Custom House and Bank of Toronto* building, which, upon completion in 1856, contained two offices; one for the customs office and the other for a bank. In the 20th century, this building was also converted into a home for the Chisholm family. The property remained in the family for over 140 years, being sold c. 1966. The Town purchased the property in October 1977.

Erchless Estate is prominently located on the top of a hill, on the east side of Oakville Harbour, at the opening of the Sixteen Mile Creek. Structures on the property include the Chisholm family home which today is referred to simply as *Erchless*; the *Custom House and Bank of Toronto* building, or the *Custom House*; the *Coach House and Gardener's Cottage*, as the stable/coach house is called; and, the *Cottage*.

Today, the property is the location of Oakville Museum at Erchless Estate and Oakville Historical Society's office. The house and grounds are open to the public.

⁴ Port of Entry: In general, a port of entry (POE) is a place where one may lawfully enter a country. It typically has a staff of people who check passports and visas and inspect luggage to assure that contraband is not imported. International airports are usually ports of entry, as are road and rail crossings on a land border. Seaports can be used as ports of entry only if a dedicated customs presence is posted there. The choice of whether to become a port of entry is up to the civil authority controlling the port.

⁵ *Hazel Chisholm Mathews Archival Notes Volume II: John and George Chisholm of the Parish of Croy, Inverness-shire, and their Descendants*. Oakville Collection, Oakville Public Library, 971.353 MAT REF V1&2. Page 34.

Table of Contents

Executive Summary.....	1
1. Project Overview.....	4
1.1 Project Background.....	4
1.2 Phase Two: Research and Assessment	5
2. Cultural Landscapes and the Heritage Planning Framework.....	5
2.1 Understanding and Defining Cultural Landscapes.....	5
2.2 Heritage Planning Frameworks.....	5
3 Subject property	7
3.2 Context.....	9
3.3 Current Conditions.....	10
3.4 Structures.....	12
4 History of the area	13
4.1 History of the property	16
4.2 Structure chronology	21
5 Evaluation of Cultural Heritage Value or Interest.....	43
5.1 Criteria for Determining Cultural Heritage Value or Interest	43
5.2 Summary of Evaluation Findings.....	43
5.3 Statement of Cultural Heritage Value and Significance.....	43
5.4 Evaluation of Provincial and/or National Historic Significance.....	51
6 Conclusion.....	51
7 Sources.....	52
8 Appendices.....	53
8.1 Appendix A: Photos.....	53
8.2 Appendix B: Designation Bylaw	62
8.3 Appendix C: Crown Grant	67
8.4 Appendix D: Ontario Regulation 9/06:.....	68
8.5 Appendix E: Definitions of cultural heritage landscapes	69

1. Project Overview

1.1 Project Background

The Livable Oakville Plan provides that the town will protect and preserve cultural heritage landscapes by utilizing applicable legislation. Cultural heritage landscape provisions are included in the *Ontario Heritage Act*; the *Planning Act*; and, the *Provincial Policy Statement, 2014*. While the Livable Oakville Plan does not require a specific strategy for cultural heritage landscapes, other heritage planning studies and policies identified the need to provide a consistent process of identification, evaluation and conservation. Further, during the 2012 *Bronte Village Heritage Resource Review and Strategy* process the public indicated their support for additional heritage conservation tools. The result is the Town of Oakville's *Cultural Heritage Landscape Strategy*.

In January 2014, the Town of Oakville adopted the *Cultural Heritage Landscapes Strategy*, which was created based on industry best practices. The purpose of the strategy was to provide a “framework for the identification and protection of cultural heritage landscapes in the Town of Oakville and direction for protecting and managing these resources for the future.”⁶ Recognizing that “any landscape that has been deliberately modified by humans is a cultural landscape” the Strategy expands on that definition, indicating that “only those cultural landscapes that have a deep connection with the history of the community and are valued by the community can be identified as ‘cultural heritage landscapes’.”^{7 8}

In February 2015, Town Council “requested staff to undertake a review of the town’s major open space areas in order to determine if they should be appropriately designated as a cultural heritage landscape”.⁹ In doing so, it was determined that the implementation of the *Cultural Heritage Landscapes Strategy* be split into three phases, being: Inventory; Research and Assessment; and, Implementation of Protection. In July 2015, Laurie Smith Heritage Consulting (LSHC) was retained to provide consulting services for the Phase One Inventory. LSHC’s report, entitled *Cultural Heritage Landscape Strategy Implementation – Phase 1: Summary Report*, identified 63 properties. Eight were identified as high priority properties, sixteen as medium priority properties, twenty-seven as low priority properties and twelve properties for which no further action was recommended. Properties identified as being in the high and medium priority categories were deemed to be vulnerable to change (development pressures, natural forces, and neglect); to have insufficient existing protection; and/or, to have a high level of cultural heritage value or interest. Erchless Estate was identified as a medium priority property.

In February 2016, Council directed the eight high priority properties proceed to Phase Two: Research and Assessment. The objective of Phase Two is to build on the findings of Phase One and to complete cultural heritage landscape assessments for properties identified in Phase One. In August 2016, Letourneau Heritage Consulting Inc. was retained to undertake this work. To date, Phase Two reports have been written for six of the high priority properties.

In April 2018, Planning Services staff began a Phase Two assessment of the medium-priority Erchless Estate property, located at 8 Navy Street and 110-114 King Street.

⁶ *Cultural Heritage Landscape Strategy*, Planning Services Department report to Town of Oakville Planning and Development Council, January 13, 2014. Pages 1-2.

⁷ Ibid. Page 5.

⁸ Ibid.

⁹ *Town of Oakville - Urban Structure Review - Discussion Paper Draft*, Macaulay Shiomi Howson Ltd., October 2016. Page 42.

1.2 Phase Two: Research and Assessment

The subject property was assessed and identified as a potential cultural heritage landscape in the Part One Inventory, based on the methodology laid out in the Town's 2014 *Cultural Heritage Landscape Strategy*. The property was approached as a comprehensive layered unit, including all structures and other potential cultural heritage resources on site (including known or potential archaeological resources).

Background research included consultation with, and review of pertinent primary and secondary records held by the Land Registry Office; the central branch of Oakville Public Library; Museum staff; the archival collections of the Oakville Historical Society and the Trafalgar Township Historical Society; as well as a review of current and historical aerial imagery and mapping.

Multiple site visits were undertaken by Planning Services staff during April, May and June 2018 to document current conditions and features of the property and relevant surrounding properties.

Opportunities for broader community consultation should be investigated, based on section 4.2.4. of the *Cultural Heritage Landscape Strategy*.

2. Cultural Landscapes and the Heritage Planning Framework

2.1 Understanding and Defining Cultural Landscapes

The term "cultural landscape" embodies a wide range of elements, including the material; the social; and, the associative. The current understanding of cultural landscapes is that they are multi-layered entities which embody a community's cultural values. A fulsome assessment of cultural landscapes relies on compliance frameworks entrenched in heritage planning policy; defined evaluation criteria which considers both the physical and the cultural characteristics of the setting under study; and, professional expertise. The result should reflect a holistic assessment of the subject property.

2.2 Heritage Planning Frameworks

2.2.1 Municipal

In its *Cultural Heritage Landscapes Strategy*, the Town of Oakville describes a cultural heritage landscape as an area which displays "the recognizable imprint of human settlement and activities on land over time."¹⁰ The Strategy goes on to clarify that, "[w]hile any landscape that has been deliberately modified by humans is a cultural landscape, only those cultural landscapes that have a deep connection with the history of the community and are valued by the community can be identified as 'cultural heritage landscapes'."¹¹

2.2.2 Provincial

The provincial planning framework provides for the protection of cultural heritage resources, including cultural heritage landscapes. Under the Planning Act, the conservation of cultural heritage is identified as a matter of provincial interest. Part I (2, d) states:

"The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other

¹⁰ *Cultural Heritage Landscape Strategy*, Planning Services Department report to Town of Oakville Planning and Development Council, January 13, 2014. Page 2.

¹¹ *Ibid.* Page 5.

matters, matters of provincial interest such as, the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest.”

Details about provincial interest as it relates to land use planning and development in the province are outlined further within the Provincial Policy Statement (PPS). The 2014 PPS explicitly states that land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the PPS. The PPS addresses cultural heritage in Sections 1.7.1 d) and 2.6, including the protection of cultural heritage landscapes. Specifically, the definition of a cultural heritage landscape is:

“...a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).”

2.2.3 National

Parks Canada’s, *The Standards and Guidelines for the Conservation of Historic Places in Canada*, or simply the *Standards and Guidelines*, is a pan-Canadian benchmark document which provides guidance on best practices in the field of heritage conservation. At its April 8, 2013, Planning and Development Council meeting, Town of Oakville Council endorsed the *Standards and Guidelines*, with the stated purpose of assisting “with the planning, stewardship and conservation of all listed and designated heritage resources within the Town of Oakville, in addition to existing heritage policies, plans and policies.”¹² The document is intended to be used by Town staff, Heritage Oakville and Council when “reviewing proposals which impact heritage resources, such as heritage permits and development applications.” Further, Town staff should consult the Standards and Guidelines “when developing new heritage studies, plans and policies.”¹³

2.2.4 International

The United Nations Educational, Scientific and Cultural Organization, (UNESCO), identified three categories of cultural heritage landscapes. They are the:

1. Designed Landscape - the “clearly defined landscape designed and created intentionally by man.”
2. Organically Evolved Landscape - that “results from an initial social, economic, administrative, and/or religious imperative and has developed in its present form in response to its natural environment”; and,
3. Associative Cultural Landscape – which is “justifiable by virtue of the powerful religious, artistic, or cultural associations of the natural element rather than material cultural evidence, which may be insignificant or even absent.”

Within the Organically Evolved Landscape category, two sub-categories were identified. They are the:

¹² *Standards and Guidelines for the Conservation of Historic Places in Canada*, Town of Oakville Planning Staff report, dated March 13, 2013 to the Heritage Oakville Advisory Committee. Page 3.

¹³ Ibid.

- a. *Relict landscape*, “in which an evolutionary process came to an end at some time in the past”, and for which “significant distinguishing features, are, however still visible in material form.”; and
- b. *Continuing landscape* which “retains an active social role in contemporary society closely associated with the traditional way of life, and which the evolutionary process is still in progress.”

These categories were adopted by Council in January 2014, as part of the Town’s *Cultural Heritage Landscapes Strategy*.

3 Subject property

3.1 Property description

Erchless Estate is known municipally as 8 Navy Street and 110-114 King Street. It is a 1.6-hectare (4.0 acres) parcel of land, and its legal description reads:

PIN 24779-0138 (8 Navy Street)

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

- and -

PIN 24779-0140 (110 & 114 King Street)

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

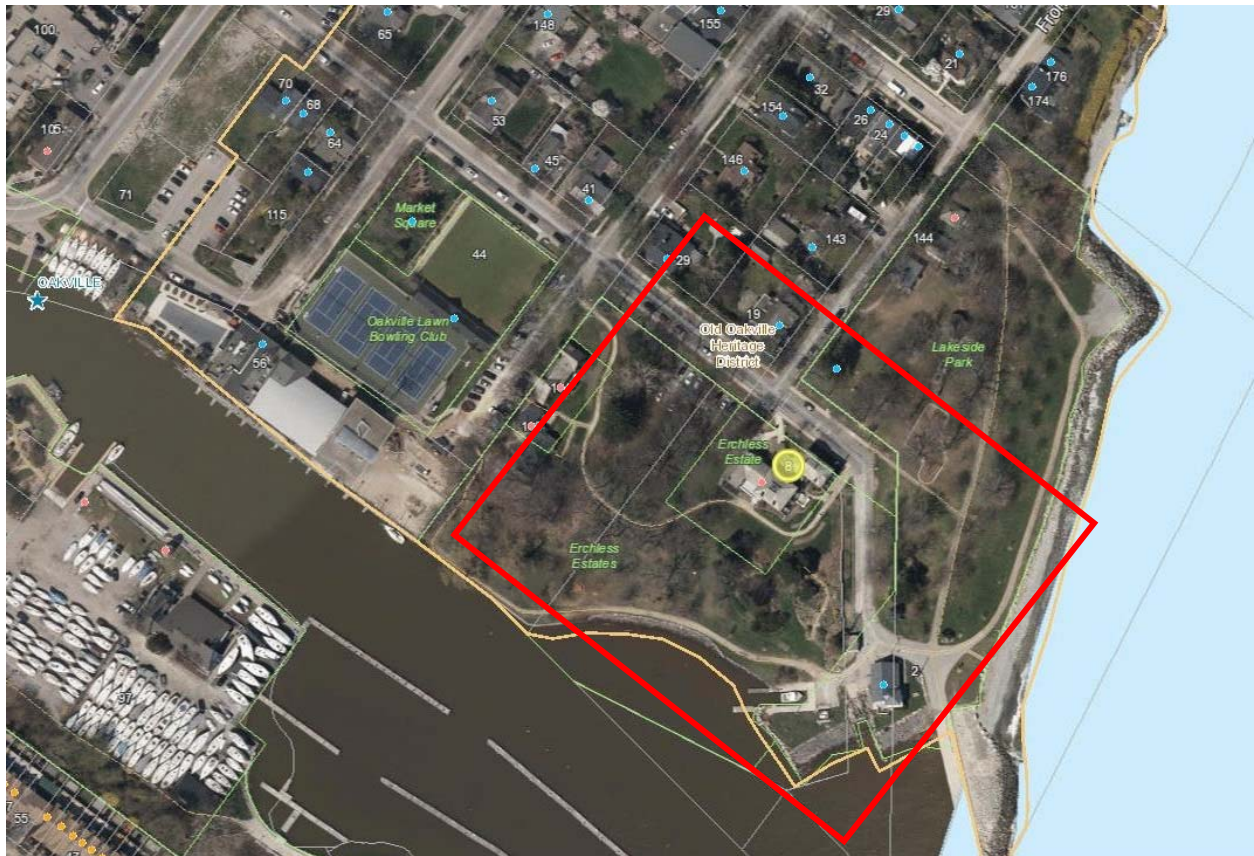


Figure 2: Location Plan – 8 Navy Street/110-114 King Street

The property was described in a May 1976 Conservation Review Board (CRB) report as:

...a parcel of land containing approximately 4 acres (of which the southwesterly .9 acres is covered by the waters of Oakville Harbour) and is shown upon plan filed in the Office of Land Titles for the Regional Municipality of Halton as Plan HR-19 as Parts 1 and 2. The parcel is bounded on the north by King Street and on the east by Navy Street. These streets intersect at a right angle. The southerly limit of the property is bounded by an unnamed street laid out in a northeast-southwest attitude extending 260 feet from Navy Street to the shore of Lake Ontario immediately to the east of the mouth of Oakville Harbour. Oakville Harbour is the widened mouth of Sixteen Mile Creek where it enters the lake. The westerly limit of Parts 1 and 2 is formed by the easterly shore of the harbour which actually covers the .9 acres of Parts 1 and 2 above mentioned lying in the southwesterly part of the property. The shape of the property tapers somewhat from north to south by reason of the widening of the creek as it nears the lake.

The westerly portion of the parcel lies within a slope to the creek or harbour and at King Street the top of this slope is 109 feet from the waterline and 256 feet from Navy Street. Between the top of the slope and Navy Street and extending from King Street southerly the land is reasonably level and relatively high. In evidence this portion of the property was described as the table land of about 2 acres and upon viewing the property, it would appear that the table land extends along the entire Navy Street frontage and has a varying dimension to the west. All existing buildings stand upon this table land and zoning evidence given at the hearing indicates

that the table land is zoned residential for single family dwellings exclusively, as is the neighbouring area to the east of Navy Street, while the slope is zoned for conservation and public uses.

Plans filed at the hearing show Part 1, lying along the south side of King Street from Navy to the harbour, to contain 1.43 acres by calculation and Part 2, comprising the balance of the parcel lying south of Part 1, to contain 2.61 acres by calculation. Of the latter, .9 acres are beneath the waters of the harbour.

The parcel is enclosed on the King Street and Navy Street boundaries by an old brick fence or wall and on the south by what is said to be an iron fence along the north side of the unnamed street.¹⁴

Although the legal description provided by the CRB lacks reference to the closed portions of Front and Water Streets; two unnamed streets; and, undesignated lands lying south of Block 83 and 84, it is a simpler approach to describing the original Erchless estate, before the town closed the local streets in 1877.

Erchless Estate is an intact, surviving example of a Picturesque estate which has maintained a remarkable degree of architectural integrity. It presents a comprehensive statement of the Picturesque values of built and landscape architecture, which views architecture “as an integral but subsidiary part of the overall scenic composition which should be made to blend in and be in harmony both visually and emotionally with the character of its natural surroundings.”¹⁵ The estate grounds have cultural heritage value and significance in their evolution, design, and association with major figures and events in the history of Oakville and of the landscape and horticulture industry in Canada. Together, these elements evoke the desired effect of a picturesque landscape, being variety, suspense, surprise, irregular outline and contrast.

The focal point of the property is a cluster of high-quality brick buildings which were originally built as separate structures, but were subsequently joined together. Located at the south end of the property, the structures were constructed during the Victorian era, when architectural revival styles of architecture were popular.¹⁶ The building is an amalgamation of the 19th century, Italianate style, Chisholm family residence; the 19th century, Classical Revival style, Custom House and Bank of Toronto building; and, the circa 1983 Oakville Museum vestibule. Today these buildings are commonly, and simply, known as *Erchless*.

3.2 Context

Although the subject property sits within the Old Oakville Heritage Conservation District, it is expressly excluded from it as the pre-2005 *Ontario Heritage Act* did not permit overlapping designations. Instead, it is an individually designated property which is protected by designation By-law 1976-87 (per Section

¹⁴ *Town of Oakville – Intention to Designate Erchless Holdings Limited Oakville, Ontario*, Conservation Review Board letter to The Corporation of the Town of Oakville, 31 May 1976. Pages 1-3.

¹⁵ *Architecture of the Picturesque in Canada*, Parks Canada. Page 5.

<http://www.historicplaces.ca/media/24635/picturesquecanada.pdf> - accessed 18 June 2018.

¹⁶ *Victorian architecture*, Wikipedia. https://en.wikipedia.org/wiki/Victorian_architecture - accessed 5 September 2018.

29, Part IV of the Ontario Heritage Act), and is subject to an Easement with the Ontario Heritage Trust. The designation by-law and associated reference plan is attached as Appendix B.

The property is owned by the Town of Oakville.

3.3 Current Conditions

Erchless Estate is located on the eastern shore of Sixteen Mile Creek overlooking the north shore of Lake Ontario. The property is adjacent to the town's historic residential district, known as Old Oakville. To the east, across Navy Street, is Lakeside Park which was once the location of Mt. Vernon, the summer home of John Alexander Chisholm (1858-1903) and his wife Emelda (Beeler) Chisholm (1873-1951).¹⁷



Figure 3: *Sixteen Mile Creek in the winter*, showing from left to right, various outbuildings, the harbour, *Erchless* and Mt. Vernon, undated.¹⁸



Figure 4: Mt. Vernon, summer residence of John A. and Emelda Chisholm constructed in 1901.¹⁹

¹⁷ Hazel Chisholm Mathews Archival Notes Volume I: *Erchless and its Inmates*, compiled for her immediate family by Hazel C. Mathews. Oakville Collection, Oakville Public Library, 971.353 MAT REF V1&2. Unnumbered page.

¹⁸ Image courtesy of the Oakville Museum at Erchless Estate.

¹⁹ Ibid.

The illustration below is from a July 1910 Fire Insurance map. It shows the brick residence and custom house buildings; the wood frame *Coach House and Gardener's Cottage*, labelled as the "Auto Shed"; and, the Greenhouse on the site which eventually becomes the location of the *Cottage*.

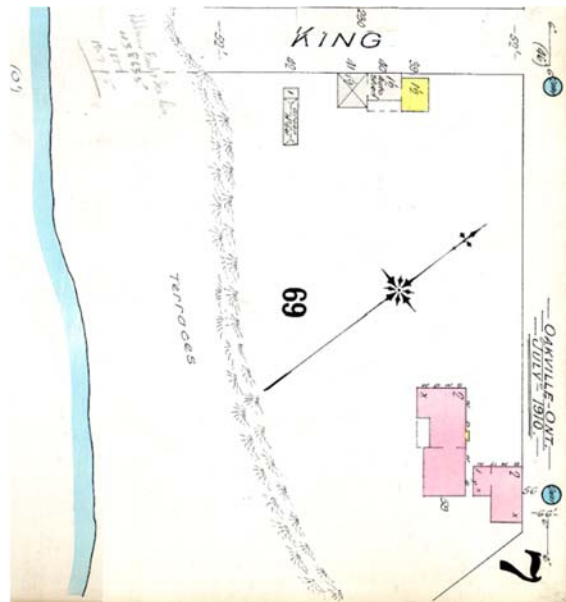


Figure 5: 1910 Fire Insurance Plan

The 1980 Stokes illustration below shows the fundamental layout of the buildings as it exists today, excluding the "Thomas House" structure, which is shown lying to the southwest of the *Coach House and Gardener's Cottage*. At one time consideration was given to relocating the Thomas House to the subject property.

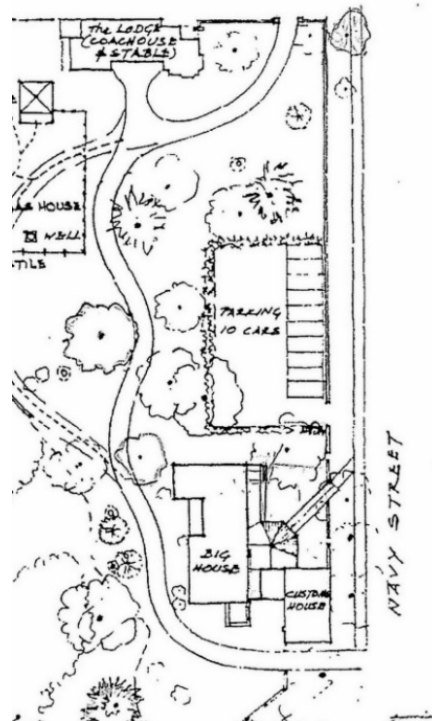


Figure 6: The Erchless Estate Feasibility Study – Site & Building History - P.J. Stokes - July 1980

Visually, Erchless Estate dominates the immediate area. The bulk of the property sits atop a knoll above the harbour which slopes steeply to the west, toward Sixteen Mile Creek. At the bottom of the slope is a broad strip of low-lying land which is flanked on the west by the creek. Erchless Estate serves as a community park. The property is predominantly an open, grassed space with a winding walking path; mature trees and shrubs; broad lawns; and, period plantings. The grounds also include several significant landscape features from a variety of periods. Benches are located throughout the property and offer visitors the opportunity to pause and enjoy various views of the creek, the lake, and the harbour.

3.4 Structures

As a “clearly defined landscape [which was] designed and created intentionally by man,” Erchless Estate is a multi-layered entity that houses a variety of architecture dating from the 1820s to the 1980s.²⁰ Described as “an outstanding example...of a gentleman’s urban estate”, the property’s man-made features were designed to take advantage of the area’s natural landscape features.²¹ The focal point of the property is the cluster of high-quality brick buildings, which were built by various members of the Chisholm family, commonly known as *Erchless*. The property also includes a couple of noteworthy outbuildings, being the *Coach House and Gardener’s Cottage*; and, the *Cottage* which now house the offices of the Oakville Historical Society.

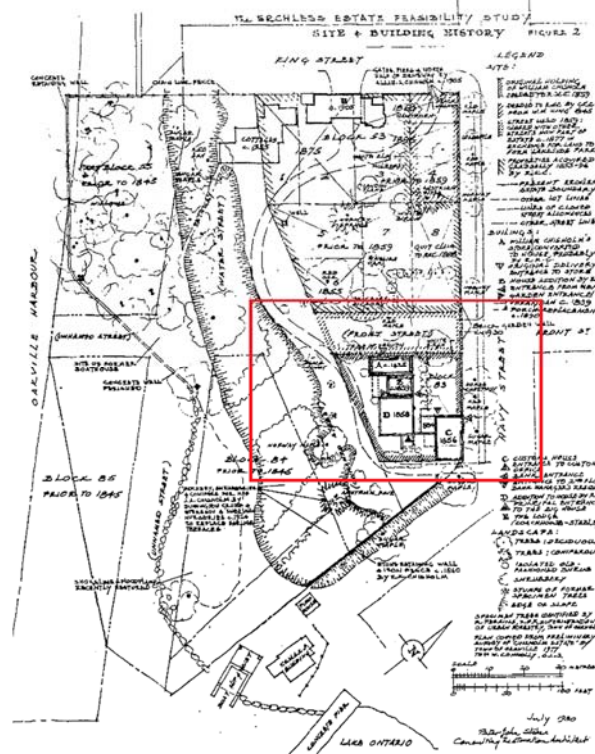


Figure 7: The Erchless Estate Feasibility Study – Site & Building History - P.J. Stokes - July 1980

²⁰ United Nations Educational, Scientific and Cultural Organisation, Intergovernmental Committee for the Protection of the World Cultural and Natural Heritage, *Operational Guidelines for the Implementation of the World Heritage Convention: Definitions and Categories*, World Heritage Centre, WHC. 08/01, January 2008. Page 86 – <http://whc.unesco.org/archive/opguide08-en.pdf#annex3> - accessed 29 May 2018.

²¹ *Town of Oakville – Intention to Designate Erchless Holdings Limited Oakville, Ontario*, Conservation Review Board letter to The Corporation of the Town of Oakville, 31 May 1976. Page 5.

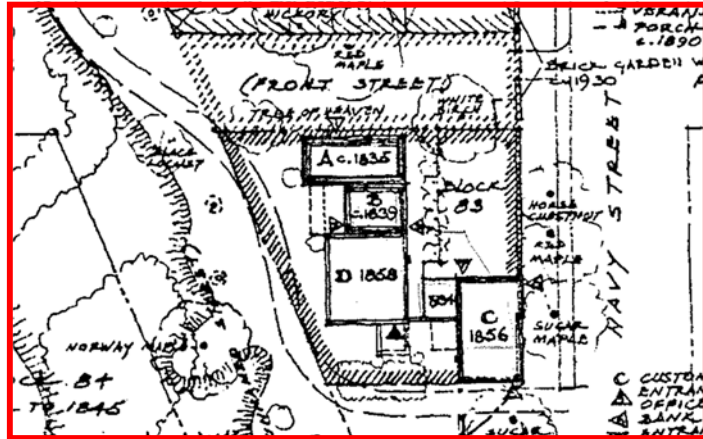


Figure 8: The Erchless Estate Feasibility Study – Site & Building History - P.J. Stokes - July 1980

4 History of the area

Archaeological evidence and indigenous history indicates that several centuries of human activity occurred in the area.^{22, 23} “The Mississaugas of the New Credit First Nation is part of the Ojibway (Anishinabe) Nation, one of the largest Aboriginal Nations in North America.”²⁴ “Before contact with Europeans and until the late 1600s,” the Mississaugas were located on territory “just to the west of Manitoulin Island and east of Sault Ste. Marie.”²⁵ Historians generally agree that it wasn’t until the late 17th or early 18th century, after many years of military conflict and “full-scale regional warfare” between the Anishinabe and Iroquois, that the Mississaugas settled permanently in Southern Ontario, having “negotiated a peace treaty with the Mohawk Nation” and after the Iroquois’ final removal from the area.^{26, 27} These Mississauga settlers “are the direct ancestors of the present Mississaugas of the New Credit First Nation.”²⁸

At the same time, around the early to mid-17th century, and with more Europeans arriving and establishing colonies, Eastern North America’s Aboriginal Nations found themselves in “increasingly complex political, economic and military alliances with the two main competing European Nations – France and England.”²⁹ Throughout the 18th century, the local Mississaugas were involved in the fur

²² *The Oakville Museum at Erchless Estate Comprehensive Site Plan Report*, Wendy Shearer Landscape Architect. October 2007. Page 5.

²³ *The Mississaugas of the Credit: Historical Territory, Resource and Land Use - Movement and Settlement into Southern Ontario*, circa 2018 update. Department of Consultation & Accommodation (DOCA), Mississaugas of the New Credit First Nation. Page 6.

²⁴ *Ibid.* Page 4.

²⁵ *Ibid.* Page 2.

²⁶ *Ibid.* Page 6.

²⁷ *Ibid.* Page 7.

²⁸ *Ibid.*

²⁹ *Ibid.* Page 6.

trade, and although they continued to follow a seasonal cycle of movement and resource harvesting, they also practiced agriculture of domesticated food crops.^{30, 31, 32}

“From the time of the conquest of New France in 1760, the British Crown recognized the inherent rights of First Nations and their ownership of the lands they occupied.”³³ Further, the Royal Proclamation of 1763 “prevented anyone, other than the Crown, from purchasing that land.”³⁴ In 1788, by proclamation under the Imperial Act of Parliament, the, “first municipal organization of what is now the Province of Ontario, was made by Lord Dorchester.”³⁵ By 1792, the subject property lay within the Home District of Upper Canada. However, it wasn’t until February 1820, when the Mississaugas signed *Treaty No. 22* surrendering their claim to the Reserves at both Twelve and Sixteen Mile Creeks, that the subject property was ceded to the Crown.³⁶

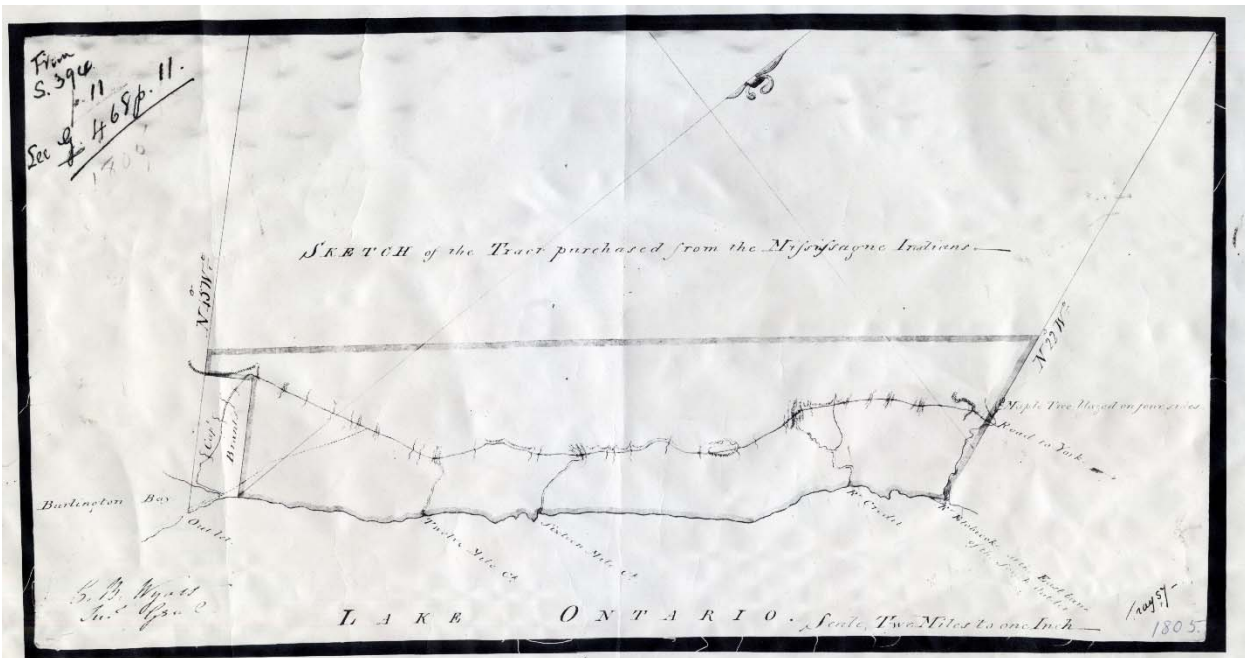


Figure 9: Sketch of the Tract purchased from the Mississaugue [sic] Indians”, 1805. Oakville Public Library, OPLOIMI0001.

Upon the finalization of the land surrender and in order to facilitate European settlement, Samuel Street Wilmot, a Deputy Provincial Surveyor, conducted a survey of the area. Known as the Wilmot Map, Dundas Street was used as the baseline for the survey, having, in 1793, already been surveyed as a

³⁰ *The Mississaugas of the Credit: Historical Territory, Resource and Land Use - Movement and Settlement into Southern Ontario*, circa 2018 update. Department of Consultation & Accommodation (DOCA), Mississaugas of the New Credit First Nation. Page 10.

³¹ *Ibid.* Page 11.

³² *Ibid.* Page 4.

³³ *Mississaugas of the Credit First Nation Treaties, 1781-1820 and Rouge Tract Claim, 2015*, <http://mncfn.ca/about-mncfn/treaty-lands-and-territory/> - accessed 18 September 2018

³⁴ *Ibid.*

³⁵ *The County of Halton, The Historical Atlas of Halton County, Ontario, Illustrated*, Walker & Miles, 1877. Page 54

³⁶ *Mississaugas of the Credit Timeline, Treaty No. 22*. Department of Consultation & Accommodation (DOCA), Mississaugas of the New Credit First Nation

military road. Wilmot’s survey divided the area into three townships. Originally, Township No. 1 on the east “was given the Indian name of Toronto. No. 2 was named Alexander and no. 3, Grant, in honour of the President and Administrator of the Government of Upper Canada, the Honourable Alexander Grant.”³⁷ However, a few weeks later, during “Britain’s greatest naval victory,” Vice Admiral Horatio Lord Nelson was fatally wounded during the Battle of Trafalgar.³⁸ The victory and Nelson’s ultimate sacrifice overshadowed Lieutenant Governor Grant’s accomplishments, and his namesake townships were renamed to Trafalgar and Nelson respectively.

Settlement quickly followed, “effectively surrounding the Mississauga and depleting the forests, fisheries and other resources on which they depended.”³⁹ In 1853, the County of Halton was formed and consisted of the Townships of Esquesing, Trafalgar, Nelson, and Nassagaweya. In 1857, the municipality of the Town of Oakville was added to the County of Halton.⁴⁰

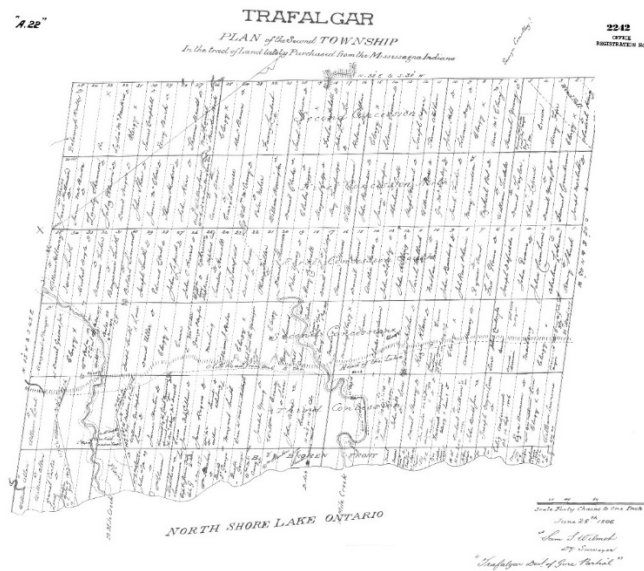


Figure 10: “Trafalgar, Plan of the Second Township, In the Tract of Land lately Purchased from the Mississauga [sic] Indians”, by Samuel L. Wilmot, Surveyor. 28 June 1806

A contemporaneous description of early Oakville can be found in Anna Brownell Jameson’s 1838, travelogue entitled, *Winter Studies and Summer Rambles in Canada*. In 1836, Mrs. Jameson, (1794-1860) a Writer, Feminist and “the first English Art Historian”, was summoned to Upper Canada by her husband, Robert Jameson, the first Speaker of the Legislative Council of the Province of Canada.⁴¹ ⁴² Arriving in late 1836 in York (now Toronto), she spent eight months travelling throughout the area,

³⁷ Hazel C. Mathews, *Oakville and the Sixteen: The History of an Ontario Port* (University of Toronto Press Incorporated, 1953), Page 6.

³⁸ *Horatio Nelson, 1st Viscount Nelson*, Wikipedia.

https://en.wikipedia.org/wiki/Horatio_Nelson,_1st_Viscount_Nelson – accessed 22 August 2018.

³⁹ *Cultural Heritage Evaluation Report: Bronte Harbour and Bluffs*, Letourneau Heritage Consulting Inc., June 2018 (last revised September 2018). Page 51.

⁴⁰ *The County of Halton*, The Historical Atlas of Halton County, Ontario, Illustrated, Walker & Miles, 1877. Page 54

⁴¹ *Anna Brownell Jameson*, Wikipedia. https://en.wikipedia.org/wiki/Anna_Brownell_Jameson - accessed 28 June 2018.

⁴² *Robert Sympson Jameson*, Wikipedia. https://en.wikipedia.org/wiki/Robert_Sympson_Jameson - accessed 28 June 2018.

Chisholm's "interest in the area had been evident since 1822, [however] it was not until the spring of 1827 that he made a concrete proposal to Maitland [Lieutenant Governor Sir Peregrine Maitland] for acquiring the land. In response to this initiative, the reserve was put up for auction."⁴⁶ Chisholm purchased 1,000 acres of land at the mouth of Sixteen Mile Creek; securing land which, in February 1820, the Mississaugas had surrendered as part of the terms of Treaty 22.⁴⁷ The March 1831 Indenture documenting his purchase from the government is attached as Appendix C. By July 1833, while still a resident of Nelson, Chisholm's lands were surveyed and the layout of the town and harbour was complete.⁴⁸

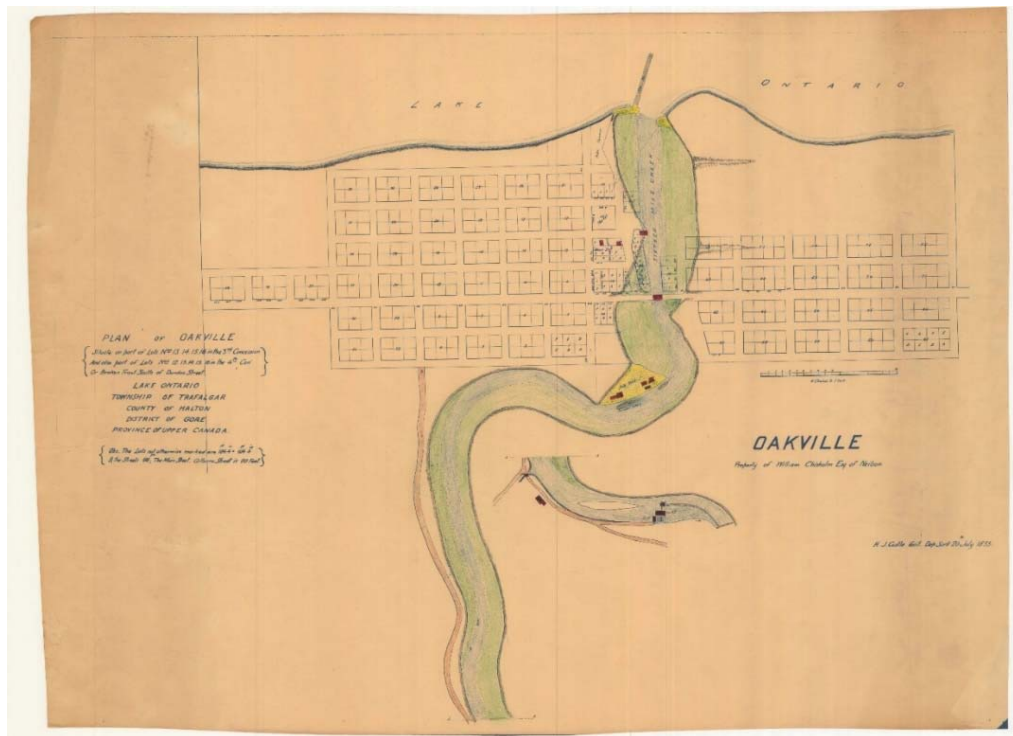


Figure 12: "Oakville, Property of William Chisholm Esq. of Nelson", dated 20 July 1833

The property's topography would have been the paramount determining factor in Chisholm's decision to purchase the site. It informed his plan of the Town of Oakville and Oakville Harbour; the family's commercial activities; and, the design of the residential components of Erchless Estate. And its proximity to both Lake Ontario and Sixteen Mile Creek would have been of primary importance to Chisholm, who, since the early 1820s, had been involved in shipping and lumbering. It is no accident that the first structure to be built on site, at the intersection of Navy and Front Streets, was the storehouse/custom house. At the time, Front Street continued across Navy Street down to the banks of

⁴⁶ Chisholm, William, Dictionary of Canadian Biography, Volume VII (1836-1850).

http://www.biographi.ca/en/bio/chisholm_william_7E.html - accessed 5 April 2018.

⁴⁷ Treaty Lands and Territory: Cessions of 12 Mile Creek, 16 Mile Creek and River Credit Reserves (Treaty 22 & 23), Mississaugas of the New Credit First Nation. <http://mncfn.ca/treaty2223/> - accessed 29 June 2018.

⁴⁸ Hazel C. Mathews, *Oakville and the Sixteen: The History of an Ontario Port* (University of Toronto Press Incorporated, 1953), Page 37. Per an advertisement, dated June 24, 1833, for "Town Lots in Oakville for Sale at Public Auction on Tuesday the 10th. July next at 12 O'clock at the Oakville House", as published in the Patriot, on July 5, 1833.

the creek which permitted the easy movement of goods between ships at port and Chisholm's storehouse.

Chisholm developed the harbour and invested heavily in shipping and shipbuilding. He is credited with being the owner of the town's first tavern (by 1828), sawmill (1830) and gristmill (1833), and shortly afterwards was appointed the collector of customs (1834) and postmaster (1835).⁴⁹ According to the Dictionary of Canadian Biography, Chisholm's "façade of prosperity proved deceiving."⁵⁰ In 1829, Chisholm's Nelson Township property was mortgaged to finance the work at Oakville, and by 1834 it was put up for sale.

Further, although Chisholm had managed to repay, on schedule, the cost of purchasing the 1,000 acres, by March of 1831 he "found that he was unable to finance the completion of the harbour, and [he] applied to the House of Assembly for a loan of £2,500."⁵¹ ⁵² Eleven months later, in February 1832, Chisholm took out a second £6,500 mortgage with John Forsyth and others.⁵³ Forsyth was the Honourable John Forsyth who was a partner in the Montreal mercantile firm, Forsyth, Richardson and Company,⁵⁴ which was involved in the fur trade and in real estate in Upper and Lower Canada in the 1830s and 1840s.⁵⁵

In 1838, Chisholm, his wife and "the last seven" of his eleven children moved to Oakville where he leased from his brother-in-law, Merrick Thomas, "a large frame house on the southeast corner of Colborne (now Lakeshore Road) and Thomas Street"⁵⁶ ⁵⁷ On 17 January 1839, "an accidental but disastrous fire destroyed the house and William and his family were forced to share already cramped quarters with his son, Robert Kerr Chisholm, at the foot of Navy Street. This small 2-storey brick building served as a branch of William's place of business at Nelson, and for transactions, customs and otherwise, to do with the harbour."⁵⁸

William Chisholm's final years were spent at the subject property. Despite his dreams and determination, Chisholm declared bankruptcy in 1842, dying shortly after at the age of 54.⁵⁹

Two of William and Rebecca (Silverthorn) Chisholm's sons were prominent Oakville citizens. Their second son, George King Chisholm (1814-1874), served as the Reeve of Trafalgar Township from 1830

⁴⁹ *Chisholm, William*, Dictionary of Canadian Biography, Volume VII (1836-1850).

http://www.biographi.ca/en/bio/chisholm_william_7E.html - accessed 25 April 2018

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² Hazel C. Mathews, *Oakville and the Sixteen: The History of an Ontario Port* (University of Toronto Press Incorporated, 1953), Page 21.

⁵³ *Indenture 833F*, being a mortgage dated 10 February 1832, Land Registry Office record.

⁵⁴ *Chisholm, William*, Dictionary of Canadian Biography, Volume VII (1836-1850).

http://www.biographi.ca/en/bio/chisholm_william_7E.html - accessed 5 April 2018.

⁵⁵ *Forsyth, Richardson and Company*, Archeion, Archives Association of Ontario. <https://www.archeion.ca/forsyth-richardson-and-company> - accessed 14 June 2018.

⁵⁶ *Hazel Chisholm Mathews Archival Notes Volume II: John and George Chisholm of the Parish of Croy, Inverness-shire, and their Descendants*. Oakville Collection, Oakville Public Library, 971.353 MAT REF V1&2. Page 27.

⁵⁷ *The Chisholms of Erchless*, Frances Robin Ahern. Oakville Museum file.

⁵⁸ Ibid.

⁵⁹ *The Chisholms of Erchless Estate - The founding family of Oakville*, Town of Oakville.

<https://www.oakville.ca/museum/founders-of-oakville.html> - accessed 10 April 2018

and 1852. He was appointed Sergeant-at-Arms for the Legislative Assembly of the Province of Canada (1841-1854), and in 1857 he was elected as Oakville's first mayor. He served in this role until 1862, and was reelected in 1873.⁶⁰ Their fourth son, Robert Kerr served as Oakville's deputy postmaster and, upon his father's death, as postmaster; its customs collector; he was elected Reeve of Trafalgar (1854 and 1856); and, Reeve of Oakville (1862 to 1865).⁶¹ Land records show that by late 1845, George and R.K. had started to buy back land which had been part of their father's original 1,000 acre purchase, effectively consolidating a portion of the subject property⁶². It was R.K. who named the estate after the Chisholm clan seat in Inverness-shire Scotland.⁶³ "Erchless derives from the Gaelic, "air ghlais," meaning *by the stream*."⁶⁴

After his father's death in 1842, control of the estate passed to Robert Kerr Chisholm, who according to Hazel C. Mathews, from "the time he had come to live at Oakville in October, 1834, at the age of sixteen R.K. had occupied the brick house at the foot of Navy Street at the lake."⁶⁵ In 1855, Chisholm began construction of the two-storey Custom House and Bank of Toronto building. Located upon a high point of land overlooking both the lake and creek, the positioning of the building would have been chosen to take advantage of clear sightlines and easy access between the waterfront and office. The building still stands today, and is located at the southeast corner of the property, at the intersection of Navy Street and an unnamed street which extends past the Town of Oakville Water Air Rescue Force (TOWARF) building down toward the shore of Lake Ontario. When it was completed in 1856, it contained two offices: the south, lake-facing one serving as the custom office; and, the other facing onto Navy Street serving as "the first branch of the Bank of Toronto".⁶⁶ R.K. also oversaw the second major addition to the family home. Started around 1855, at the same time that the new custom house was being built, the expansion was undertaken as R.K. had become engaged to Flora Matilda Lewis (1835-1918). The addition was completed c. 1858 when R.K. and Flora (or Tilly as she was known) were married. Again, taking advantage of the property's topography, R.K. chose to extend the residence south toward the lake when he added the two-storey addition.

In August 1895, R.K. undertook a land swap with The Corporation of the Town of Oakville.⁶⁷ The Town gained ownership of any land south of Lot 5, Block 85, and Chisholm took ownership of the land covered by the Front Street road allowance (between Water Street and Sixteen Mile Creek) and the section of Water Street south of King Street.

Although his father was responsible for the initial stages of the development of both the subject property and the Town, it was R.K. who brought financial stability to the business operations and family fortunes. Further, it was under R.K.'s care that the property evolved from a single structure to the "clearly defined landscape designed and created intentionally by man" which exists today.

⁶⁰ *George King Chisholm*, Wikipedia. https://en.wikipedia.org/wiki/George_King_Chisholm - accessed 14 June 2018.

⁶¹ *William Chisholm (Upper Canada politician)*, Wikipedia. [https://en.wikipedia.org/wiki/William_Chisholm_\(Upper_Canada_politician\)](https://en.wikipedia.org/wiki/William_Chisholm_(Upper_Canada_politician)) – accessed 10 April 2018.

⁶² *Indentures 354, 436, 334, 365, 1241, and 2889*. Land Registry Office records.

⁶³ *Oakville Museum History: Erchless Estate*, Town of Oakville. <https://www.oakville.ca/museum/history.html> - accessed 10 April 2018.

⁶⁴ *Oakville Street Names & Landmarks*, David Ashe & Joyce Burnell. Page 34.

⁶⁵ *Hazel Chisholm Mathews Archival Notes Volume II: John and George Chisholm of the Parish of Croy, Inverness-shire, and their Descendants*. Oakville Collection, Oakville Public Library, 971.353 MAT REF V1&2. Page 34.

⁶⁶ *Ibid*. Page 36.

⁶⁷ *Instruments 2838 & 2839*, being Conveyances dated 19 August 1895.

The property's evolution continued under the direction of R.K. and Flora's third son, Allan Stuart Chisholm (1866-1918). Allan Chisholm served as the President of the Agricultural Society of Oakville in 1900, and is credited with many improvements to the property's gardens and grounds.⁶⁸ Amongst the changes he made was to commission Dick and Wickson Architects to design the *Coach House and Gardener's Cottage* as well as the "ornamental gate that still stands at the north entrance to the property."⁶⁹ Upon his death in 1918, Chisholm willed the property to his surviving siblings: Alice, George, and Harry having just received it earlier in the year from their mother, Flora, upon her death.⁷⁰ ⁷¹ The three siblings subsequently put the entire property up for sale, selling it in 1919, to Emelda (Beeler) Chisholm the wife of their late cousin, John Alexander Chisholm Jr.⁷²

In 1934, the two-storey Custom House and Bank of Toronto was also converted into a home for the Chisholm family, by Hazel Elizabeth (Chisholm) Hart Mathews (1897-1978).⁷³ ⁷⁴ By 1947, Dr. Grace Juliet (Chisholm) Turney (1902-1964), who was known as Juliet, moved back to Oakville; and by 1951 she and her sister Hazel co-owned the property. In 1964, prior to Juliet's death, ownership of the estate had been transferred to Hazel's son Montgomery Chisholm Hart (1920-2004).⁷⁵

The property remained in the Chisholm family for over 140 years.

4.1.2 *The post Chisholm era (c. 1970 – present)*

In April 1966, William and Rebecca's great-great-grandson, Montgomery Hart, and his wife, Ruby Margo (Harbun) Hart (1923-2011), transferred part of the property to Erchless Holdings Limited and it was divided into three apartments.⁷⁶ ⁷⁷ In March 1967, Erchless Holdings Limited sold part of the property to The Corporation of the Town of Oakville; and, in 1970, the remnant property was sold outside of the Chisholm family.⁷⁸ ⁷⁹ During the 1970s, Dr. John Younger, the organist at St. Paul's United Church, taught piano lessons from the home.⁸⁰

In 1976, pursuant to By-law 1976-87, the property was designated under Part IV of the *Ontario Heritage Act*. (See Appendix B). By November 1977, the rest of the property was purchased by the Town.⁸¹ In April 1980, Council authorized the restoration of the building's exteriors, and according to Peter Stokes,

⁶⁸ *Coach House*, Amandip Dhindsa, University of Toronto. Oakville Museum research document. Page 1.

⁶⁹ *The Chisholms of Erchless Estate - Allan Stuart Chisholm (1866–1918)*, Oakville Museum.

<https://www.oakville.ca/museum/founders-of-oakville.html> - accessed 10 April 2018.

⁷⁰ George Chisholm, President, Oakville Historical Society, interview by Planning Services staff, Oakville, Ontario, 16 August 2018.

⁷¹ *The Chisholms of Erchless Estate - Allan Stuart Chisholm (1866–1918)*, Oakville Museum.

<https://www.oakville.ca/museum/founders-of-oakville.html> - accessed 10 April 2018.

⁷² *Coach House*, Amandip Dhindsa, University of Toronto. Oakville Museum research document. Page 2.

⁷³ *Hazel Chisholm Mathews Archival Notes Volume II: John and George Chisholm of the Parish of Croy, Inverness-shire, and their Descendants*. Oakville Collection, Oakville Public Library, 971.353 MAT REF V1&2. Page 43.

⁷⁴ *Oakville Museum History: The Custom House and Bank of Toronto*, Town of Oakville,

<https://www.oakville.ca/museum/history.html> - accessed 10 April 2018.

⁷⁵ *Coach House*, Amandip Dhindsa, University of Toronto. Oakville Museum research document. Page 2.

⁷⁶ *Indenture H1580*, Land Registry Office record.

⁷⁷ *The Erchless Estate Feasibility Study for the Town of Oakville: Final Report, July 1980*, Peter John Stokes. Page 4.

⁷⁸ *Indenture H1810*, Land Registry Office record.

⁷⁹ *Coach House*, Amandip Dhindsa, University of Toronto. Oakville Museum research document. Page 3.

⁸⁰ *Ibid.*

⁸¹ *Indenture H102871*, Land Registry Office record.

work, including “masonry repair, reroofing, including sheet metal work, exterior woodwork repair, repainting, glazing repairs and caulking,” had been completed.⁸²⁸³ In the early 1980s, Oakville Historical Society oversaw the restoration on the interior of the *Custom House*, creating the first museum space, and the new museum vestibule was added at this time. The *Custom House* museum opened to the public in 1983.⁸⁴ In 1989, after the last tenants moved out, restoration began on the house and on International Museum Day – 18 May 1991 - the former Chisholm family home opened to the public as Oakville Museum.⁸⁵ Today, the property is the location of Oakville Museum at Erchless Estate and the headquarters of the Oakville Historical Society. The house and grounds are open to the public.

4.2 Structure chronology

Structures on the property include *Erchless* as the former Chisholm family home is known; the Custom House and Bank of Toronto, or simply the *Custom House*; the *Coach House and Gardener’s Cottage*, as the stable/coach house is called; and, the *Cottage*.

The first brick building on site was erected sometime around 1828 and served as both a storehouse and custom house. The first addition to the store/custom house is believed to have been undertaken around 1839, when William Chisholm and family were forced to relocate to the building after a fire at their rental accommodations at the intersection of Colborne (now Lakeshore Road) and Thomas Streets. For ease of reference, this addition will be referred to as the c. 1839 addition.

4.2.1 The Store

Records indicate that the first building on the property was the c. 1828 *Store* which originally faced north overlooking Front Street, which, at the time of the building’s construction, continued down toward the river and intersected Water Street.⁸⁶⁸⁷ These same records indicate that beyond the store’s entrance, “towards the river was an archway within which stood a platform to which waggons were backed for unloading casks, bales, etc. of merchandise.”⁸⁸ The original Front Street door was later filled in; however, the outline of the brick archway remains visible today.

⁸² *Chronology – Erchless Estate: April 9, 1980*. Town of Oakville, Planning Services property file.

⁸³ *The Corporation of the Town of Oakville Planning Department: Staff Report: Erchless Estate Restoration of Brickwork*, April 13, 1983. Planning Services file.

⁸⁴ Susan Crane, Learning and Community Development Officer, Museum, Recreation and Culture, Town of Oakville, interview by Planning Services staff, Oakville, Ontario, 13 August 2018.

⁸⁵ *Oakville Museum History: Erchless Estate*, Town of Oakville. <https://www.oakville.ca/museum/history.html> - accessed 10 April 2018.

⁸⁶ For ease of reference, north refers to façades facing away from Lake Ontario, while south refers to those facing the lake.

⁸⁷ Hazel C. Mathews, *Erchless*. Town of Oakville, Planning Services property file, 8 Navy Street, 15 June 1977, page 1.

⁸⁸ Hazel C. Mathews, *Erchless*. Town of Oakville, Planning Services property file, 8 Navy Street, 15 June 1977, page 1.



Figure 13: North façade – the Store

The Store is a 2-storey, rectangular shaped, red brick structure built on a limestone foundation. Atypically, the structure is constructed in a combination of Scottish bond (five stretcher courses between a single header course) on the first storey, and American or Common bond (seven stretcher courses between a single header course) on the second storey. The use of differing bond patterns may be an indication that the first and second storeys were constructed at different times, or it may simply reflect a style choice.



Figure 14: North façade of the Store with notes indicating the historic location of doorways.⁸⁹

The store's original entry door was situated on the north-east corner of the structure, towards Navy Street.⁹⁰ This door was converted to a window, "and a window facing upon Navy Street is now the

⁸⁹ *The Erchless Estate Feasibility Study for the Town of Oakville: Final Report, July 1980*. Peter John Stokes. Figure 12.

⁹⁰ Hazel C. Mathews, Erchless. Town of Oakville, Planning Services property file, 8 Navy Street, 15 June 1977, page 1.

door.”⁹¹ Physical evidence of the changes to the north wall include mismatched window headers, mismatched brick colouring and uneven mortar joints.

Sometime between 1834 and 1839, the *Store* was enlarged to serve as the residence for William and Rebecca Chisholm and their large family. This c. 1839 addition was built flush with the south-east corner of the building, running lengthwise toward the lake, facing Navy Street. The 1½ storey, rectangular shaped addition covers approximately $\frac{2}{3}$ of the south wall of the original structure, with the remaining area being taken up by the 2-storey balcony and covered verandah. The balcony/verandah structure, which faces west toward Sixteen Mile Creek, is not the original “narrow porch with curving roof.”⁹² Rather, the existing balcony/verandah is a restored and/or replicated version of the one that was constructed around the 1880s/1890s. Around the time of the construction of the c. 1839 addition, the front façade of the structure was moved from Front Street to Navy Street. Gabled roofs top both the original section of the *Store* as well as the c. 1839 addition, resulting in an off-centre, cross-gable roof configuration.



Figure 15: North-west corner showing the *Store* and the c. 1839 and c. 1858 additions

Recent restoration work to the building includes the c. 2004, restoration/reconstruction of the balcony and porch on the west façade of the c. 1839 section of the building, and the c. 2006 addition of a hand railing in the same place.⁹³ ⁹⁴ Circa 2013, the widow’s walk on the c. 1858 addition was restored/replaced.⁹⁵

⁹¹ Hazel C. Mathews, *Erchless*. Town of Oakville, Planning Services property file, 8 Navy Street, 15 June 1977, page 1.

⁹² Hazel Chisholm Mathews *Archival Notes Volume II: John and George Chisholm of the Parish of Croy, Inverness-shire, and their Descendants*. Oakville Collection, Oakville Public Library, 971.353 MAT REF V1&2. Page 43.

⁹³ Heritage Permit Application HP25/04-42.20N, Town of Oakville. August 9, 2004.

⁹⁴ Heritage Permit Application (unnumbered), Town of Oakville. June 27, 2006.

⁹⁵ Heritage Permit Application HP074/13-42.20N, Town of Oakville. November 20, 2013.



Figure 16: South-west corner showing the Store, the c. 1839 and c. 1858 additions, and part of the Custom House and Bank of Toronto building.



Figure 17: Restored widow's walk on 1858 addition.

4.2.2 *The Custom House and Bank of Toronto building*

In 1842, after William's death, R.K. took on responsibility for the port and postal operations.⁹⁶ In 1855, he began construction of, "a new office building close by and on the east [of his home]."⁹⁷ This building, overlooking the harbour, was constructed to contain two offices; one for the custom office and the

⁹⁶ *The Chisholms of Erchless Estate: The Founding family of Oakville*, Town of Oakville. <https://www.oakville.ca/museum/founders-of-oakville.html> - accessed 10 April 2018.

⁹⁷ Hazel C. Mathews, *Oakville and the Sixteen: The History of an Ontario Port* (University of Toronto Press Incorporated, 1953), Page 242.

other for a bank. Construction on the building was completed by 1856 and the custom house and bank building, “opened on the lake side and the bank faced Navy Street.”⁹⁸ It remained in operation until 1910 when the building was boarded and left empty.⁹⁹

The Custom House and Bank of Toronto building is a 2-storey, rectangular shaped, red-brick structure built on a limestone foundation. Records indicate that the brick came from Oswego and the limestone from Kingston as ballast in grain schooners.¹⁰⁰ The roof is a rectangular plan hip, with a centrally located pediment on the front (south) façade, and a second pediment located on the east façade, which spans roughly the last 1/3 of the façade, at the north-east corner of the building. The roof houses two red-brick chimneys centred on the ridge line. Both chimneys sit back approximately 1/3 of the length of the roof, away from the short edges of the roof.



Figure 18: Southeast corner of the Custom House and Bank of Toronto building

The front façade is configured in a three-bay layout, with the entry door situated on the south-east corner of the structure, overlooking the lake. Five windows, which appear original and/or early, are flanked by wood louvered shutters. The windows and doors are capped by hand-dressed stone lintels and supported by hand-dressed stone sills.

The east façade is configured in a four-bay layout, with the entry door situated at the north-east corner. As on the front façade, the windows and doors are capped and supported by hand-dressed stone lintels and sills. The windows are also flanked by wood louvered shutters.

⁹⁸ Hazel C. Mathews, *Oakville and the Sixteen: The History of an Ontario Port* (University of Toronto Press Incorporated, 1953), Page 242.

⁹⁹ *Oakville Museum History: The Custom House and Bank of Toronto*, Town of Oakville, <https://www.oakville.ca/museum/history.html> - accessed 10 April 2018.

¹⁰⁰ Hazel C. Mathews, *Erchless*. Town of Oakville, Planning Services property file, 8 Navy Street, 15 June 1977, page 2.



Figure 19: East façade of the Custom House and Bank of Toronto building

However, unlike the flat-faced front façade, this elevation includes a projecting section. At the north-east corner of the building, approximately a third of the wall sits proud by roughly the width of a brick. It is possible that this detail was incorporated to differentiate between the space occupied by the custom house and the bank.



Figure 20: Partial south and east façades, Custom House and Bank of Toronto building

In July 1979, the Town commissioned *The Erchless Estate Feasibility Study*. Authored by renowned heritage architect Peter J. Stokes, amongst other things, the report examined “the criteria for the principal uses of the building and the evolution of a schematic development plan for the site and its buildings.”¹⁰¹ Stokes made twelve recommendations for improving the property. Amongst these were that the “historic and architecturally significant buildings and historic elements of the landscape of the Erchless Estate...should be retained and restored”; and, that the “Customs House and the Big House should be linked in a complex to serve principally as a museum.”¹⁰² In 1980, restoration work was

¹⁰¹ *The Erchless Estate Feasibility Study for the Town of Oakville: Final Report, July 1980*. Peter John Stokes. Page ii.

¹⁰² *Ibid.*

undertaken to the exterior of the buildings at *Erchless*. By the early 1980s, restoration work had begun on the interior of the former custom house building and it became the location of the first museum space.¹⁰³



Figure 21: North façade showing the 1983 museum entryway vestibule between the former *Custom House*, the former residential sections and the former *Store*

By 1983, Stokes' design for the museum's entryway vestibule was constructed.¹⁰⁴ It is located on the north façade, between the *Custom House* and *Erchless*. After the last tenants moved out of *Erchless* in 1989, the current iteration of Oakville Museum was opened to the public on May 18, 1991.¹⁰⁵

4.2.3 *The 1858 residential addition*

The second addition to the family home began at the same time as the construction of the Custom House and Bank of Toronto building.¹⁰⁶ The extension to the home was undertaken in anticipation of R.K. Chisholm's 1858 marriage to Flora Matilda Lewis.¹⁰⁷ Situated on the north façade of the c. 1839 addition, the two-storey addition sits a short distance to the west of the *Custom House*, near the southerly property limit, and overlooks Oakville Harbour.

¹⁰³ Susan Crane, Learning and Community Development Officer, Museum, Recreation and Culture, Town of Oakville, interview by Planning Services staff, Oakville, Ontario, 13 August 2018.

¹⁰⁴ Ibid.

¹⁰⁵ *Oakville Museum History: Erchless Estate*, Town of Oakville. <https://www.oakville.ca/museum/history.html> - accessed 10 April 2018.

¹⁰⁶ Hazel C. Mathews, *Erchless*. Town of Oakville, Planning Services property file, 8 Navy Street, 15 June 1977, page 3.

¹⁰⁷ Museums of Ontario, "Erchless and Its Inhabitants: Flora Matilda (Lewis) Chisholm (1835-1918)". <http://vitacollections.ca/museums/2/Exhibit/5> (accessed 5 April 2018).



Figure 22: 1858 residential addition, with later, c. 1924, balustrade¹⁰⁸

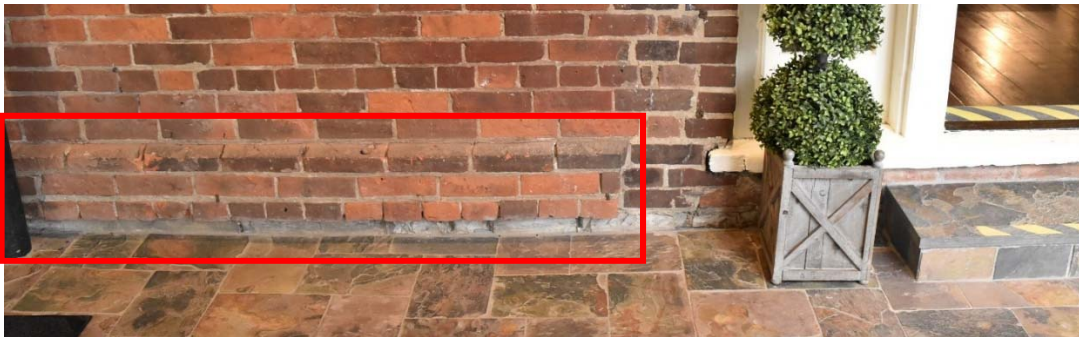


Figure 23: Projecting brick and mismatched brick colours as possible evidence of extent of 1858 residential addition. *Erchless*, east façade in Museum vestibule entryway.

According to the Oakville Historical Society, in 1861, a gate was installed between *Erchless* and the *Custom House* to keep the public from wandering into Rebecca Chisholm's garden.¹⁰⁹

¹⁰⁸ *The Erchless Estate Feasibility Study for the Town of Oakville: Final Report, July 1980*, Peter John Stokes. Image 12.

¹⁰⁹ *The Cottages*, Self Guided Walk of the Erchless Estate - https://www.oakvillehistory.org/uploads/2/8/5/1/28516379/erchless_version_5.compressed.pdf - accessed 31 May 2018

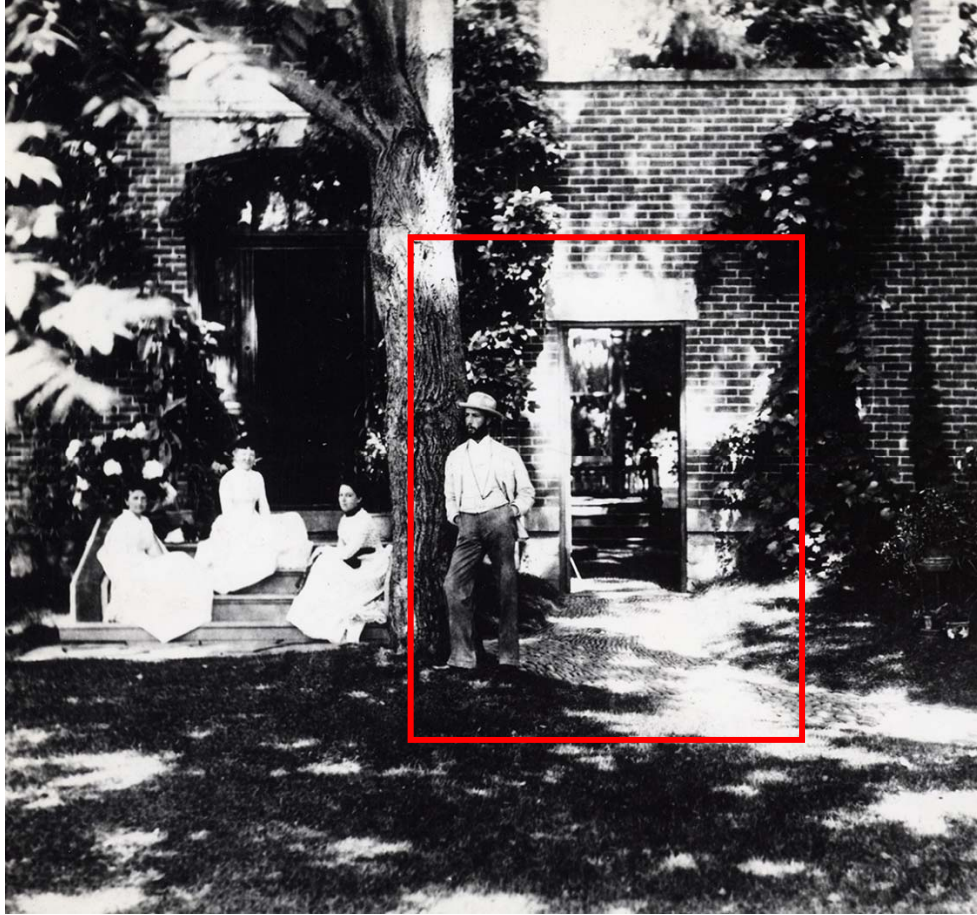


Figure 24: Photo of family in front of the gate installed to protect Rebecca Chisholm’s garden.¹¹⁰

In the 1880s, R.K. Chisholm constructed the tennis court; windmill; and, water tower.¹¹¹ The windmill and water tower were constructed to provide a source of water for the property before the construction of a municipal water system. The windmill was:

“situated on the flats by the river [and] pumped water into a storage tank on top of the hill. This tank was set on a foundation of an early frame house which had stood there during the days when the lots in Block 53 had had various owners. The house was moved across the way and now stands as No. 45 Navy Street, (formerly 41 Navy Street South).”¹¹²

The Wilson house still stands today, and is known, once again, municipally as 41 Navy Street South. It is located at the intersection of Navy and King Streets, and “faces south rather than west onto Navy [Street].”¹¹³

¹¹⁰ Image courtesy of the Oakville Museum at Erchless Estate.

¹¹¹ *Hazel Chisholm Mathews Archival Notes Volume I: Erchless - By Hazel Chisholm Mathews.* Oakville Collection, Oakville Public Library, 971.353 MAT REF V1&2. Unnumbered page.

¹¹² *Hazel Chisholm Mathews Archival Notes Volume II: John and George Chisholm of the Parish of Croy, Inverness-shire, and their Descendants.* Oakville Collection, Oakville Public Library, 971.353 MAT REF V1&2. Page 42.

¹¹³ George Chisholm, President, Oakville Historical Society, interview by Planning Services staff, Oakville, Ontario, 16 August 2018.

Then, when the municipal water infrastructure was in place, “the storage tank was removed and the little building used as a pigeon house.”¹¹⁴ It was this foundation which became the garden pool/fish pond which remains today.¹¹⁵

The image below, shows from left to right, the greenhouse with the *Coach House and Gardener’s Cottage* behind, the water tower, *Erchless*, and the wind mill.



Figure 25: Erchless Estate from Sixteen Mile Creek, circa 1900.¹¹⁶



Figure 26: R.K.'s late 19th century water tower and tennis court¹¹⁷

¹¹⁴ Hazel Chisholm Mathews Archival Notes Volume II: John and George Chisholm of the Parish of Croy, Inverness-shire, and their Descendants. Oakville Collection, Oakville Public Library, 971.353 MAT REF V1&2. Page 42.

¹¹⁵ Ibid.

¹¹⁶ Image courtesy of the Oakville Museum at Erchless Estate.

¹¹⁷ Ibid.

4.2.4 *The Coach House and Gardener's Cottage*

After R.K.'s death in 1899, his son, Allan S. Chisholm took over the estate, building, "a charming stable and coach house...a winding carriage path, and many beautiful gardens."¹¹⁸ According to Hazel C. Mathews, the Chisholm family historian, Allan Chisholm "demolished the old barn and used the timbers to build a new one on King Street to accommodate the fine horses of which he was so fond".¹¹⁹



Figure 27: *The Coach House and Gardener's Cottage*, southeast façade

Designed in 1896, by Dick and Wickson Architects, the 1898 *Coach House and Gardener's Cottage* was built in the Shingle style of architecture.¹²⁰ Shingle style architecture was part of the larger international Arts and Crafts movement which began in Britain and flourished in Europe and North America in the late 19th and early 20th century. Beside architecture, the movement crossed several artistic platforms including, but not limited to, painting, sculpting, furniture making and stained glass.¹²¹ The emphasis was on the beauty of natural materials such as wood, stone and metal.



Figure 28: Southeast façade of the coach house¹²²

¹¹⁸ *Oakville Street Names & Landmarks*, David Ashe & Joyce Burnell. Page 35.

¹¹⁹ *Hazel Chisholm Mathews Archival Notes Volume II: John and George Chisholm of the Parish of Croy, Inverness-shire, and their Descendants*. Oakville Collection, Oakville Public Library, 971.353 MAT REF V1&2. Page 42.

¹²⁰ *Frank Wickson*, Wikipedia. https://en.wikipedia.org/wiki/Frank_Wickson - accessed 26 April 2018

¹²¹ *Arts and Crafts movement*, Wikipedia. https://en.wikipedia.org/wiki/Arts_and_Crafts_movement - accessed 18 July 2018.

¹²² Image courtesy of the Oakville Museum at Erchless Estate.

Norman Bethune Dick and A. Frank Wickson were known for their “progressive stance to introducing an eclectic range of fashionable styles in their Toronto commissions, including the Chateau style and Shingle Style for residences, and often made use of Jacobean or Dutch elements in ornate commercial facades.”¹²³ Described as classic yet informal, the style, “blends traditional design with weathered materials, [and] calls to mind the East Coast, particularly the seaside escapes of the well-to-do Cape Cod, Nantucket, [and] Newport.”¹²⁴

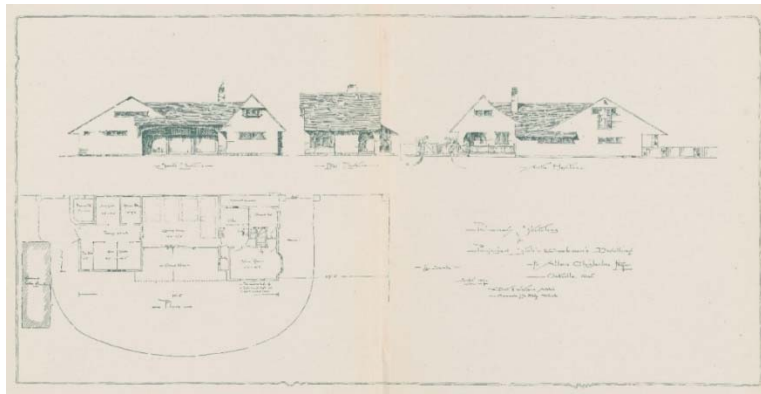


Figure 29: *Preliminary Sketches for Proposed Stable & Coachman’s Dwelling for Allan Chisholm Esq. Oakville, Ontario, Sept. 1896*¹²⁵

The coach house is located at the northeast corner of the property “within 110 feet of King Street and within 205 feet of Navy Street”, and has been described as the “most architecturally interesting building on the property.”¹²⁶ ¹²⁷ Originally, this low, rambling structure contained a stable, carriage house and living quarters where “William Hunt, an Irishman...raised five children in its tiny rooms”.¹²⁸ Chisholm wanted to extend the carriage path north to King Street but his mother, Flora, flatly refused. So Chisholm persuaded her to take an extensive trip, and while she was away he completed the project.¹²⁹

Within a decade the coach house was converted to a garage for ‘horseless carriages’ where Chisholm housed his Northern Touring car.¹³⁰ An avid sportsman, Chisholm helped establish the Oakville Club and along “with his neighbor, Murray Williams was one of the first automobile owners in Oakville.”¹³¹ ¹³² On

¹²³ Dick, Norman Bethune, Biographical Dictionary of Architects in Canada (Google cache).

<http://webcache.googleusercontent.com/search?q=cache:MSGaouqTqJwJ:dictionaryofarchitectsincanada.org/node/851+&cd=1&hl=en&ct=clnk&gl=ca> - accessed 26 April 2018

¹²⁴ *26 Beautiful and Beachy Shingle Style Homes*, Architecture + Design. Posted January 24, 2017.

<https://www.architecturaldigest.com/gallery/shingle-style-architecture-slideshow/all> - accessed 26 April 2018

¹²⁵ Canadian architect and builder. Toronto: C.H. Mortimer, 1888-1908. Rare Books and Special Collections, McGill University Library

¹²⁶ *Town of Oakville – Intention to Designate Erchless Holdings Limited Oakville, Ontario*, Conservation Review Board letter to The Corporation of the Town of Oakville. 31 May 1976. Page 3.

¹²⁷ *The Coach House*, Amandip Dhindsa, University of Toronto. Oakville Museum research document. Page 5.

¹²⁸ *Hazel Chisholm Mathews Archival Notes Volume II: John and George Chisholm of the Parish of Croy, Inverness-shire, and their Descendants*. Oakville Collection, Oakville Public Library, 971.353 MAT REF V1&2. Pages 41 and 42.

¹²⁹ Ibid.

¹³⁰ *The Coach House*, Amandip Dhindsa, University of Toronto. Oakville Museum research document. Page 5.

¹³¹ Susan Crane, Learning and Community Development Officer, Museum, Recreation and Culture, Town of Oakville, interview by Planning Services staff, Oakville, Ontario, 13 August 2018.

¹³² *Oakville Street Names & Landmarks*, David Ashe & Joyce Burnell. Page 35.

the north-west corner of the structure, evidence of the building's original use remains: being the stone walls of the former manure pit.

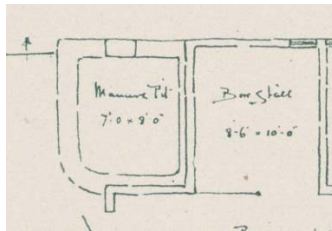


Figure 30: Manure pit detail, *Preliminary Sketches for Proposed Stable & Coachman's Dwelling for Allan Chisholm Esq. Oakville, Ontario, Sept. 1896* ¹³³

Shingle style buildings are noted for their horizontal shape, both in exterior details and in the flow of spaces within the houses.¹³⁴ They are recognizable in their use of wood cladding, asymmetrical facades and welcoming verandahs.¹³⁵ Gambrel roofs were frequently incorporate in order to produce the desired sense of a pronounced mass and horizontal emphasis.¹³⁶



Figure 31: Southeast aspect of the *Cottage* and the *Coach House and Gardener's Cottage*

Allan Chisholm is also credited with the construction of the balcony/verandah on the west façade of *Erchless*, the greenhouse; and, the addition of “ornamental planting in the Victorian style of carpet bedding with lush planting of annuals and extensive terraces on the west side of the property.”¹³⁷ ¹³⁸

¹³³ Canadian architect and builder. Toronto: C.H. Mortimer, 1888-1908. Rare Books and Special Collections, McGill University Library

¹³⁴ *Shingle style architecture*, Wikipedia. https://en.wikipedia.org/wiki/Shingle_style_architecture - accessed 12 June 2018.

¹³⁵ *26 Beautiful and Beachy Shingle Style Homes*, Architecture + Design. Posted January 24, 2017. <https://www.architecturaldigest.com/gallery/shingle-style-architecture-slideshow/all> - accessed 26 April 2018

¹³⁶ *Shingle style architecture*, Wikipedia. https://en.wikipedia.org/wiki/Shingle_style_architecture - accessed 12 June 2018.

¹³⁷ *Notes – Allan Stuart Chisholm*, Oakville Museum document. Page 1.

¹³⁸ *The Oakville Museum at Erchless Estate Comprehensive Site Plan Report*, Wendy Shearer Landscape Architect. October 2007. Page 6.

As of June 2018, the *Coach House and Gardener's Cottage* remains; and, the carriage path, which was partially grassed over “due to the lack of manpower during World War II to keep it weeded”, has been narrowed and now serves as a footpath which winds its way around the museum grounds.¹³⁹ However, the tennis court, windmill and water tower have been demolished.

4.2.5 The Cottage

Located at the northwest corner of the subject property, the site of the *Cottage* was originally the location of the property's greenhouses and gardeners' storage area. The *Cottage* was built in 1952 by local builder Fred Shaw for sisters Hazel C. Mathews, and Juliet Turney when they vacated Erchless.¹⁴⁰ Mathews and Turney were great granddaughters of William Chisholm.

The Cottage was constructed in a vernacular manner, using locally sourced building materials that were reclaimed from McNamara's Salvage Yard, which was located on Ninth Line near Dundas Street East.¹⁴¹ Although the structure was built with a shared roofline and walls, the sisters lived in separate, self-contained apartments. After their deaths, the cottages were used as rental apartments.

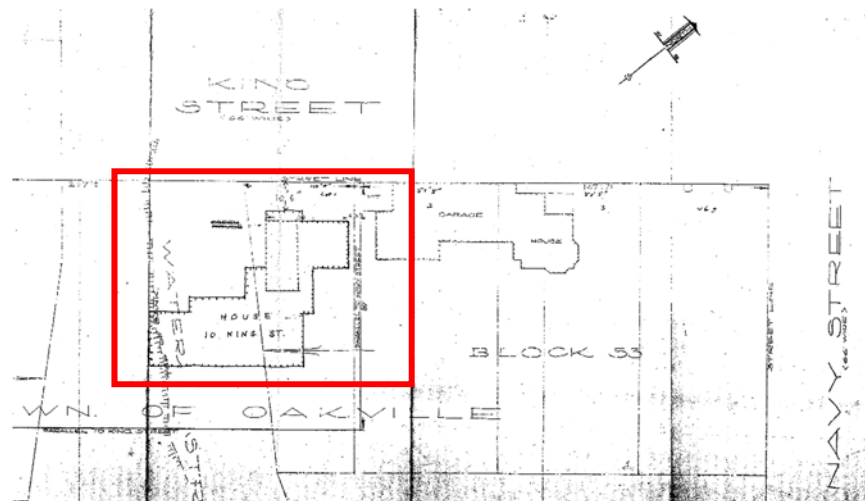


Figure 32: Untitled plan from May 1956, showing the *Cottage* and *Coach House and Gardener's Cottage*¹⁴²

In 1992, the Oakville Historical Society, which was founded by Mathews, restored the buildings, turning them into their offices.¹⁴³ Amongst other alterations undertaken by the historical society, the dividing walls between the two cottages were removed, the front door was relocated, and many of the windows were replaced.¹⁴⁴

¹³⁹ Hazel Chisholm Mathews Archival Notes Volume I: Erchless - By Hazel Chisholm Mathews. Oakville Collection, Oakville Public Library, 971.353 MAT REF V1&2. Unnumbered page.

¹⁴⁰ *History of the Cottages*, Oakville Historical Society.

https://www.oakvillehistory.org/uploads/2/8/5/1/28516379/history_of_the_cottages.pdf - accessed 5 July 2018.

¹⁴¹ George Chisholm, President, Oakville Historical Society, interview by Planning Services staff, Oakville, Ontario, 16 August 2018.

¹⁴² Town of Oakville, Engineering and Construction department file. H.D. Sewell, Ontario Land Surveyor.

¹⁴³ *The Cottages*, Self Guided Walk of the Erchless Estate -

https://www.oakvillehistory.org/uploads/2/8/5/1/28516379/erchless_version_5.compressed.pdf - accessed 31 May 2018.

¹⁴⁴ George Chisholm, President, Oakville Historical Society, interview by Planning Services staff, Oakville, Ontario, 16 August 2018.



Figure 33: South façade of the 1952 Cottage

The last major alteration to the property was undertaken at the direction of Peter John Stokes, Consulting Restoration Architect, who helped define and shape the field of heritage restoration when he started his practice in the early 1960s.¹⁴⁵ Having recently acquired the property, the Town commissioned Stokes to make recommendations for the property’s improvement and future use. Amongst other things, Stokes’ July 1980 report directed that the “buildings and the estate should serve a multi-purpose public use to the benefit of the Town of Oakville and its visitors”, and that the “Customs [sic] House and the Big House should be linked in a complex to serve principally as a museum combined with an historic house display”.¹⁴⁶ The c. 1983 vestibule addition between *Erchless* and the *Custom House* was one result of Stokes’ recommendations.



Figure 34: 1983 Museum vestibule

4.2.6 General Landscape

Some of the property’s more notable landscape features include the 19th century stone and metal fence and metal gate at the south end of the property, in front of the *Custom House*; the late 19th century, Dick and Wickson designed King Street gate; the 1920s Dunington-Grubb and Stensson rock garden; remnant foundation walls, originally from Capt. Wilson’s residence which Robert Kerr Chisholm subsequently repurposed as the foundation of the water tower; and, the early 21st century *Moose and Wolves* sculpture.¹⁴⁷

¹⁴⁵ *Architect Peter John Stokes brought heritage to life*, Obituary, Globe & Mail, published November 8, 2013 – <https://www.theglobeandmail.com/arts/art-and-architecture/architect-peter-john-stokes-brought-heritage-to-life/article15363043/> - accessed 30 May 2018.

¹⁴⁶ *The Erchless Estate Feasibility Study for the Town of Oakville: Final Report, July 1980*. Peter John Stokes. Page ii.

¹⁴⁷ *Hazel Chisholm Mathews Archival Notes Volume I: Erchless - By Hazel Chisholm Mathews*. Oakville Collection, Oakville Public Library, 971.353 MAT REF V1&2. Unnumbered page.



Figure 35: 19th century stone and metal fence details¹⁴⁸ 149

The exact age of the stone and metal fence is unknown; however, it is likely that it was installed at the time of the c. 1858 construction of the two-storey residential addition. Records indicate that it was R.K. Chisholm who built, along the southern boundary of the property, “a limestone retaining wall topped with an iron fence in which are two gates, one for vehicles, the other for pedestrians.”¹⁵⁰ This is substantiated by the existence of an illustration of Erchless from the 1858 Tremaine map which includes a depiction of a stone and metal fence in front of the Chisholm family residence and custom house which appears substantially like what exists today.



Figure 36: Stone and metal fence detail, June 2018

In August 2000, approval was given to demolish a brick wall along the Navy Street property line and to replace it with a replica of the 19th century stone and metal fence in front of the *Custom House*.¹⁵¹

¹⁴⁸ *INVITATION & POSTCARD*, 19th century. Gift of Hazel Chisholm Mathews. Oakville Museum at Erchless Estate, 1955.84.39.

¹⁴⁹ *1858 Tremaine’s Map of the County of Halton, Canada West*. G.R. & G.M. Tremaine, Toronto: Residence of Robert K. Chisholm Esq. Halton Images, <http://images.oakville.halinet.on.ca/58485/image/3019645> - accessed 31 May 2018.

¹⁵⁰ *Hazel Chisholm Mathews Archival Notes Volume II: John and George Chisholm of the Parish of Croy, Inverness-shire, and their Descendants*. Oakville Collection, Oakville Public Library, 971.353 MAT REF V1&2. Page 39.

¹⁵¹ Heritage Permit Application (unnumbered), Town of Oakville. August 16, 2000.



Figure 37: Navy Street elevation, undated, showing brick wall¹⁵²

According to Wendy Shearer’s October 2007 report, entitled *The Oakville Museum at Erchless Estate Comprehensive Site Plan Report*, the brick wall along Navy Street was installed in the 1930’s when Emelda Chisholm, undertook site improvements.¹⁵³ Due to budgetary constraints, when the new Navy Street wall was built circa 2006, only the masonry portion of the fence was completed.¹⁵⁴



Figure 38: Navy Street brick wall and gate, undated

Early photos from 1900 show the late 19th century, Dick and Wickson designed King Street gate is part of a post and wire fence which was covered in dense foliage.¹⁵⁵ Allan Chisholm, as “an enthusiastic

¹⁵² Image courtesy Oakville Historical Society.

¹⁵³ *The Oakville Museum at Erchless Estate Comprehensive Site Plan Report*, Wendy Shearer Landscape Architect. October 2007. Page 5.

¹⁵⁴ Heritage Permit Application, Town of Oakville. April 9, 2002.

¹⁵⁵ *The Oakville Museum at Erchless Estate Comprehensive Site Plan Report*, Wendy Shearer Landscape Architect. October 2007. Page 5.

woodworker” is credited with building the gates himself, as well as the “greenhouse which has long since rotted away to be replaced by the modern cottage which stands on the same spot.”¹⁵⁶ ¹⁵⁷



Figure 39: Photo of Dick and Wickson designed gate and post and & wire fence.¹⁵⁸



Figure 40: Dick and Wickson gate on King Street, June 2018

Between 1921 and 1927, Emelda Chisholm commissioned Dunington-Grubb and Stensson Landscape Architects to redesign the gardens at Erchless. This work included the removal of the terracing along the west side of the property and the installation of an extensive rock garden, which, “was one of the

¹⁵⁶ *Hazel Chisholm Mathews Archival Notes Volume I: Erchless - By Hazel Chisholm Mathews.* Oakville Collection, Oakville Public Library, 971.353 MAT REF V1&2. Unnumbered page.

¹⁵⁷ *Ibid.*

¹⁵⁸ Image courtesy of the Oakville Museum at Erchless Estate.

earliest rock gardens constructed in the era of country estate development in Oakville.”¹⁵⁹ ¹⁶⁰ Remnants of the 1920s Dunington-Grubb and Stensson rock garden remain in situ today.



Figure 41: Historic photo of Dunington-Grubb and Stensson rock garden, located to the far right¹⁶¹

Lorrie Alfreda Dunington, (1877-1945), was, “one of the first women in Canada to practise professionally as a landscape architect,”¹⁶² and her husband Howard Burlingham Grubb, who is credited with being the, “father of landscape architecture in Canada,”¹⁶³ were English Landscape Architects who immigrated to Canada where they opened an office in Toronto. Atypically, upon marrying they adopted the combined surname Dunington-Grubb. Frustrated by the limitation of locally available ornamental plant resources, the Dunington-Grubbs purchased “100 acres of land near Sheridan, Ontario (now known as Oakville) for the cultivation of ornamental plants” and started a nursery, which in 1914 became Sheridan Nurseries.¹⁶⁴ Some of their best-known projects were Gage Park (1919-27) and McMaster University Entrance Park (late 1920s) both located in Hamilton, Ontario; as well as University Avenue (1955-57) in Toronto.¹⁶⁵ Lorrie Dunington-Grubb was known for her use of perennials and rock garden plants and for an emphasis on colour and texture.

¹⁵⁹ Hazel Chisholm Mathews *Archival Notes Volume II: John and George Chisholm of the Parish of Croy, Inverness-shire, and their Descendants*. Oakville Collection, Oakville Public Library, 971.353 MAT REF V1&2. Page 43.

¹⁶⁰ *The Oakville Museum at Erchless Estate Comprehensive Site Plan Report*, Wendy Shearer Landscape Architect. October 2007. Page 6.

¹⁶¹ Image courtesy of the Oakville Museum at Erchless Estate.

¹⁶² *Lorrie Alfreda Dunington-Grubb*, Historica Canada, The Canadian Encyclopedia - <http://www.thecanadianencyclopedia.ca/en/article/lorrie-alfreda-dunington-grubb/> - accessed 28 March 2018.

¹⁶³ *Howard Burlingham Dunington-Grubb*, Historica Canada, The Canadian Encyclopedia - <http://www.thecanadianencyclopedia.ca/en/article/howard-burlingham-dunington-grubb/> - accessed 28 March 2018.

¹⁶⁴ *The Projects*, Sheridan Nurseries - http://www.sheridannurseries.com/100th_anniversary_homepage/the_projects - accessed 31 May 2018.

¹⁶⁵ *Howard Burlingham Dunington-Grubb*, Historica Canada, The Canadian Encyclopedia - <http://www.thecanadianencyclopedia.ca/en/article/howard-burlingham-dunington-grubb/> - accessed 28 March 2018.



Figure 42: 1920s Dunington-Grubb and Stensson rock garden, June 2018

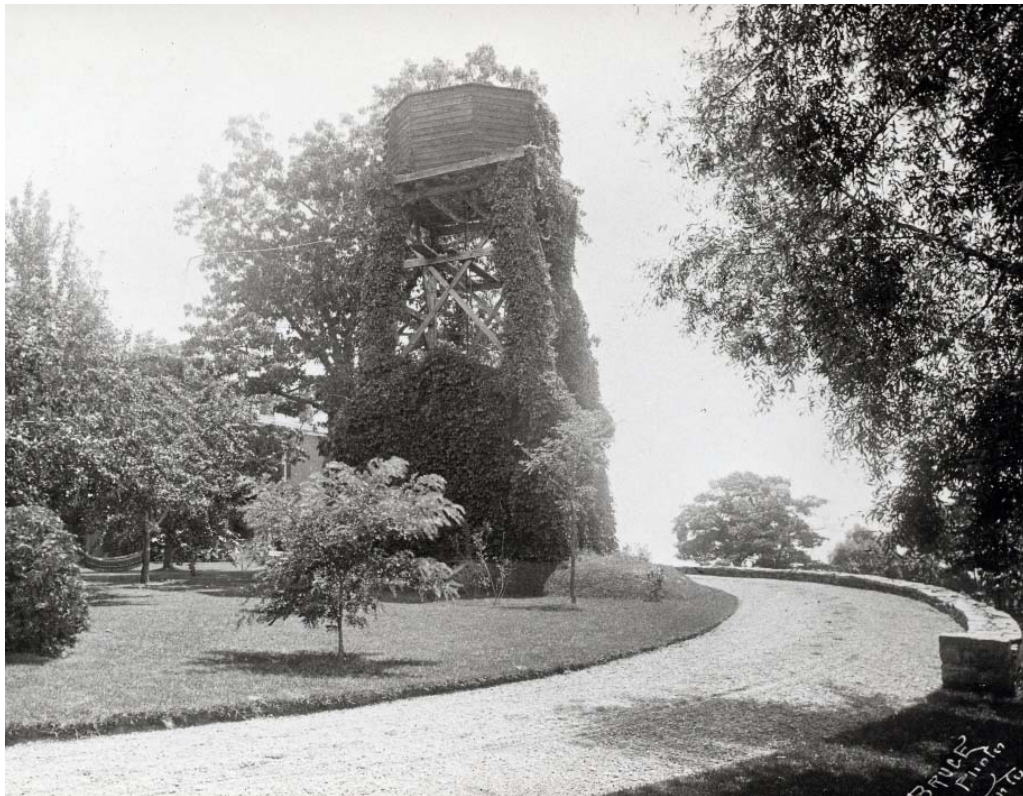


Figure 43: Historic photo showing the water tower and curved stone wall.¹⁶⁶

¹⁶⁶ Image courtesy of the Oakville Museum at Erchless Estate.



Figure 44: Remnant foundation walls, originally from Capt. Wilson's residence, later repurposed as the foundation of the late 19th/early 20th century water tower, June 2018

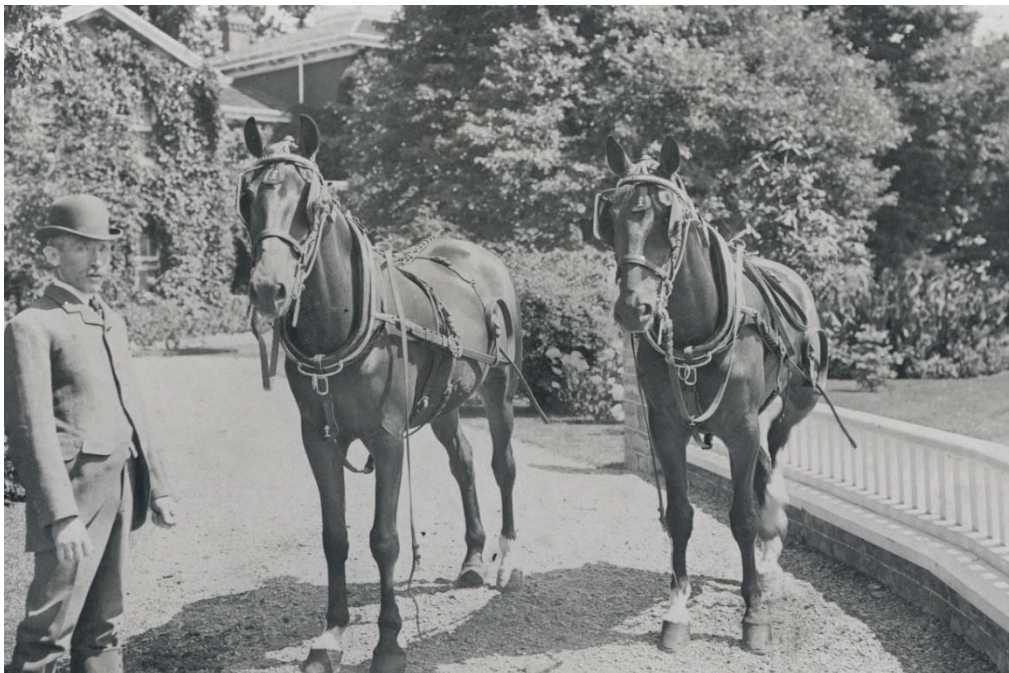


Figure 45: Historic photo showing the curved stone wall and ornamental balustrade¹⁶⁷

¹⁶⁷ Image courtesy of the Oakville Museum at Erchless Estate.



Figure 46: Curved stone wall which runs along the top of the bank overlooking Sixteen Mile Creek, June 2018

The *Moose and Wolves* sculptures were privately commissioned in support of a Humane Society fundraiser and later relocated to the property as a temporary installation c. 2009. They have no relationship to the Chisholm family.



Figure 47: Early 21st century sculptures, June 2018

5 Evaluation of Cultural Heritage Value or Interest

Erchless Estate has previously been identified as having cultural heritage value and interest. In 1976, it was identified and protected by designation By-law 1976-87. And in 2015, Laurie Smith and Associates wrote:

The property has cultural heritage value and interest because of its associations with the Chisholm family and the early history of Oakville as a shipping port, as well as with more recent history such as the work of Hazel Chisholm in supporting and nurturing an understanding and appreciation of the history of the Town. In addition to their associative value, individual resources within the property may represent examples of historical styles or types, including the Customs House, the 1830 and 1858 houses, the early 20th-century cottage and coach house, and the 1920s garden designed by the Dunington-Grubbs. The property is a key feature in establishing the character of the area and functions as an important landmark.¹⁶⁸

5.1 Criteria for Determining Cultural Heritage Value or Interest

Evaluation of the cultural heritage value of the subject property was guided by the criteria outlined in the *Ontario Heritage Act's, Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest*. Evaluation of the subject property as a Cultural Heritage Landscape was guided by the criteria outlined in the Town's *Cultural Heritage Landscape Strategy*. Evaluation of the subject property considered the components and layout of an early 19th to mid-20th century combined commercial and residential estate.

5.2 Summary of Evaluation Findings

Per UNESCO's (United Nations Educational, Scientific and Cultural Organization) categories of cultural heritage landscapes, which the Town adopted in its 2014 *Cultural Heritage Landscapes Strategy*, Erchless Estate falls within the Designed Landscape category of cultural heritage landscapes. Further, per the 2014 *Provincial Policy Statement*, the subject property qualifies as a *significant cultural heritage landscape*.

5.3 Statement of Cultural Heritage Value and Significance

Description of Property

Erchless Estate is located on the west side of Navy Street, south of King Street, on a knoll overlooking the north shore of Lake Ontario and adjacent to Oakville Harbour and Sixteen Mile Creek. Municipally, it is identified as 8 Navy Street and 110-114 King Street. The 1.6 hectares (4.0 acres) estate, now the location of Oakville Museum, includes carefully designed gardens and a variety of 19th and 20th century buildings and structures, including a cluster of high-quality brick buildings which were originally built as separate structures, but were subsequently joined together and which now create a single building known as *Erchless*. The property is adjacent to the Old Oakville Heritage Conservation District and serves as a neighbourhood park.

The entire property is protected by an Ontario Heritage Trust heritage conservation easement agreement; and, is a registered archaeological site.

Statement of Cultural Heritage Value

Erchless Estate is a designed cultural heritage landscape. It is a representative example of an estate of the wealthy settlers of early 19th century Upper Canada. The estate displays the various activities of

¹⁶⁸ *Inventory Report: 8 Navy St. & 110-114 King St., Erchless Estate*. Laurie Smith Heritage Consulting. Page 18-3.

multiple generations of the Chisholm family; it is inextricably linked to the founding of Oakville; it is the location of Oakville Museum; and, as a public park, it allows the community and visitors alike the opportunity to explore Oakville's past and a small portion of its waterfront. The cultural heritage value or interest of the property was identified as early as 1976, when the Town of Oakville designated the property under the then-new *Ontario Heritage Act*.

Erchless Estate is also significant as one of the few remaining, publicly accessible, early 19th century lakefront estates in Oakville.

Design Value or Physical Value:

Erchless Estate has design and physical value as a rare and representative example of an early 19th century Picturesque, lakefront estate. Large estates, such as the subject property, were at one time the dominant building and land form on the Lake Ontario shoreline in the vicinity of Oakville. The property includes significant built and natural heritage features which are inter-related and combine to create the property's cultural heritage value as a cultural heritage landscape.

Architecturally significant structures on the property include *Erchless*, the estate's Italianate style structure which is comprised of the 1828 brick *Store*, and the c. 1839 and 1858 residential additions, the 1856 Classical Revival style *Custom House*, and the c. 1861 brick garden wall which links the residential and commercial portions of the structure. Also on the property are the late 19th century *Coach House and Gardener's Cottage*; and, the 1952 *Cottage* structures. These structures display a high degree of craftsmanship and artistic merit.

Significant natural heritage features on the property include the mature trees; the early 20th century rock garden which is a representative and early example of the work of renowned Canadian Landscape Architects, Dunington-Grubb and Stensson; and, a collection of stone walls and pathways. The cultural heritage landscape includes viewscapes which have design and contextual value. The property's topography informed the siting of the house, outbuildings, its pathways and plantings. The dominant residence and custom house were prominently located on the elevated natural rise overlooking the shores of the lake and the creek, while the lesser, functional outbuildings were relegated to the less visually prominent part of the property. Views and vistas to, from and between the buildings; Lake Ontario; Sixteen Mile Creek; and, the entrance to Oakville Harbour articulate a relationship between site and buildings which represents a high degree of artistic merit and is therefore a significant design value. Collectively, the various built and natural attributes evoke the desired effect of a Picturesque landscape being: variety, suspense, surprise, irregular outline and contrast.

Historical Value or Associative Value:

Erchless Estate has cultural heritage value in its direct associations with the theme of early 19th century commercial development and town building. In 1834, the government of Upper Canada designated the property as the location of the Port of Entry, and was therefore the site of the first permanent government presence in Oakville.

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

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

Contextual Value:

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

Heritage Attributes

Key heritage attributes which contribute to Erchless Estate's overall cultural heritage value and significance as a cultural heritage landscape include:

- its defined geographical area which has been modified by human activity (Chisholm family);
- the relationship between the property's topography, natural elements and hardscaping features, and its variety of historic buildings; including the brick structures, coach house and cottage, all of which result in its unique spatial organization;

Key geographic, natural and hardscaping attributes which contribute to Erchless Estate's overall cultural heritage value and significance include its:

- placement on an elevated situation and prominent location at the edge of the natural embankment overlooking Lake Ontario, Sixteen Mile Creek and the entrance to Oakville Harbour;
- views and vistas to Lake Ontario and Sixteen Mile Creek; to *Erchless*; to the *Coach House and Gardener's Cottage*; and to the *Cottage*;
- residential setting adjacent to the residential "Old Oakville Heritage Conservation District";
- placement and variety of mature trees, shrubs and gardens;
- curvilinear historic carriageway which now serves as a footpath;
- 19th and 21st century stone wall features, including the c. 1858 stone wall and metal fence and gates, along the southeast corner of the property north of the unnamed road;
- Dick and Wickson stone gateposts and wooden gate on King Street;
- curved stone wall, which runs along the top of the bank overlooking Sixteen Mile Creek
- gardens, including the 1920s Dunington-Grubb and Stensson designed rock garden with flagstone steps and path down to the water;
- informal park-like grounds and pathways;
- Captain William Wilson's hand pump;
- remnant foundation walls of Captain William Wilson's home, later the water tower, and later still the garden pool/fish pond.

Key built heritage attributes, of the various historic structures, which contribute to Erchless Estate's cultural heritage value and significance include their:

- shape, form and massing;

- various foundation, façade and roofing materials;
- original/early entrances and windows, including original/early exterior and interior trim;
- chimneys;
- various construction materials, including, but not limited to, wood, stone, brick and glass as well as relevant construction methods, techniques and ornamental details;
- configuration and layout;
- original/early interior materials and finishes, including, but not limited to wood stairs, mouldings; doors and associated hardware; floors; fireplaces; bathroom and kitchen fixtures and fittings; and, radiators.

Key built heritage attributes that are specific to the 1858, Italianate style residential addition are its:

- functioning widow's walk with classical balustrades;
- front entrance terrace with classical balustrades and pedestals;

Key heritage attributes that are specific to the 1898 Coach House and Gardener's Cottage which contributes to Erchless Estate's cultural heritage value and significance are its:

- ridge beam hoist, or "catshead";
- second storey hay loft doors and front (south) sliding doors marking the entrance to the coach storage area;
- stone, manure pit walls;
- wood-shingled cupola;
- original/early remnant wooden horse stalls and metal bars, which identify its original function.

Table below provides a summary.

O.Reg. 9/06 Criteria	Criteria Met (Y/N)	Justification
1. The property has design or physical value, because it:		
i. is a rare, unique, representative or early example of a style, type, expression, material, or construction method,	Y	Individually, the structures at Erchless Estate are rare (the Shingle style <i>Coach House and Gardener's Cottage</i>), unique (the vernacular, board and batten clad Cottage) and/or representative of an architectural style or type (the Italianate former Chisholm family home and the Classical Revival <i>Custom House and Bank of Toronto</i> buildings); and, the Dunington-Grubb and Stensson landscape is a rare surviving example of an early 20 th century, Landscape Architect designed, garden. Collectively, the property is a unique example of a historic lakefront estate which was constructed for Oakville's wealthy and powerful founding family, the Chisholms. Further, it fits UNESCO'S category of a Designed Landscape cultural heritage landscape with its "clearly defined landscape designed and created intentionally by man" as embodied by the property's multiple buildings; formal gardens and pathways; man-made landscape features; and, it's historic and continuing, albeit diminished, relationship to Sixteen Mile Creek, the harbour and Lake Ontario.
ii. displays a high degree of craftsmanship or artistic merit, or	Y	Individually, the structures display a high degree of craftsmanship and artistic merit as buildings which were constructed using methods and materials that were available to only the wealthiest individuals. Collectively, the property displays a high degree of artistic merit through the well designed, articulated and maintained relationship between the individual structures and the estate grounds.

iii. demonstrates a high degree of technical or scientific achievement.	N	Not evident.
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2. The property has historical or associative value because it:

i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,	Y	<p>The property has direct associations with the theme of the physical and economic development of the Town of Oakville; and, with the theme of early 19th century lakefront estate construction for the wealthy and powerful Chisholm family, who lived on the property for over 140 years. Amongst others, the property is associated with William Chisholm, who founded Oakville in the 1820s, created the harbour and shipping port, and constructed the first structure (the store/customhouse) on the property; with William's son, Robert Kerr Chisholm who, as an astute businessman grew the family's businesses, wealth and powerbase; and, with William's great-granddaughter, Hazel C. Mathews who is credited with the property's preservation and founding the Oakville Historical Society.</p> <p>The subject property is known to be an area of importance to the Mississaugas of the New Credit First Nations (MNCFN).</p>
ii. yields, or has the potential to yield information that contributes to an understanding of a community or culture, or	Y	<p>The property yields, and/or has the potential to yield information that contributes to an understanding of the history of the Mississaugas of the New Credit First Nations, including their pre-contact history; to the history of early Oakville; and it has the potential to contribute to the archaeological record of the area.</p>

<p>iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.</p>	<p>Y</p>	<p>The 1898 <i>Coach House and Gardener's Cottage</i> demonstrates and reflects the work of Toronto Architects, Dick & Wickson, who designed the building in 1896 for William's grandson, Allan Stuart Chisholm. Dick & Wickson were well-regarded Toronto architects who designed many significant Toronto buildings.</p> <p>The early 1920s garden demonstrates and reflects the work of Dunington-Grubb and Stensson, Landscape Architects, who were known respectively as "one of the first women in Canada to practice professionally as a landscape architect" and, "the father of landscape architecture in Canada".</p>
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<p>3. The property has contextual value because it:</p>		
<p>i. is important in defining, maintaining or supporting the character of an area,</p>	<p>Y</p>	<p>The subject property, as the location of the genesis of the town, is a designed cultural heritage landscape which defines, maintains and supports the character of the area, both within the neighbourhood and Oakville as a whole. It is an intact historic lakefront estate which, although it has evolved, it has maintained a number of key landscape and design elements and replacement/additions have been sympathetic.</p>

<p>ii. is physically, functionally, visually or historically linked to its surroundings, or</p>	<p>Y</p>	<p>The identified designed cultural heritage landscape is physically, visually and historically linked to its surroundings, as the residence of the Chisholm family and their role in creating the layout of the Town of Oakville; and, in developing the harbour area into a port and shipping centre.</p> <p>The physical, visual and historical relationship that exists between <i>Erchless</i> and the <i>Custom House</i> is reflective of a common practice of professional men of the time, wherein they built an office in close to their residence for the convenience of carrying on business.</p> <p>The physical, visual and historical relationship that exists between <i>Erchless</i> and the <i>Coach House and Gardener's Cottage</i> is reflective of the property's status as an estate complex. Specifically, although the <i>Coach House and Gardener's Cottage</i> is fundamentally a utilitarian structure, the conscious decision to use a renowned architectural firm in its design, and the use of high quality building materials would have been made as a physical reflection of the property owner's wealth and power.</p> <p>The physical, visual and historical relationship that exists between the <i>Erchless</i> and the other structures on the property is reflective of the evolution of the estate as a place of both business and residence, for the 135 years that the extended Chisholm family call the property home.</p>
<p>iii. is a landmark.</p>	<p>Y</p>	<p>The property is a landmark within the Town of Oakville.</p>

5.4 Evaluation of Provincial and/or National Historic Significance

A cultural heritage landscape may have values that are significant, to one or multiple communities, at a local, provincial and/or national level. In these instances, it may be necessary to apply a range of interpretive and interdisciplinary tools and approaches to understand a property. Should it be determined that the subject property be evaluated for its Provincial or National significance, a third party will be engaged to undertake this assessment.

6 Conclusion

The creation of the Town of Oakville's *Cultural Heritage Landscape Strategy* came about, in part, as a result of heritage conservation policies outlined in the Livable Oakville Plan; the *Planning Act*; the *Provincial Policy Statement* (2014); and, the *Ontario Heritage Act*. The purpose of the *Cultural Heritage Landscape Strategy* is to provide a framework for the identification and protection of the town's cultural heritage landscapes, and to provide direction for protecting and managing these resources for the future. Cultural heritage landscapes provide a wider understanding of the context of how built resources, natural heritage and land uses function together as a whole. This report was undertaken to determine if Erchless Estate satisfies the criteria to be identified as a cultural heritage landscape.

The evaluation of the property's potential cultural heritage value and significance was based upon criteria outlined by the United Nations Educational, Scientific and Cultural Organization (UNESCO); Ontario Regulation 9/06; the 2014 *Provincial Policy Statement*; and, the aforementioned Town of Oakville *Cultural Heritage Landscape Strategy*. Specifically, the assessment considered the layered, nested, and overlapping aspects of cultural heritage landscapes.

Based on this approach, it has been determined that Erchless Estate has cultural heritage value as a designed cultural heritage landscape.

7 Sources

- Land Registry Records;
- Ancestry.ca;
- Town of Oakville files, policies and reports;
- Historical and contemporary maps;
- Mississaugas of the New Credit First Nation - Department of Consultation & Accommodation (DOCA); Museums of Ontario; Oakville Historical Society; Oakville Museum; and, Trafalgar Township Historical Society;
- Wendy Shearer Landscape Architect - *The Oakville Museum at Erchless Estate Comprehensive Site Plan Report*;
- Laurie Smith Heritage Consulting's, *Cultural Heritage Landscape Strategy Implementation – Phase 1: Summary Report*;
- Macaulay Shiomi Howson Ltd. - *Town of Oakville - Urban Structure Review - Discussion Paper Draft*;
- Peter John Stokes, *The Erchless Estate Feasibility Study for the Town of Oakville: Final Report*, July 1980
- Oakville Community Foundation - *Truth And Reconciliation In Oakville*;
- Parks Canada;
- Wikipedia;
- Globe & Mail;
- Biographical Dictionary of Architects in Canada;
- Architecture + Design;
- The Canadian Encyclopedia
- Archives Association of Ontario;
- Canadian architect and builder. Toronto: C.H. Mortimer, 1888-1908. Rare Books and Special Collections, McGill University Library
- Ministry of Natural Resources and Forestry;
- Dictionary of Canadian Biography, Volume VII (1836-1850)
- David Ashe & Joyce Burnell - *Oakville Street Names & Landmarks*;
- Anna Brownell Jameson - *Winter Studies and Summer Rambles In Canada* (London, England: Saunders and Otley, 1838), reprinted Toronto, Ontario: McClelland & Stewart Ltd., 1990);
- Hazel C. Mathews, *Oakville and the Sixteen: The History of an Ontario Port* (University of Toronto Press Incorporated, 1953);

8 Appendices

8.1 Appendix A: Photos

Erchless, comprising the c. 1828 *Store*, two residential additions, the c. 1861 brick garden wall, and the former Custom House and Bank of Toronto building.



Figure 48: South façade showing (left to right) the 1858 addition, the 19th century brick garden wall and the 1856 *Custom House*.



Figure 49: Southeast corner of the *Custom House*, from Navy Street.



Figure 50: East façade, from the northeast corner of *Erchless*, along Navy Street.



Figure 51: North façade, showing (left to right) the 1856 *Custom House*, 1983 Museum vestibule, and the c. 1828 *Store*.



Figure 52: North façade of the c. 1828 *Store*, and partial west façade.



Figure 53: West façade showing (left to right) the c. 1828 *Store* and 1½ storey addition, and the 1858 2-storey addition.

The Coach House and Gardener's Cottage



Figure 54: Southeast corner of the *Coach House and Gardener's Cottage*, showing the south and east elevations.



Figure 55: East façade with King Street to the right of the building.



Figure 56: North façade, from King Street.



Figure 57: Partial west façade, viewed from the north, including the stone wall of the former manure pit of the *Coach House and Gardener's Cottage*. The east wall of the *Cottage* is visible to the right of the *Coach House and Gardener's Cottage*.



Figure 58: Partial west façade of the *Coach House and Gardener's Cottage*, showing the manure pit stone wall, the Dutchman door, and the board and batten *Cottage* walls.



Figure 59: West façade of the *Coach House and Gardener's Cottage*.



Figure 60: *Coach House and Gardener's Cottage's* manure pit wall and Dutchman door, west façade.

The Cottage



Figure 61: Southeast façade, December 2008



Figure 62: East façade, July 2018



Figure 63: Partial north façade showing the northeast corner, June 2018



Figure 64: Northeast corner, including the *Cottage's* courtyard. December 2008



Figure 65: Southwest corner, facing east

8.2 Appendix B: Designation Bylaw

By-law 1976-87 - A by-law to designate certain property as property of historic and architectural value and interest (Erchless Holdings)



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 1976-87

A by-law to designate certain property as property of historic and architectural value and interest (Erchless Holdings)

THE COUNCIL ENACTS AS FOLLOWS:

1. The property commonly known and referred to as the Chisholm Estate or Erchless Holdings is hereby designated as a property of historic and architectural value and interest pursuant to The Ontario Heritage Act, 1974.
2. The property designated by this by-law is the property described in Schedule "A" to this by-law.

PASSED by the Council this 8th day of June, 1976.



Mayor



Clerk



SCHEDULE "A"

FIRSTLY The freehold land registered in the Land Registry Office for the Land Registry Division of Halton as Parcel 1-1-53 in the register for Section H-1 and being Lots 1, 2, 3, 4, 5 and Parts of Lots 6, 7 and 8, all in Block 53; Lot 3 and Parts of Lots 2 and 4, all in Block 55; Part of Water Street; and that Part of Oakville Harbour lying between the southwesterly limit of said Block 55 and the southwesterly limit of the existing concrete retaining wall; all of the foregoing in the Town of Oakville, in the Regional Municipality of Halton, according to Registered Plan Number 1, filed in the Land Registry Office for the Land Registry Division of Halton, and designated as Part 1 on Plan HR-19 registered in the said Office.

SAVING AND EXCEPTING AND RESERVING the free usage, passage and enjoyment of, in, over and upon all navigable waters which shall or may be hereafter found on or under or be flowing through or upon any part of the above lands, as set out in the original grant from the Crown.

SECONDLY The freehold land registered in the Land Registry Office for the Land Registry Division of Halton as Parcel 6-2-53 in the register for Section H-1 and being those parts of Lots 1, 2, 3 and 4 in Block 85; Part of Lot 4 in Block 55; Parts of Lots 6, 7 and 8 in Block 53; all of Blocks 83 and 84; That part of Front Street lying between the southwesterly limit of Navy Street and the northwesterly production of the southeasterly limit of said Block 85; Part of Water Street; An unnamed street lying between said Blocks 55 and 85; The unnamed streets east of said Blocks 84 and 85; And a strip of undesignated land lying southeast of said Blocks 83 and 84 all according to Registered Plan Number 1 (Town of Oakville) filed in the Land Registry Office for the Land Registry Division of Halton and designated as Part 2 on a plan of survey of record in the said Office as HR-19.

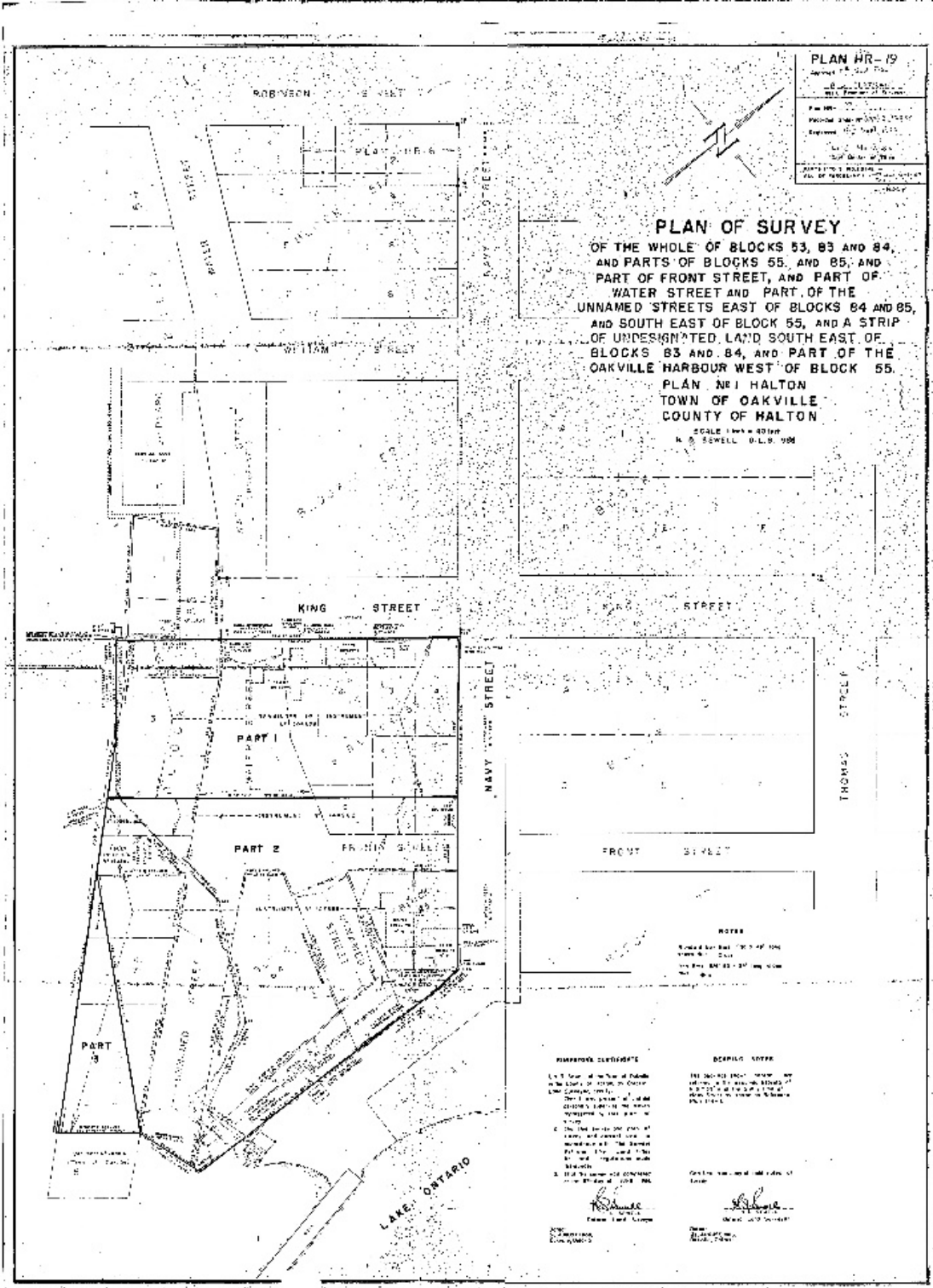
4187

SCHEDULE "A" (cont'd)

SAVING AND EXCEPTING AND RESERVING the free usage, passage and enjoyment of, in, over and upon all navigable waters which shall or may be hereafter found on or under or be flowing through or upon any part of the above lands, as set out in the original grant from the Crown.

REASONS FOR DESIGNATION

The property embraces a number of buildings of both historic and architectural value and interest dating back to the 1850's including the Custom House and the residence of R. K. Chisholm to which he (R. K. Chisholm) gave the name "Erchless" being the name of the seat of the Chisholm clan in Inverness-shire, Scotland.



PLAN HR-19
 Survey of 1968
 H. S. SEWELL
 O.L.S. 1968
 Professional Engineer
 License No. 1000
 Ontario
 1000
 1000
 1000

PLAN OF SURVEY
 OF THE WHOLE OF BLOCKS 53, 83 AND 84,
 AND PARTS OF BLOCKS 55, AND 85, AND
 PART OF FRONT STREET, AND PART OF
 WATER STREET AND PART OF THE
 UNNAMED STREETS EAST OF BLOCKS 84 AND 85,
 AND SOUTH EAST OF BLOCK 55, AND A STRIP
 OF UNDESIGNATED LAND SOUTH EAST OF
 BLOCKS 83 AND 84, AND PART OF THE
 OAKVILLE HARBOUR WEST OF BLOCK 55.
 PLAN NO. 1 HALTON
 TOWN OF OAKVILLE
 COUNTY OF HALTON
 SCALE 1:250 = 4000
 H. S. SEWELL O.L.S. 1968

NOTES
 1. The survey was conducted in accordance with the provisions of the Survey Act, R.S.O. 1960, c. 362, and the Regulations thereunder.
 2. The survey was conducted in accordance with the provisions of the Survey Act, R.S.O. 1960, c. 362, and the Regulations thereunder.
 3. The survey was conducted in accordance with the provisions of the Survey Act, R.S.O. 1960, c. 362, and the Regulations thereunder.

APPROVED CERTIFICATE
 I, H. S. SEWELL, O.L.S. 1968, being a Professional Engineer, do hereby certify that the above is a true and correct copy of the original plan as filed in my office, and that the same has been examined and found to conform with the provisions of the Survey Act, R.S.O. 1960, c. 362, and the Regulations thereunder.

DEPOT COPY
 This is a true and correct copy of the original plan as filed in my office, and that the same has been examined and found to conform with the provisions of the Survey Act, R.S.O. 1960, c. 362, and the Regulations thereunder.

H. S. SEWELL
 Professional Engineer
 License No. 1000
 Ontario

Français

Ontario Heritage Act

ONTARIO REGULATION 9/06 CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST

Consolidation Period: From January 25, 2006 to the [e-Laws currency date](#).

No amendments.

This is the English version of a bilingual regulation.

Criteria

1. (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 29 (1) (a) of the Act. O. Reg. 9/06, s. 1 (1).

(2) A property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it,
 - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
 - ii. displays a high degree of craftsmanship or artistic merit, or
 - iii. demonstrates a high degree of technical or scientific achievement.
2. The property has historical value or associative value because it,
 - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
 - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
 - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
3. The property has contextual value because it,
 - i. is important in defining, maintaining or supporting the character of an area,
 - ii. is physically, functionally, visually or historically linked to its surroundings, or
 - iii. is a landmark. O. Reg. 9/06, s. 1 (2).

Transition

2. This Regulation does not apply in respect of a property if notice of intention to designate it was given under subsection 29 (1.1) of the Act on or before January 24, 2006. O. Reg. 9/06, s. 2.

Français

Back to top

8.5 Appendix E: Definitions of cultural heritage landscapes

The United Nations Educational, Scientific and Cultural Organization (UNESCO) states that:

Cultural landscapes are cultural properties and represent the "combined works of nature and of man".¹⁶⁹ They continue, advising that these areas are "illustrative of the evolution of human society and settlement over time, under the influence of the physical constraints and/or opportunities presented by their natural environment and of successive social, economic and cultural forces, both external and internal."¹⁷⁰

The definition of a Designed Landscape cultural heritage landscapes is a "clearly defined landscape designed and created intentionally by man."¹⁷¹ "Cultural heritage landscapes can include any combination of built structures (i.e. houses, barns, shops, bridges), natural heritage (i.e. trees, hedges, lawns), transportation routes (i.e. roads, pathways, trails) and viewscapes or vistas, providing that these features demonstrate the required significance and value."¹⁷²

2014 *Provincial Policy Statement*, Cultural Heritage Landscape Definition:

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 Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).¹⁷³

*A cultural landscape is the recognizable imprint of human settlement and activities on land over time. But while any landscape that has been deliberately modified by humans is a cultural landscape, only those cultural landscapes that have a deep connection with the history of the community and are valued by the community can be identified as 'cultural heritage landscapes'. Cultural heritage landscapes can include any combination of built structures (i.e. houses, barns, shops, bridges), natural heritage (i.e. trees, hedges, lawns), transportation routes (i.e. roads, pathways, trails) and viewscapes or vistas, providing that these features demonstrate the required significance and value.*¹⁷⁴

¹⁶⁹ United Nations Educational, Scientific and Cultural Organisation, Intergovernmental Committee for the Protection of the World Cultural and Natural Heritage, *Operational Guidelines for the Implementation of the World Heritage Convention: Definitions and Categories*, World Heritage Centre, WHC. 08/01, January 2008. Page 85 – <http://whc.unesco.org/archive/opguide08-en.pdf#annex3> - accessed 29 May 2018.

¹⁷⁰ Ibid.

¹⁷¹ Ibid. Page 86 – <http://whc.unesco.org/archive/opguide08-en.pdf#annex3> - accessed 29 May 2018.

¹⁷² *Cultural Heritage Landscape Strategy: Background*. Planning Services Department report Planning and Development Council, January 13, 2014.

¹⁷³ 2014 *Provincial Policy Statement: Under the Planning Act. 6.0 Definitions: Cultural heritage landscape*. Ministry of Municipal Affairs and Housing, April 30, 2014. Page 40.

¹⁷⁴ *Cultural Heritage Landscapes Strategy: Background*. Planning Services Department report to Heritage Oakville, 17 December 2013.