Downtown Oakville
Heritage Conservation District Study

Downtown Oakville
Heritage Conservation District Plan
and Guidelines
(Preliminary Draft)

October 2, 2012

Prepared by:

MHBC
Planning Urban Design & Landscape Architecture

▲ Preserve it! Vision 2057
A Note to Readers

This preliminary draft of the Downtown Oakville Heritage Conservation District Plan and Guidelines is the professional opinion of the consulting team of MHBC Planning in association with Peter Stewart of George Robb Architect. This consulting team was hired by the Town of Oakville to conduct a Downtown Heritage Conservation District Study which involved extensive work and public consultation (including public meetings and focus groups) conducted during 2011-12. This draft reflects the consultant’s work and is now available to you for comments until November 2, 2012.

At the same time that this document is being reviewed by you, it is also undergoing technical review by Town of Oakville staff. The first draft of the Downtown Oakville Heritage Conservation District Plan and Guidelines has not been accepted or endorsed by Town staff or by Town Council. The recommendations from the consulting team within the plan and guidelines may or may not be included in the final version of the plan, which will be presented to Council for consideration in early 2013. Staff note there are recommendations related to implementing zoning and design which will need to be assessed in relation to the InZone and Urban Design Manual work currently underway for the Downtown.

Please take the time to read this draft version and give us your feedback by November 2, 2012. Public comments are encouraged to be submitted for consideration in the future revisions to the draft Plan and Guidelines. Any questions or comments regarding this document can be directed to Susan Schappert, heritage planner at sschappert@oakville.ca or 905-845-6601, ext. 3870.

Project consultants:

MHBC

In association with:

George Robb Architect
Downtown Oakville
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The Town of Oakville
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Context to the Downtown Oakville Heritage Conservation District Study, Plan and Guidelines

In 2010 the town completed the Downtown Oakville Strategic Review. This was part of the implementation program for the Livable Oakville Plan – the town’s new official plan. The Downtown Oakville Strategic Review included six months of research, analysis, consultation and community collaboration with diverse stakeholder groups, including business and residents’ associations, property owners, members of council, and the public.

The review produced the Downtown Oakville Strategic Action Plan. This document will help guide improvements in the downtown by building on the success of previous plans and on the strengths of the area’s existing features. The plan addresses critical factors including cultural heritage, urban design and streetscape, public facilities, economics, transportation, and sustainability. The Downtown Heritage Conservation District Plan Study was initiated as one of the 12 strategic initiatives of the Downtown Oakville Strategic Action Plan: Inspire, Connect, Protect. Other strategic initiatives of the Action Plan include:

- Development of urban design guidelines
- Revitalization of Centennial Square facilities
- Accessibility and safety audit
- Transportation strategy
- Retail strategy
- Re-evaluation of Town Square

Many of these initiatives are already in process and some are planned for the future. They are all being carried out under Vision 2057 to ensure integration. Vision 2057 brings together all of the town’s master plans and other key planning initiatives to ensure a consistent and integrated approach to planning for the town’s future. The Downtown Heritage Conservation District Plan and Guidelines is being developed within the Vision 2057 framework.

Many of the recommendations in the first draft of the Downtown Oakville Heritage Conservation District Plan and Guidelines, given that they apply to a specific segment of the Downtown, will be addressed through the completion of other Downtown Strategic Action Plan initiatives. These initiatives cover the entirety of the Downtown area, not just the proposed Heritage Conservation District Boundary and include: the Transportation, Access and Mobility Study; the Downtown Cultural Hub Study; and, the Tools and Incentives review.

The Heritage Conservation District Guidelines will also help inform the work being undertaken on the Urban Design Guidelines and In Zone (update to the town’s zoning by-law project) as they relate to the proposed Heritage Conservation District and the entirety of downtown Oakville. It should also be noted that the town has a number of by-laws and processes that will continue to be applied to the Heritage Conservation District, including site plan control, sign by-law and property standards.

This draft report contains many recommendations and initiatives that have been prepared for the Town’s consideration, and further review with the applicable departments will be undertaken in order for staff to recommend a District Plan and Guidelines to Council.
Downtown Oakville
Heritage Conservation District Study

Part A:
Downtown Oakville Heritage Conservation District Plan and Guidelines
1.0 INTRODUCTION

1.1 PURPOSE AND FORMAT OF THE DISTRICT PLAN AND GUIDELINES

The Downtown Oakville Heritage Conservation District Plan follows on from the Downtown Oakville Heritage Conservation District Heritage Assessment Report that was completed in the Spring of 2012 and adopted by Town Council on June 11, 2012. The Downtown Oakville Heritage Conservation District Study project has its’ roots in the Downtown Oakville Strategic Action Plan, which was adopted by Town Council in 2010.

The Heritage Assessment Report described the heritage characteristics of this downtown location in the Town of Oakville, and focused on four main components:

- historical settlement and context;
- built heritage character (architecture and building integrity);
- streetscape and landscape survey;
- policy review (various Town and Regional planning policies).

The report found that a portion of the Downtown Oakville area met the Provincial criteria for designation as a Heritage Conservation District. The report provided a rationale for the designation of this special area, and identified a boundary for the proposed District (shown below, and also Appendix A).

Following the completion of the Downtown Oakville Heritage Assessment Report, the project team embarked on the next phase of the study, which is the preparation of the Downtown Oakville Heritage Conservation District Plan and Guidelines.
The Downtown Oakville Heritage Conservation District Plan and Guidelines is divided into two parts. **Part A** of the Conservation District Plan and Guidelines provides guidance in the management, care and protection of the heritage character of the District, notably its wealth of nineteenth and early twentieth century building stock, streetscapes and proximity to the Sixteen Mile Creek and harbour.

**Part B** of the Conservation District Plan and Guidelines contains a number of recommendations for action by the Town of Oakville. These actions are related to refinements to the Official Plan, Zoning By-law and Sign By-law as well as guidance on a funding program and streetscape improvements in the public realm.

Part A of the Plan is divided into a number of sections as follows:

**Section 1** explains the provisions of the *Ontario Heritage Act* and contains those provisions that are legally required to be fulfilled, notably a statement of objectives, a statement of cultural heritage value and a description of the District’s heritage attributes.

**Section 2** provides a statement of intent for the Heritage Conservation District and recognizes roles and responsibilities in the management of the District.

**Section 3** provides a short statement of conservation principles, goals and objectives.

**Section 4** provides the key guidelines for managing changes to property and includes:

- conservation guidance on appropriate changes to heritage fabric and features;
- design guidelines for alterations and additions to existing buildings and new construction and infill development on vacant lots;
- landscape conservation guidelines for private property owners;
- guidance on alterations and additions to properties within the public realm; and,

**Section 5** provides a description of those alterations and classes of alterations that are exempt from regulation under Part V of the *Ontario Heritage Act*.

It is worth emphasizing that the Plan and Guidelines are intended to provide an objective minimum level of appropriateness for physical change over the coming years. The guidelines are not prescriptive in determining specific design solutions for each building or lot, except as where specifically noted. This must be left to the property owner, their builders and architects, as advised by Town staff and Heritage Oakville in the implementation of these guidelines. Building and property owners contemplating any changes to buildings or new infill development located within the District should consult with Heritage Planning staff prior to undertaking any work.

Importantly, the guidelines attempt to steer away from matters of “architectural taste”, particularly with respect to new building construction. Taste is typically subjective in nature and tends to relate to what people “like” based on past experience and associated comfort levels with the known, tried and tested. When new construction does occur within the District it is expected that these changes should represent the best of contemporary design skills and use of materials that our current era can contribute to this important Downtown location.
1.2 PROVISIONS OF THE ONTARIO HERITAGE ACT

The Ontario Heritage Act is a prescriptive piece of legislation that provides very clear requirements for the content of a heritage conservation district plan. Subsection 41.1 (5) of the Act provides that a heritage conservation district plan shall include:

“(a) a statement of the objectives to be achieved in designating the area as a heritage conservation district;
(b) a statement explaining the cultural heritage value or interest of the heritage conservation district;
(c) a description of the heritage attributes of the heritage conservation district and of properties in the district;
(d) policy statements, guidelines and procedures for achieving the stated objectives and managing change in the heritage conservation district; and
(e) a description of the alterations or classes of alterations that are minor in nature and that the owner of property in the heritage conservation district may carry out or permit to be carried out on any part of the property, other than the interior of any structure or building on the property, without obtaining a permit under section 42. 2005, c. 6, s. 31.”

The following subsections 1.3, 1.4 and 1.5 contain the required plan components provided for in (a), (b) and (c). The requirements set out in (d) are found in Sections 3 and 4 and those in (e) are described in Section 5.

1.3 STATEMENT OF OBJECTIVES OF PROPOSED DESIGNATION FOR THE DOWNTOWN OAKVILLE HERITAGE CONSERVATION DISTRICT

In designating the Downtown Oakville Heritage Conservation District a number of key objectives are sought as follows:

- To maintain and conserve the vibrant heritage character of Lakeshore Road corridor, and adjacent George and Thomas Streets.
- To protect and enhance heritage property in both the public and private realm including existing heritage commercial buildings, institutional structures, views of Sixteen-Mile Creek and streetscapes.
- To avoid the loss or removal of heritage buildings, structures and landscape fabric and encourage only those changes that are undertaken in a manner that if such alterations were removed in the future, the essential form and integrity of the heritage property, materials and fabric would remain unimpaired.
- To encourage property owners to make continuing repairs and undertake maintenance of property in order to conserve the overall character and appearance of the District.
• To support the continuing care, conservation and maintenance of heritage properties wherever appropriate by providing guidance on sound conservation practice and directing owners to available funding sources for eligible work.

• To encourage the maintenance and protection of the public realm of the District, as well as avoiding or minimizing adverse effects of public undertakings.

• To manage trees, treelines and grass boulevards that contribute to the cultural heritage value of the District.

• To encourage the maintenance of building forms that are low-profile within the commercial environment of the Downtown Oakville District.

• To support existing uses and adaptive re-uses within the existing building stock and heritage fabric.

• To prevent the establishment of those land uses and associated built forms and features which would be out of keeping with or have detrimental effects upon the commercial character of the District.

• To avoid the demolition of existing heritage buildings or structures and their replacement with incompatible new development.

• To permit new development and infill only when such change complements the prevailing character of the existing heritage buildings and streetscapes within the District.

• To encourage public realm improvements within the Lakeshore Road corridor that respect the historical attributes and associations of this early transportation route as well as promote a pedestrian friendly environment that links Downtown Oakville to adjacent residential, institutional and recreational amenity areas including the harbour area, lakeshore and Sixteen Mile Creek.

• To promote an appropriate gateway feature, such as a landscaped open space, public art or other device at the intersection of Lakeshore Road and Navy Street intersection that respects the heritage character of this important entranceway to and from the District.

• To examine funding sources and adopt appropriate funding programs within the Town of Oakville’s capability to provide ongoing support to District property owners.
1.4  DOWNTOWN OAKVILLE HERITAGE CONSERVATION DISTRICT: STATEMENT OF CULTURAL HERITAGE VALUE

The Downtown Oakville Heritage Conservation District occupies a strategic location on table land, formed over 10,000 years ago that is bordered on the north and west by the steep valley sides of the Sixteen-Mile Creek and to the south by the gently sloping lands of the Iroquois Plain that stretch to the present day shoreline of Lake Ontario. The District is distinguished by the Lakeshore Road corridor, the north-south connections of George and Thomas Streets that link Lakeshore Road to the banks of the Sixteen Mile Creek and the intervening east-west streets of Randall and Church. These comprise components of the original 1830s grid of streets and roads developed as part of the Lake Ontario port settlement of Oakville established by Colonel William Chisholm.

The cultural heritage value of the Downtown Oakville Heritage Conservation District is vested in historical associations with the founding of the early nineteenth century port settlement and its subsequent prosperity as an important trans-shipment point for wheat and lumber. Historical associations with transportation and mercantile activities are also important: Lake Road, later to be known as Colborne Street and eventually Lakeshore Road, provided not only a strategic, land based transportation link between York and Hamilton, but also accommodated a burgeoning commercial core developing eastwards from the harbour and Sixteen Mile Creek.

As the settlement boomed, Colborne Street became populated by, a variety of new structures, such as hotels, taverns, stores, and small workshops, constructed in a variety of forms, materials and styles such as the Italianate and Classical Revival in the nineteenth century and the Beaux Arts Classicism, International Style and Mid-Century Modern in the twentieth century. The resulting commercial street wall provided a historical thread of architectural and design continuity from the 1850s to the present day.

To the north of Lakeshore Road, Thomas Street, George Street, Church Street and Randal Street were once areas characterised by a mix of workshops, residences and small scale manufactories, organized according to Chisholm’s grid pattern. Waves of succeeding development, community growth and changes in transportation modes resulted in an eclectic mix of new uses and structures. These reflected historical associations with transportation (the electrical radial line and station) and the growth of community institutions including the Scout Hut, Masonic Temple Lodge, Canada Post Office and Fire Hall. All were built in a rich variety of architectural styles, materials and built form.

The Downtown Oakville Heritage Conservation District is an important cultural heritage resource within the larger Downtown Oakville area as well as the Town of Oakville. The area has formative historical associations with the early nineteenth century origins of the modern-day environment expressed in the surviving grid pattern, the relationship to the Sixteen Mile Creek and the wealth of architectural styles, materials and building form that represent over 150 years of human activity and ingenuity in creating the landscape.
1.5 DOWNTOWN OAKVILLE HERITAGE CONSERVATION DISTRICT: DESCRIPTION OF THE DISTRICT’S HERITAGE ATTRIBUTES

The boundary of the Downtown Oakville Heritage Conservation District (shown below) encompasses a number of distinctive cultural heritage attributes, notably:

A framework of structuring elements
A key and perhaps overriding characteristic is the framework of structuring elements, around which other features and attributes are organised, ordered or set in place. These comprise the:

- the 1830s grid network of streets and roads which established the overall pattern of settlement;
- the Sixteen Mile or Oakville Creek to the west and north providing clearly definable limits to early settlement on the table land above; and,
- Lake Road, later to become known as Colborne Street and then Lakeshore Road that provided the key spine for the surrounding grid of streets together with the western access and approach over the Sixteen Mile Creek.

A concentration of heritage resources
The presence of a structuring “framework”, noted previously is complemented by a concentration of heritage buildings, sites, structures, and designed and natural landscapes. These comprise:

- Lakeshore Road as a distinctive heritage feature with unique historical associations that reach back over 170 years.
- The well-established nineteenth and early twentieth century commercial street wall along both sides of Lakeshore Road from Navy Street to midway between George and Dunn Streets comprising a concentration of primarily two storey, heritage buildings including nineteenth and twentieth century commercial blocks or terraces of redbrick, individual modest stores with front gable roofs, of frame or brick construction, together with a mix of early and mid twentieth century commercial bank buildings and a former post office.
- A variety of commercial buildings along Lakeshore Road executed in a number of architectural styles including the Italianate, Classical Revival, Beaux Arts Classicism and Mid-Century Modern.
- Randall Street and its intersections with George and Thomas Streets that contain a grouping of modest vernacular frame and brick structures including the Scout Hut and former electric radial station at the intersection with Thomas Street and modest, residential vernacular frame structures on the north side of Randall at George Street. The George Street intersection at Randall Street is notable for the placement of the Canada Post building and parking area that anchors this southwest corner.
- The connecting streets of George and Thomas, from Lakeshore Road to Randall Street and the vegetated slopes of the Sixteen Mile Creek that tie together two key defining framework components.
• The eclectic mix of former residential heritage structures, the Masonic Lodge and new buildings (many in commercial uses) that characterize Thomas Street.

• The east-west Church Street connecting Thomas and George Streets and containing the corner site of the Masonic Lodge, the former Fire Hall and former Canada Post building.

**Visual coherence**
The framework of structuring elements and concentration of heritage buildings also provide a considerable degree of visual coherence through the layering of human activities and associated built form upon the landscape, comprising:

• A structured grid of generally two- to three-story built commercial forms from the 1830s to the 1950s along Lakeshore Road, and elsewhere within the District from one-and-a-half to two-storey structures and providing a distinct sense of place.

• The absence of parkland or other large, designed open spaces, that serves to reinforce the cohesiveness exhibited through building form and the public road rights-of-way.

• Views towards Sixteen Mile Creek from Randall Street, views south towards Lake Ontario, and the street wall along Lakeshore Road East.

**A distinctive character**
Together, all of the foregoing attributes combine to create an environment and landscape of distinctive character generally comprising:

• The Creek to the north with its steep sided vegetated bank that contribute to the height of table land that is distinct and separate from the surrounding landscape.

• The pervasive commercial “hustle and bustle” of pedestrian and vehicular traffic along Lakeshore is also a singular characteristic that separates it from surrounding residential areas.

• The Lakeshore Road area from Navy Street to midway between Dunn and George Streets containing commercial heritage buildings that is distinct from those Lakeshore Road commercial buildings to the east which tend to be of more recent origin, much altered and with less architectural detailing.
1.6 TERMS AND DEFINITIONS

The following comprises a list of some of the more commonly used terms and definitions in this District Plan. Sources are sometimes indicated to show where the term has been derived.

**Adverse effects** include those conditions resulting in the attrition of heritage properties and include: the destruction, loss, removal or incompatible alteration of all or part of a heritage property; the isolation of a heritage property from its surrounding streetscape or setting; or the introduction of physical, visual, audible or atmospheric elements that are not in character with a heritage property and/or its setting.

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

**Beneficial effects** include those conditions resulting in: the protection of heritage properties from demolition or removal; the retention of a heritage property in situ in a structurally stable and sound condition or state of repair; accurate restoration of a heritage property; the sympathetic alteration or repair of a heritage property to permit an existing or new use; enhancement of a heritage property by accommodating compatible new development; or maintenance of a heritage property through the repair and replacement of worn-out components and using compatible materials and techniques.

**Character** means the collective qualities and characteristics that distinguish a particular area or neighbourhood. (Livable Oakville, Town of Oakville Official Plan, 2009)

**Compatible** when used together with any building, use, alteration or any other form of change means consistent with the heritage attributes value of a property, and which has little or no adverse impact on its appearance, heritage attributes, and integrity.

**Cultural heritage landscape** means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. (Livable Oakville, Town of Oakville Official Plan, 2009)

**Cultural heritage resources** include buildings, structures and properties designated or listed under the *Ontario Heritage Act*, significant built heritage resources, and significant cultural heritage landscapes as defined and interpreted by the applicable Provincial Policy Statement. (Livable Oakville, Town of Oakville Official Plan, 2009)

**Conserved, (also conserve)** means the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment. (Livable Oakville, Town of Oakville Official Plan, 2009 and Provincial Policy Statement, 2005)

**Fenestration** means the placement, size, and type of windows within a building.
Heritage attributes means, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest. (Ontario Heritage Act).

Heritage building fabric means all those historical physical building and construction materials of the heritage property.

Property means real property and includes all buildings and structures thereon. (Ontario Heritage Act).

Restoration means to return a heritage property to a known earlier form based on physical or documentary evidence, by the reassembly and reinstatement of lost features or attributes, and/or by the removal of features that detract from its heritage values, attributes and integrity.

Woonerf means an urban design concept pioneered in Holland, involving decorative paved streets where pedestrians and cyclists have priority over other vehicles.
2.0 STATEMENT OF INTENT

Given the diverse interests and values that may exist within the heritage conservation district plan area, it is important to recognize in a formal statement of intent the key assumptions that are to be sought in conserving, protecting and managing the Heritage Conservation District. These are contained in the following subsections and are intended to provide property owners, tenants, Council, Heritage Oakville, Town staff and others who have interests in the District.

2.1 OVERALL INTENT

Within the Downtown Oakville Heritage Conservation District, it is the intent of Council to guide and manage physical change and development within the District by:

- Adopting the Downtown Oakville Heritage Conservation District Plan and Design Guidelines;
- Making decisions about heritage permit applications for alterations, demolitions and new construction under Part V of the *Ontario Heritage Act* according to the Downtown Oakville Heritage Conservation District Plan and Guidelines;
- Initiating appropriate public works, improvements and financial incentives to conserve and enhance the character of the Downtown Oakville Heritage Conservation District within the financial capabilities of the Town of Oakville; and,
- Complementing these actions by making appropriate amendments to Official Plan policies, the Town’s Zoning By-law and other relevant by-laws.

2.2 HERITAGE INTERESTS, PROPERTY OWNER INTERESTS AND COMMUNITY INTERESTS

Council recognizes that within the Downtown Oakville Heritage Conservation District there are a number of diverse interests. In certain instances these interests may be complementary to each other; sometimes others may be in direct conflict.

Accordingly, Town Council:

- Seeks to ensure that any potential conflict amongst the community and individual interests is at best avoided or minimized at every opportunity.
2.3 DOWNTOWN OAKVILLE HERITAGE CHARACTER

Council recognizes that:

- The Downtown Oakville Heritage Conservation District comprises a distinctive assemblage of heritage buildings and streetscapes that have resulted from over a century and a half of many natural, social, economic and physical changes;
- The unique Downtown Oakville Heritage Conservation District character and its diverse streetscapes are to be conserved and protected in the process of future change;
- Change in the future is expected within the Downtown Oakville Heritage Conservation District yet it must be carefully managed in a manner that does not adversely affect the distinctive heritage character of the District; and,
- Any proposed change within the District shall be considered within a number of Council approved conservation, design, landscaping and planning guidelines and with consideration of the individual merits of the proposed change.

2.4 TOWN OF OAKVILLE CONSERVATION MANAGEMENT APPROACH

Council recognizes that:

- District designation under Part V of the Ontario Heritage Act, does not seek to stop or halt change or seek the restoration of the District to a former past historical state, but simply establishes a mechanism for the municipal review and determination of heritage permit applications for changes to properties, both public and private within the District.
- District designation under Part V of the Ontario Heritage Act does not compel, nor does Council seek to compel, the restoration of heritage properties within the District.

2.5 CUSTODIAL RESPONSIBILITY

Council recognizes that:

- Owners of heritage property are considered to be the prime custodians of the Downtown Oakville Heritage Conservation District.

2.6 ALTERATION OF PROPERTIES

Council recognizes that:

- Property owners may wish to add on to buildings and structures, alter building and landscapes or otherwise change their property to accommodate required working or living space and new facilities and Council may permit such work provided it is in conformity with the applicable guidelines contained in the District Plan.
2.7 RESTORATION OF HERITAGE PROPERTIES

Council recognizes that:

- Property owners may wish to restore heritage properties and Council may encourage such work by making financial assistance available for eligible work and ensuring conformity with the applicable guidelines in the District Plan.

2.8 FAIR AND EQUITABLE CONSIDERATION

Council will undertake to ensure that:

- All residents and property owners within the Downtown Oakville Heritage Conservation District shall be afforded fair and equitable consideration in the determination of heritage permit applications within the District.
3.0 CONSERVATION PRINCIPLES, GOALS AND OBJECTIVES

3.1 INTRODUCTION

The intention of the Downtown Oakville Heritage Conservation District Plan is to ensure the wise management of physical change and development in order to conserve the unique character of the District and its component buildings and spaces. It is expected that most conservation issues will be addressed through the application of the policies and guidelines of the District Plan contained in the following sections 4 and 5.

The following principles, goals and objectives form the broad framework for considering alterations to heritage properties and their defining attributes. These principles are based upon a number of national and international charters or “declarations” respecting the management of cultural heritage resources.

Guidelines on all alterations to properties within the Heritage Conservation District are addressed in Section 4. Every attempt has been made to be as comprehensive as possible, covering all aspects of potential alterations including minor changes such as attaching features to heritage buildings or cutting in new openings, more substantial changes such as constructing building additions or major changes including property demolition or removal.

Where a particular form of change or alteration has not been anticipated in the guidelines then the principles, goals and objectives in this section should form the basis for advice and decision making. Typically in such situations the questions posed and that should be addressed are:

- Does the alteration involve the loss of heritage materials, features or other forms of attributes?
- If it does not destroy heritage attributes then the remaining matters to be addressed may be simply matter of design or “good fit” and a heritage permit may be approved or approved with conditions.
- If the alteration involves only the minor loss of heritage materials or attributes (and is considered to be a lesser matter in the overall scheme of alterations) and the overall work would generally benefit the District by supporting a new or adaptive re-use or contribute to an improved building form or addition to the streetscape then again a heritage permit may be reasonably approved or approved with conditions.
- Where the alteration involves the substantial loss of heritage attributes, i.e., it is so overwhelming or flagrant that it would be considered to have adverse effects upon the property and District then it is reasonable to either refuse such proposed change or advise on a more appropriate and acceptable form of alteration.
Decisions may be guided by 8 principles which lay out a straightforward approach to planning for the conservation of historic structures. These principles are contained in a Ministry of Culture Information Sheet published in 2007:

1. **Respect For Documentary Evidence**: Do not base restoration on conjecture. Conservation work should be based on historic documentation such as historic photographs, drawings and physical evidence.

2. **Respect For The Original Location**: Do not move buildings unless there is no other means to save them. Site is an integral component of a building or structure. Change in site diminishes cultural heritage value considerably.

3. **Respect For Historic Material**: Repair/conserve - rather than replace building materials and finishes, except where absolutely necessary. Minimal intervention maintains the heritage content of the built resource.

4. **Respect For Original Fabric**: Repair with like materials. Repair to return the resource to its prior condition, without altering its integrity.

5. **Respect For The Building's History**: Do not restore to one period at the expense of another period. Do not destroy later additions to a building or structure solely to restore to a single time period.

6. **Reversibility**: Alterations should be able to be returned to original conditions. This conserves earlier building design and technique. e.g. When a new door opening is put into a stone wall, the original stones are numbered, removed and stored, allowing for future restoration.

7. **Legibility**: New work should be distinguishable from old. Buildings or structures should be recognized as products of their own time, and new additions should not blur the distinction between old and new.

8. **Maintenance**: With continuous care, future restoration will not be necessary. With regular upkeep, major conservation projects and their high costs can be avoided.

### 3.2 DOWNTOWN OAKVILLE HERITAGE CONSERVATION DISTRICT: CONSERVATION PRINCIPLES

Any proposed alterations to heritage and non-heritage properties (see Appendix A for complete list) within the Downtown Oakville Heritage Conservation District will be considered with regard to the following principles:

- All proposed alterations should be based upon and preceded by sufficient background information, site analysis and documentation to identify any heritage attributes that may be potentially affected by the proposed alteration.

- Where heritage attributes may be affected by a proposed alteration it is intended that such attributes will be safeguarded to the extent possible and there shall be a presumption in favour of retaining the distinguishing attributes of a heritage property.
The destruction, loss or removal of heritage attributes, such as historical materials, architectural features or distinguishing landscaping shall be considered as the least desirable course of action.

Past alterations or changes to heritage properties may be of cultural heritage value or interest in their own right and may be protected in the consideration of any new alterations.

Heritage properties are to be retained and re-used and there shall be a presumption in favour of retaining the distinguishing attributes of a heritage property.

There shall be a presumption against the demolition, loss or removal of heritage buildings (as outlined in Appendix A) or structures unless deemed by the Town of Oakville’s Chief Building Official that such a property is unsafe and a threat to human safety.

Any alteration that proposes the repair of heritage features, or the replacement or restoration of missing heritage features, shall be informed by historical, pictorial or documentary evidence to provide an appropriate repair or replication.

The repair and maintenance of heritage attributes is preferred rather than replacement with new materials.

Where replacement of architectural features is unavoidable the new features should match the replacement in composition, design, texture, colour size and level of craftwork as appropriate.

Surface cleaning of heritage properties should generally be avoided and shall only be permitted when accumulated dirt or related chemical and physical interactions have been demonstrated to be adversely affecting the patina or historical fabric of the property.

Any method of cleaning that is potentially capable of damaging building materials shall be avoided including sandblasting, high pressure water washing and strong chemical cleaning.

Appropriate test patches for any cleaning method may be undertaken provided that they are located in inconspicuous places on the property and subject to a heritage permit application.

Alterations, including newly constructed additions to property may be permitted where they do not involve the excessive loss or removal of defining heritage attributes such as historical, architectural, streetscape or other cultural materials and features.

Contemporary design of alterations, including the addition of new buildings or structures to a property, may be permitted where they are of a size, location, colour and material that are compatible with the prevailing character of the property, building, streetscape and District.

New construction comprising freestanding buildings and infill development will be encouraged to be of contemporary design and shall respect the prevailing character of adjacent properties, the streetscape, landscaping and existing grades. New construction shall
be compatible in location, size, height, setback, street orientation, materials, colour, roof and rooflines, and patterns of fenestration and entranceways.

3.3 DOWNTOWN OAKVILLE HERITAGE CONSERVATION DISTRICT: CONSERVATION OBJECTIVES

Aside from the identification of conservation principles, sound management of change within a heritage conservation district also relies on the expression of a clear statement of goals. Although goals are by their very nature general in scope they are of importance in providing overall direction for more detailed guidance and action, expressed later in this plan.

3.3.1 General

☐ To maintain the primary commercial character of the District and supporting residential and institutional character.

☐ To conserve the heritage attributes of individual properties and their contribution to the collective heritage attributes of the character of the District.

☐ To avoid the loss or attrition of the Downtown Oakville Heritage Conservation District character by permitting only those changes that are undertaken in the least destructive manner and in a way that if such alterations were removed in the future the form and integrity of the heritage property would generally remain unimpaired.

☐ To permit only those alterations, new construction or demolitions, that conform to the goals, objectives, policies and guidelines of the Downtown Oakville Heritage Conservation District Plan.

3.3.2 Heritage properties, streetscapes, land use and new development

☐ To encourage the continuing maintenance and repair of heritage properties by property owners either under private or public ownership.

☐ To support the continuing and appropriate conservation of heritage properties by providing guidance on sound conservation practice in the consideration of heritage permits under the Ontario Heritage Act and by encouraging applications to existing funding sources for eligible conservation work.

☐ To encourage the maintenance and conservation of the predominant two-storey streetscape character of the Downtown Oakville Heritage Conservation District by accommodating required alterations with appropriate upper story setbacks or rear additions on Lakeshore Road East, Thomas, Church and George Streets.
To encourage the maintenance and conservation of the predominant one-and-a-half storey streetscape character of Randall Street.

To maintain and conserve individual trees and other substantial forms of vegetation where they form or contribute to character defining attributes of the Downtown Oakville Heritage Conservation District.

To avoid or minimize any adverse direct or indirect effects of public undertakings on heritage properties and streetscapes.

To encourage the maintenance of commercial and appropriate mixed uses within the existing commercial streets of Lakeshore Road East, Thomas, Church and George Streets.

To support the adaptive re-use of heritage properties where those uses contribute to the active conservation of heritage properties and do not result in any adverse effects.

To discourage those land uses and associated built forms which would not be compatible with or that would have adverse effects upon the principal land uses within the Downtown Oakville Heritage Conservation District.

To encourage new construction and development only when it does not involve the demolition of a heritage property (refer to Appendix A).

To permit new construction of infill development and freestanding buildings where they are compatible with heritage properties and streetscapes within the Downtown Oakville Heritage Conservation District.
4.0 GUIDELINES FOR MANAGING CHANGE TO PROPERTY

4.1 INTRODUCTION

As noted in Section 3, the purpose of the Downtown Oakville Heritage Conservation District Plan and Guidelines is to ensure the management of physical change in the process of continuing development in a way that protects and conserves the unique character of the District. It is anticipated that most major changes to buildings, vegetation and spaces will be managed through the review and approval of heritage permit applications under Part V of the Ontario Heritage Act. These permit applications will be considered in the context of the policies and guidelines in this document. It should be noted that these guidelines will also apply to properties located within the District that are also designated under Part IV of the Ontario Heritage Act.

Appendix A to the Downtown Oakville Heritage Conservation District Plan and Guidelines contains a description and summary of heritage and non-heritage properties for the purpose of applying the guidelines.

Every effort will be made by the Town to approve heritage permit applications or encourage property owners to make amendments to their applications so that they meet the intent of these guidelines. Where an application does not meet the intent of the policies and/or the guidelines it is likely that the application may be refused by Council on the advice of Heritage Oakville or heritage planning staff. In certain instances permits may be approved but with appropriate conditions that satisfy the intent of the District Plan and guidelines.

The following sections have been arranged to address a variety of issues including advice on acceptable alterations to various types of buildings, as well as spaces and vegetation. Guidance is also provided on building removal and demolition. With respect to the restoration of heritage properties there is now available a variety of source material on the care and conservation of heritage building fabric. Publications and web sites are now easily accessible to the public and rather than repeat this information property owners are encouraged to review these sources in order to acquaint themselves with current building and landscape conservation best practices. In Canada the Standards and Guidelines for the Conservation of Historic Places in Canada (produced by Parks Canada) provides a sound reference document for initial guidance (available at: http://www.historicplaces.ca/en/pages/standards-normes.aspx).

For further detail, a series of bulletins entitled Preservation Briefs (published by Technical Preservation Services, Heritage Preservation Services Division, US National Park Service) also address a comprehensive array of topics. Titles of interest to owners of property in the District include:

- Preservation Brief No. 2 Re-pointing Mortar Joints in Historic Buildings
- Preservation Brief No. 8 Aluminum and Vinyl Siding on Historic Buildings
- Preservation Brief No. 22 The Preservation and Repair of Historic Plaster
- Preservation Brief No. 32 Making Historic Properties Accessible

These papers (and others that may be of interest) are available at: http://www.nps.gov/tps/how-to-preserve/briefs.htm.
4.2 ALTERATIONS TO COMMERCIAL HERITAGE BUILDINGS

4.2.1 Storefronts and street façades

Nineteenth century commercial street frontages are most often built out to the street frontage and side lot lines, appearing as a continuous wall, often referred to as the “street wall”. Cornice lines and parapets are generally horizontal, but commercial buildings along Lakeshore Road East have many gable roofed buildings with gables either facing toward the street (front gable) or perpendicular to it (side gable). This variety should be maintained where it exists.

Storefronts must strongly represent their retail use on the building exterior. This is usually accomplished with little or no regard for the rest of the building’s architectural and historic character. The conservation of commercial structures requires maintaining a balance between the needs of changing commercial uses and prevailing retail styles within the storefront area and the overall architectural heritage of the building.

When assessing a storefront for conservation purposes, it is essential to distinguish and maintain a balance between the overall permanent architecture of the storefront and the ever-changing retail displays within the storefront. This ensures that the prevailing retail fashion does not destroy the heritage value of the architecture above and adjacent.

The following guidelines for commercial structures attempt to resolve the conflict between the modern needs of a commercial enterprise and the conservation of the overall architectural character of a structure:

a) Maintain and repair, rather than replace, existing storefronts that are physically sound and compatible with the overall building façade through design, details and proportions, even if they are later additions.

b) Examine existing storefronts to see if they are capable of revealing an earlier design beneath the present storefront which can be rehabilitated.
c) Complementary modern designs may be permitted provided they do not damage heritage fabric.

d) Existing storefronts may also be restored to an earlier period or style provided restoration is based upon historical documentation.

4.2.2 Foundations and walls

Foundations of nineteenth century buildings were usually of stone or later brick. The early twentieth century saw the introduction of concrete and concrete block for foundations. Early foundations are susceptible to water damage for a number of reasons. Lime-based mortars can be eroded by constant wetting. In considering alterations, the following should be considered:

a) Ensure that surface drainage, especially from downpipes, is directed away from foundation walls.

b) Protect original wall surfaces from cleaning methods that may permanently alter or damage the appearance of the surface or give a radically new look to the building. For example, sandblasting, strong chemical cleaning solutions, or high pressure water blasting are to be avoided.

c) Avoid the application of new finishes or coatings that alter the appearance of the original material, especially where they are substitutes for repair. Alterations that comprise unacceptable materials include water repellant coatings, paint on brick or stone, aluminum or vinyl siding. Materials such as concrete fibre board and synthetic wood products will be considered on a case by case basis.

d) Retain, repair and maintain the original architectural detailing of the upper façade, with particular attention to the cornice, fascia, window proportions and placement and window sash. Restore these elements when missing using historical photographs. Missing elements
such as balconies should be restored where possible. Secondary entrances to upper floors should be differentiated from the primary retail entrance.

e) Brick and stucco are the predominate remaining original wall finishes within the commercial areas of the District. Brick masonry requires re-pointing from time to time, and this process should be undertaken by appropriate tradespeople with experience with nineteenth century construction. Generally, lime based mortar should be used because of its colour and softer properties (as compared to Portland cement, which hardens more than the adjacent masonry units). Joints should replicate the original in finish, colour and texture. Rough-cast or stucco walls require experienced tradespeople to repair.

f) The installation of Exterior Insulation and Finish Systems (EIFS) is not permitted within the District. EIFS is a late twentieth century acrylic substitute for plaster and has been known to promote mold growth and retain moisture in building fabrics that were intended to breathe. Its smooth sand finish and monolithic detailing is inappropriate in areas distinguished with durable natural materials with the patina of age.

4.2.3 Roofs

a) Decorative roof features and original roofing materials such as slate, wood shingles, and copper on sloped roofs should be retained and conserved wherever possible.

b) Flat or low sloped roofs shall be maintained.

c) Ensure that vents, skylights and other new roof elements are sympathetic in type and material and that they are discreetly placed out of general view from the street and public rights-of-way.

d) Roof drainage shall be maintained and directed away from building foundations.

4.2.4 Windows

a) Protect and maintain original window openings as well as distinguishing features such as materials, surrounds, frame, shutters, sash and glazing.

b) Modifications to the size, type or shape of window openings, removal of muntins, replacement of single glazing with insulated sealed units or covering of trim with metal or other material is discouraged.

c) Improvement in energy efficiency of single glazed units can be achieved with traditional exterior wood storm windows or contemporary interior magnetic storm glazing.
d) Avoid removing or blocking up window openings that are important to the architectural character and symmetry of the building.

e) New replacement windows that are compatible with the original in terms of material, proportions, rhythm and scale are encouraged; however, the new should not attempt to replicate the original in terms of historical details.

Original window openings should be maintained in their original form, and architectural details preserved.

Window openings are important to the architectural character and symmetry of buildings.

4.2.5 Entrances

a) Protect and maintain entrances on principal elevations where they are often key elements in defining the character of a building. Recessed entrances are to be maintained where they exist. Conserve important features such as doors, glazing, lighting, steps and door surrounds.

b) Where new entrances or exterior staircases are required, they should be installed on secondary elevations.

c) Entrance ramps may be permitted for barrier-free access in accordance with applicable legislation, but shall not be physically attached to avoid damage to the building’s heritage fabric.

Locate required fire escapes as unobtrusively as possible at rear locations.
4.2.6 Features and spaces around buildings

a) Maintain traditional views of property by avoiding the masking or hiding of prominent building features.

b) Keep parking areas and outbuildings, utilities, such as heat pumps and satellite dishes to the side or rear.

c) Maintain historic means of access including drives, walkways and doorways. Encourage required new entrances to be installed on secondary elevations.

d) Maintain proper site drainage in any work so that water does not collect or drain towards the foundation.

e) Additional advice regarding spaces around buildings is also provided in ‘4.11 Landscape conservation guidelines for private and public property’.

4.2.7 Signage

a) Signs should not block architectural features such as windows and ornamentation, and should be attached such as to do the least amount of damage to the façade. Attachment to masonry surfaces should be made through mortar joints and not masonry units, as mortar joints are more easily repaired.

b) Buildings and business external identification signs should be limited to the traditional locations such as the storefront cornice or lettering on the glass itself. Existing holes in the fascia board should be used where feasible.

c) New pylon signs and new roof signs shall not be permitted, as they are visually intrusive in the character of the Heritage Conservation District.
d) Externally illuminated signs will be encouraged and are preferred.

e) Traditional retractable canvas awnings with signage on the leading edge will be encouraged.

f) The following sign types may be permitted on a case by case basis, usually where they are replacements for existing similar signage: internally illuminated sign, neon sign, curved rigidly and fixed vinyl awning.

4.2.8 Removal of heritage fabric

a) Removal of heritage building fabric is discouraged. Where original material is removed for new openings, such as windows, doors and fire exits, it shall be kept on site and its original location documented.

b) Building fabric should be repaired wherever possible and not replaced. When undertaking repair, replacement or restoration, use the same materials as the original.

c) The patina of age or irregularities found in older work and materials should be respected and not covered up or obscured.

4.2.9 Considerations for commercial uses in former residential buildings

A number of residential buildings in the District have been adapted for commercial uses. Any future conversions should retain the original residential form and conserve heritage fabric and details.

a) Maintain original windows, entrances, and walkways. Where multiple occupancies are anticipated, access should be provided from within. If this is not possible, new entrances and exterior stairs should be located on secondary elevations.

b) Alterations should, to the extent possible, be reversible in anticipation of future conversion back to residential use.
4.3 ADDITIONS TO COMMERCIAL HERITAGE BUILDINGS

4.3.1 Removal of heritage fabric

a) Where additions require the removal of heritage building fabric this shall be kept to a minimum. Where original material is removed for new openings, it shall be kept on site and protected from the elements, and its original location documented.

b) Building fabric should be repaired wherever possible and not replaced. When undertaking repair, replacement or restoration, use the same materials as the original.

c) The patina of age or irregularities found in older work and materials should be respected and not covered up or obscured.

4.3.2 Location

a) Exterior additions are encouraged to be located at the rear or on an inconspicuous side of the building, limited in size and scale to complement the existing buildings and neighbouring properties.

b) Multi-storey exterior additions are best set back as deeply as possible from the existing front wall plane in order to be unobtrusive in the streetscape and to differentiate the addition from the older structure.

4.3.3 Height

a) Existing commercial building heights are predominately two storey in the District.

b) Maximum building height in the C3R zone which covers most of the District is 13.5 m (43’-8”), allowing four storey buildings. The two storey commercial buildings along Lakeshore Road East are approximately 8.0 m (26’-0”) in height, although there are variations from this and some three and four storey buildings as well. The potential height increase is therefore approximately 5.5 m.
c) The maximum building height permitted within the Central Business District designation (which covers the entire Heritage Conservation District) in the Liveable Oakville Plan is four storeys.

![A depiction of the current average building height as compared to the zoning regulations.](image)

d) In order to maintain the existing street wall, any multi-storey proposal to increase the height of any building beyond its original roof line shall be set back as deeply as possible from the existing front wall plane in order to be unobtrusive in the streetscape and to differentiate the addition from the older structure.

e) At a minimum, proposals to construct a vertical addition along Lakeshore Road East, Thomas, Church and George Streets shall provide upper storey additions that are set back from the parapet of the existing building as shown at in the sketch below. Further specific advice regarding the extent of the recommended setback are found in Part B – Zoning Initiatives.

![An illustration showing conceptual upper storey setbacks for new additions.](image)

f) Existing one-storey buildings forming part of the street wall on Lakeshore Road East may be permitted an upper second storey addition with no setback required.

### 4.3.4 Width

Commercial buildings along Lakeshore Road East should be built out to the side property lines.
4.3.5 Proportion

Nineteenth century commercial buildings were characterized by:

a) A narrow rhythm of storefront openings which were primarily glazed to the largest extent possible given the structural limitations of the wood or iron beams that supported upper floors (85% glazed). Two storey glazed storefronts were not possible.

b) Second (and third) floor openings were punched openings limited in width by the brick arches or stone lintels that created those openings. Glazing was usually in the order of 25% to 50% of wall area.

c) Storefronts were generally defined by decorative surrounds which incorporated their own decorative cornice, pilasters and sign panels. Recessed entrances were common.

The above characteristics are to be considered in planning additions to commercial buildings.

4.3.6 Relation to street

a) Commercial buildings are encouraged to be built to the front property lines to maintain the street wall.

b) Additions to commercial buildings on corner sites shall address the side lot line with appropriate materials, glazing, entrances and other architectural features to ensure continuity with street front façade design and avoiding the construction of large blank walls.

c) Additions to commercial buildings that are exposed at the rear and/or have frontage on two or more streets, such as the former Canada Post Office building shall be required to be stepped back to avoid visually and physically dominating existing streetscapes.
4.3.7 Roofs

   a) Existing roofs within the District are primarily flat, but a number of early front and side gable roof examples remain with their gables either facing the street or parallel to it. All types may continue to be used.

   b) The placement of screens on roofs to hide mechanical equipment is encouraged within the District but wherever possible they (and the associated mechanical equipment attempting to be hidden) should still be placed as far from street view as possible.

4.3.8 Composition

   See ‘4.9 New freestanding buildings and infill development’.

4.3.9 Windows and entrances

   a) Windows should continue to face the street, so that an active streetscape is maintained.

   b) Where new entrances or exterior staircases are required for additions they should be installed on secondary elevations.

   c) Ramps may be permitted for barrier free access in accordance with applicable legislation, but shall not be physically attached to heritage fabric. See page 4-4 for additional detail.

4.3.10 Exterior cladding

   a) The principal historical building cladding in the District has been either brick or rough cast stucco. These materials, as well as contemporary materials, may be used for major additions, provided that there are clear visual or physical breaks that distinguish old and new portions of the building.
b) The installation of Exterior Insulation and Finish Systems (EIFS) is not permitted within the District. EIFS is a late twentieth century acrylic substitute for plaster and has been known to promote mold growth and retain moisture in building fabrics that were intended to breathe. Its smooth sand finish and monolithic detailing is inappropriate in areas distinguished with durable natural materials with the patina of age.

New additions should clearly differentiate between historical and contemporary design and materials, as shown in these examples. The original building and the addition are set back at different distances, and there is a change of materials as well.

4.3.11 Considerations for commercial uses in former residential buildings

a) Additions to heritage residential buildings converted to commercial uses are encouraged to be located at the rear or on an inconspicuous side of the building, limited in size and scale to complement the existing buildings and neighbouring properties.

b) Multi-storey exterior additions are best set back as deeply as possible from the existing front wall plane in order to be unobtrusive in the streetscape and to differentiate the addition from the older structure.

c) Where residential heritage properties are converted to commercial uses, signs should not block architectural features such as windows and ornamentation, and should be attached such as to do the least amount of damage to the façade. Attachment to masonry surfaces should be made through mortar joints and not masonry units, as mortar joints are more easily repaired.

d) Externally illuminated signs will be encouraged and are preferred.

e) The following sign types may be permitted on a case by case basis, usually where they are replacements for existing similar signage: internally illuminated sign, neon sign, curved rigidly and fixed vinyl awning.
4.4 ALTERATIONS AND ADDITIONS TO NON-HERITAGE COMMERCIAL BUILDINGS

There are several non-heritage commercial buildings on Lakeshore Road East. Additions to these buildings should comply with the requirements of 4.3 Additions to commercial heritage buildings. Alterations should respect the scale and massing of adjacent heritage buildings.

Several non-heritage buildings at the north end of Thomas Street reflect residential house form found on adjacent properties. Alterations and additions to these properties should conform to the guidelines in ‘4.7 Alterations and additions to non-heritage residential buildings’.

4.4.1 Location

Exterior additions are encouraged to be located at the rear or on an inconspicuous side of the building, limited in size and scale to complement the existing building and neighbouring properties.

4.4.2 Height

The height of additions should respect the height of existing adjacent buildings. Where multi-storey additions are proposed on Lakeshore Road East, Thomas, George and Church Streets, they should conform to the setback requirements of ‘4.3 Additions to commercial heritage buildings’.

4.4.3 Width

Commercial buildings on Lakeshore Road East should be built out to the side property lines.

4.4.4 Relation to street

a) Additions and alterations to non-heritage commercial buildings shall continue to maintain the street wall with appropriate use of materials on the ground and upper floors.

b) Additions to commercial buildings on corner sites shall address the side lot line with appropriate materials, glazing, entrances and other architectural features to ensure continuity with street front façade design and avoiding the construction of large blank walls.

4.4.5 Roofs

Roof lines should reflect the horizontal cornice of adjacent heritage buildings.

4.4.6 Windows and entrances

Storefronts should be primarily glazed, and upper storey windows should be rectangular and vertical in proportion. Entrances from the sidewalk may be flush or recessed. Blank windowless walls are discouraged.

4.4.7 Exterior cladding

a) The principal building cladding for commercial buildings in the District has been historically either brick or rough cast stucco. Residential buildings in commercial use are frame with
stucco or horizontal weatherboard cladding. These materials will be encouraged for major additions, with an emphasis on distinguishing old and new portions of the building.

b) The installation of Exterior Insulation and Finish Systems (EIFS) is not permitted within the District. EIFS is a late twentieth century acrylic substitute for plaster and has been known to promote mold growth and retain moisture in building fabrics that were intended to breathe. Its smooth sand finish and monolithic detailing is inappropriate in areas distinguished with durable natural materials with the patina of age.

4.5 ALTERATIONS TO RESIDENTIAL HERITAGE BUILDINGS

Reference to conservation best practices is found in Section 4.1. The Standards and Guidelines for the Conservation of Historic Places in Canada and the US National Park Service Preservation Briefs. Other publications on the subject may be relevant and could be consulted for detailed advice for property owners.

4.5.1 Foundations and walls

a) Protect original wall surfaces from cleaning methods that may permanently alter or damage the appearance of the surface or give a radically new look to the building. For example, sandblasting, strong chemical cleaning solutions or high pressure water blasting are to be avoided.

b) Although most residential heritage buildings in the District are of frame construction, there are brick examples. Brick masonry requires re-pointing from time to time and this process should be undertaken by tradespeople with experience with nineteenth century construction. Generally, lime-based mortar should be used and joints should replicate the original in finish, colour and texture. Rough-cast or stucco walls require experienced trades to repair.

c) Avoid the application of new finishes or coatings that alter the appearance of the original material, especially where they are substitutes for repair. Alterations that comprise unacceptable materials include water repellant coatings, paint on brick or stone, aluminum or vinyl siding. Materials such as concrete fibre board and synthetic wood products will be considered on a case by case basis.
4.5.2 Roofs

a) Decorative roof features and original roofing materials, such as slate, wood shingles, and copper on sloped roofs, should be retained and conserved wherever possible.

b) Ensure that vents, skylights and other new roof elements are sympathetic in type and material and that they are discreetly placed out of general view from the street and public rights-of-way.

c) Roof drainage shall be maintained and directed away from building foundations.

4.5.3 Windows

a) Protect and maintain original window openings as well as distinguishing features such as materials, surrounds, frame, shutters, sash and glazing.

b) Modifications to the size, type or shape of window openings, removal of muntins, replacement of single glazing with insulated sealed units or covering of trim with metal or other material is discouraged.

c) Improvement in energy efficiency of single glazed units can be achieved with traditional exterior wood storm windows or contemporary interior magnetic storm glazing.

d) Avoid removing or blocking up window openings that are important to the architectural character and symmetry of the building.

e) New windows that are compatible with the original in terms of material, proportions, rhythm and scale are encouraged; however, the new should not attempt to replicate the original in terms of historical details (see page 4-4 for additional detail).
4.5.4 Entrances

a) Ramps may be permitted for barrier free access in accordance with applicable legislation, but shall not be physically attached to heritage fabric (see page 4-4 for additional detail).

b) Protect and maintain entrances on principal elevations where they are often key elements in defining the character of a building. Recessed entrances are to be are best maintained where they exist. Conserve important features such as doors, glazing, lighting, steps and door surrounds.

c) Where new entrances or exterior staircases are required, they should be installed on secondary elevations.

4.5.5 Features and spaces around buildings

a) Maintain traditional views of property by avoiding the masking or hiding of prominent building features.

b) Keep parking areas and outbuildings, utilities, such as heat pumps and satellite dishes to the side or rear.

c) Maintain historical means of access including drives, walkways and doorways. Encourage required new entrances to be installed on secondary elevations.

d) Maintain proper site drainage in any work so that water does not collect or drain towards the foundation.

Additional advice regarding this subject is also provided in ‘4.11 Landscape conservation guidelines for private and public property’.

4.5.6 Signage

a) Address and name signage for residences should be modest in size, and suitably scaled to the house and front yard.

4.5.7 Removal of heritage fabric

a) Removal of heritage building fabric is discouraged. Where original material is removed for new openings, etc. it shall be kept on site and its original location documented.

b) Building fabric should be repaired wherever possible and not replaced. When undertaking repair, replacement or restoration, use the same materials as the original.
c) The patina of age or irregularities found in older work and materials should be respected and not covered up or obscured.

4.5.8 Considerations for commercial uses in former residential buildings

See page 4-12 for information related to the consideration of commercial uses in former residential buildings.

4.6 ADDITIONS TO RESIDENTIAL HERITAGE BUILDINGS

4.6.1 Removal of heritage fabric

a) Removal of heritage building fabric is discouraged. Where original material is removed for new openings, such as windows and doors, it shall be kept on site and its original location documented.

b) Building fabric should be repaired wherever possible and not replaced. When undertaking repair, replacement or restoration, use the same materials as the original.

c) The patina of age or irregularities found in older work and materials should be respected and not covered up or obscured.

4.6.2 Location

a) Exterior additions are encouraged to be located at the rear or on an inconspicuous side of the building, set in from the side façade, limited in size and scale to complement the existing buildings and neighbouring properties.

b) Multi-storey exterior additions are best set back as deeply as possible from the existing front wall plane in order to be unobtrusive in the streetscape and to differentiate the addition from the older structure.

4.6.3 Height

The majority of buildings within the residential area are one and a half and two storeys. To maintain this profile, the height of the roof ridge in new additions should not exceed the height of the ridge of the heritage building.

4.6.4 Width

New additions should be designed in a building mass that extends rearward in depth on the lot rather than along the horizontal width.
4.6.5 Relation to street

Additions to heritage residential buildings are encouraged to be located at the rear or on an inconspicuous side of the building, limited in size and scale to complement the existing buildings and neighbouring properties.

4.6.6 Roofs

a) The original roof configuration should be maintained and not obscured by any addition. Similarly, roofing materials and associated features, such as fascias, trim, and brackets should be retained and not obscured.

b) Roof types encouraged in new construction are front gabled and side gabled.

c) Decorative roof features and original roofing materials such as slate, wood shingles, and copper on sloped roofs should be retained and conserved wherever possible.

d) Ensure that vents, skylights and other new roof elements are sympathetic in type and material and that they are discretely placed out of general view from the street and public rights-of-way.

e) Roof drainage shall be maintained and directed away from building foundations.

4.6.7 Windows and entrances

a) Protect and maintain original window openings as well as distinguishing features such as materials, surrounds, frame, shutters, sash and glazing.

b) Improvement in energy efficiency of single glazed units can be achieved with traditional exterior wood storm windows or contemporary interior magnetic storm glazing.

c) Avoid removing or blocking up window openings that are important to the architectural character and symmetry of the building.

d) New windows that are compatible with the original in terms of material, proportions, rhythm and scale is encouraged; however, the new should not attempt to replicate the original in terms of historical details (see page 4-4 for additional detail).

e) Ramps may be permitted for barrier free access in accordance with applicable legislation, but shall not be physically attached to heritage fabric (see page 4-5 for additional detail).
f) Protect and maintain entrances on principal elevations where they are often key elements in defining the character of a building. Conserve important features such as doors, glazing, lighting, steps and door surrounds.

g) Where new entrances or exterior staircases are required, they should be installed on secondary elevations.

4.6.8 **Exterior cladding**

a) Although there are only a few heritage residential buildings in the District, all are constructed with traditional materials such as brick, stucco or wood siding. These materials are encouraged for new additions.

![The appropriate use of traditional materials such as brick, wood siding and wood shingles is encouraged.](image)

b) Synthetic materials such as vinyl or aluminum siding are not permitted. Materials such as concrete fibre board and synthetic wood products will be considered on a case by case basis.

c) The installation of Exterior Insulation and Finish Systems (EIFS) is not permitted within the District. EIFS is a late twentieth century acrylic substitute for plaster and has been known to promote mold growth and retain moisture in building fabrics that were intended to breathe. Its smooth sand finish and monolithic detailing is inappropriate in areas distinguished with durable natural materials with the patina of age.
4.7 ALTERATIONS AND ADDITIONS TO NON-HERITAGE RESIDENTIAL BUILDINGS

There are currently no non-heritage residential buildings in the District, although new residential construction may be permitted in the future. New construction and work undertaken to non-heritage residential buildings should respect the overall character of the Downtown Oakville Heritage Conservation District and be sensitive to any neighbouring heritage buildings.

Where future circumstances dictate the following should be consulted for general guidance:

4.7.1 Location

Exterior additions are encouraged to be located at the rear or on an inconspicuous side of the building, limited in size and scale to complement the existing building and neighbouring properties.

4.7.2 Height

New additions should be no higher than the existing building height.

4.7.3 Width

New additions should be designed in a building mass that extends rearward in depth on the lot rather than along the horizontal width.

4.7.4 Setback

In streetscapes of similar building setbacks new construction should match existing.

4.7.5 Roofs

a) Roof types encouraged in new construction are front gabled and side gabled.

b) Asphalt, wood shingles or metal are appropriate for new construction.

c) Any required roof vents, skylights, satellite dishes, solar panels, metal chimneys and flues, other venting devices and roof features should be located to the rear of new additions.

4.7.6 Exterior cladding

The installation of Exterior Insulation and Finish Systems (EIFS) is not permitted within the District. EIFS is a late twentieth century acrylic substitute for plaster and has been known to promote mold growth and retain moisture in building fabrics that were intended to breathe. Its smooth sand finish and monolithic detailing is inappropriate in areas distinguished with durable natural materials with the patina of age.
4.8 ALTERATIONS AND ADDITIONS TO INSTITUTIONAL AND OTHER HERITAGE BUILDINGS AND STRUCTURES

There are several institutional heritage buildings within the District that have become local landmarks. As with other heritage properties within the District these buildings should be conserved and appropriate uses established to provide for their long term care. These buildings comprise: the Former Canada Post Office, the Scout Hut, Masonic Hall, Radial Station and Fire Hall.

Conservation of these landmark buildings is encouraged since they are all important in understanding the history and development of Oakville. Each is unique in its design but, generally, the following guidelines should apply:

a) Protect original wall surfaces from cleaning methods that may permanently alter or damage the appearance of the surface or give a radically new look to the building. For example,
sandblasting, strong chemical cleaning solutions, or high pressure water blasting are to be avoided.

b) Avoid the application of new finishes or coatings that alter the appearance of the original material, especially where they are substitutes for repair. Alterations that comprise unacceptable materials include water repellent coatings, paint on brick or stone, aluminum or vinyl siding. Materials such as concrete fibre board and synthetic wood products will be considered on a case by case basis.

c) Retain, repair and maintain the original architectural detailing of the upper façade, with particular attention to the cornice, fascia, window proportions and placement, and window sash. Restore these elements when missing using historical photographs. Missing elements such as balconies should be restored where possible.

d) These institutional buildings are of frame, brick, stone and stucco, reflecting all exterior wall finishes found within the District. Conservation best practices should be used when contemplating maintenance or alteration. Brick masonry requires re-pointing from time to time and this process should be undertaken by tradespeople with experience with nineteenth century construction. Generally, lime based mortar should be used and joints should replicate the original in finish, colour and texture. Rough-cast or stucco walls require experienced tradespeople to repair.

e) The installation of Exterior Insulation and Finish Systems (EIFS) is not permitted within the District. EIFS is a late twentieth century acrylic substitute for plaster and has been known to promote mold growth and retain moisture in building fabrics that were intended to breathe. Its smooth sand finish and monolithic detailing is inappropriate in areas distinguished with durable natural materials with the patina of age.

4.9 NEW FREESTANDING BUILDING CONSTRUCTION AND INFILL DEVELOPMENT

4.9.1 New freestanding construction

a) New freestanding construction will be required to be compatible with the character of adjoining properties and the streetscape. While there are few opportunities in the District for new construction, future changes could allow redevelopment of current surface parking areas.

b) New construction should be a product of its own time and not pretend to be historical by incorporating historic detail that is inappropriate in contemporary construction, such as the replication of historic windows.

c) Contemporary design is encouraged, together with commercial uses on the main floor of buildings. A vibrant sidewalk depends on the interest created by shops and restaurants. Open parking or parking structures at grade is discouraged due to its negative impact on the streetscape.
d) Nineteenth century buildings have survived until today in large part due to their use of quality natural materials such as brick and stone. These materials will be encouraged in new construction, together with contemporary building and decorative materials.

e) Maintaining the height and rhythm of the existing street wall on Lakeshore Road East, as described in the following, will unify the District. Blank façades are discouraged.

Additional information regarding building proportion can be found on page 4-10.

4.9.2 Infill commercial development

New infill commercial development will be required to be compatible with the character of adjoining properties and the streetscape. The illustrations shown below demonstrate an infill development adjacent to three storey buildings. For vertical additions to heritage commercial buildings, see ‘4.3 Additions to commercial heritage buildings’.

a) **Height**

Infill development should respect adjacent heights of existing buildings. Nineteenth century floor to floor heights tended to be greater than those in contemporary structures.

![Horizontal divisions create recognizable storeys.](image)

b) **Width**

Infill development should respect the horizontal rhythm of adjacent buildings. Traditional storefronts are generally in the range of 4 to 7 meters wide due to the structural limitations of available technologies at the time of construction. Height and width will establish the proportions of the infill commercial development.

![Division into vertical bays or units.](image)
c) **Relation to street**

Heritage commercial buildings were generally built out to the street line and side lot lines. Zero setbacks are allowed by local zoning by-laws in the District.

![Buildings should promote an active streetscape, and be located at the street line.](image)

d) **Windows and entrances**

Storefronts were generally approximately 85% glazed while upper storey fenestration was limited to 50% or less in void to solid wall (see also Section 4.3.5)

![Ground floors should be predominately glazed, with upper floors being predominantly masonry.](image)

e) **Composition**

While detail in contemporary infill developments should be representative of its own time, adherence to the above noted parameters will reinforce the sense of enclosure provided by the “street wall” and enhance the streetscape.

f) **Exterior cladding**

The principal building cladding in the District has been historically either brick or rough cast stucco. These materials will be encouraged for major additions and infill, with an emphasis on distinguishing old and new portions of the building.

The installation of Exterior Insulation and Finish Systems (EIFS) is not permitted within the District. EIFS is a late twentieth century acrylic substitute for plaster and has been known to promote mold growth and retain moisture in building fabrics that were intended to breathe. Its smooth sand finish and monolithic detailing is inappropriate in areas distinguished with durable natural materials with the patina of age.
4.10 DEMOLITION AND REMOVAL OF BUILDINGS AND STRUCTURES

4.10.1 Demolition of heritage buildings and structures

a) The demolition of heritage buildings and structures (as outlined in Appendix A) shall not be permitted, except in extenuating circumstances such as natural disasters (e.g. fire, flood, tornado, earthquake).

b) Extenuating circumstances shall generally constitute those situations where public health and safety is considered to be compromised and the Town of Oakville’s Chief Building Official has received a structural assessment advising that a building or structure is beyond repair and has been determined to be unsafe. The assessment must be prepared by a professional engineer with expertise and experience in heritage buildings and structures.

c) Where time is of the essence, the requirements for a heritage permit may be waived but it will be expected that in lieu of a heritage permit the property owner shall retain an appropriately qualified heritage professional to record the building or the remains of the building through photography and/or measured drawings. Such recording shall be guided by existing structural conditions and the level of access that is considered by the Chief Building Official (or appropriate Emergency Responders) to be safe.

d) Where the property owner is unable to retain a heritage professional heritage staff of the Town of Oakville shall be accorded reasonable access to the property by the property owner to undertake appropriate recording.

e) It shall be required that once a building has been demolished and the property is considered to be in a stable and safe state the property owner shall submit a heritage permit application for a new building within six months of site clearance. Within two years of that submission, or as mutually agreed upon by the property owner and Town of Oakville, new construction shall have been completed to the satisfaction of the Town. If new construction has not been completed, the provisions of the Ontario Heritage Act shall apply with respect to contraventions of the Act.

4.10.2 Removal of heritage buildings and structures

a) The removal of heritage buildings and structures (as outlined in Appendix A) may be permitted with the submission and approval of a heritage permit application by Town Council.

b) The removal of heritage buildings and structures shall be considered as an extraordinary and temporary measure and it shall be expected that any building façade (as part of a commercial property) included as part of a submitted heritage permit application shall be recorded, disassembled, stored in a climatically controlled and secure storage facility until such time that it is reassembled on-site in its original location.

c) The Town shall require notification of the location of the storage facility or any changes in the location, access to the location if required by Town staff and shall require these as part of any conditions of approval.
4.10.3 Demolition and removal of non-heritage buildings and structures

a) Demolition and/or removal of non-heritage buildings and structures (as outlined in Appendix A) may be permitted by Council upon the submission and approval of a heritage permit application provided it is accompanied with appropriate drawings and plans for a new building or structure that complies with the guidance in the Downtown Oakville Heritage Conservation District Plan and Guidelines and other applicable Town guidelines and standards.

b) Conditions of approval shall be attached requiring that any new building or structure permitted shall be constructed within two years of approval. If new construction has not been completed the provisions of the Ontario Heritage Act shall apply with respect to contraventions of the Act.

c) Where the heritage permit application is for the demolition of a minor or ancillary structure and there is no need or requirement to build a replacement structure appropriate plans or drawings shall be submitted with the heritage permit application to show the finish surface treatments, fencing or plantings. Where such information is lacking the Town may attach conditions requiring such matters to be addressed and subject to subsequent approval.

d) Site Plan approval under the Planning Act may also be required.

4.11 LANDSCAPE CONSERVATION GUIDELINES FOR PRIVATE PROPERTY

Within the District, there are concentrations of commercial buildings located on Lakeshore Road East, and other streets, as well as a mix of buildings and uses elsewhere. A number of former residential buildings have also been converted to commercial uses. The guidelines for conserving landscape features located on private property shall follow the practice of:

- understanding the heritage resources;
- planning for interventions or enhancements in such a way that the heritage fabric is respected; and,
- undertaking work that will protect existing resources and making changes that are respectful of the original fabric while at the same time accommodating new initiatives.

The fundamental foundation for proposing any change should be an understanding of the earlier conditions of the property including using historical documentation to guide alterations. Historical documentation may consist of photographs, maps, sketches and other archived material that provide inspiration for proposed changes. The historical pattern of settlement including the street grid and the lotting pattern should also be a foundation for future conservation activities.

The landscape conservation guidelines recognize that there is a role for not only restoration of historical features but for the addition of complementary contemporary design that will add in features that comply with current and future requirements. These include matters such as: ongoing
initiatives to improve barrier-free access to buildings, and to provide for conversions of residences or other buildings to accommodate commercial uses.

Contemporary initiatives can be used in such a way that that new design is compatible with the original features and mainly achieved by being distinguishable from them as well as subordinate to them. Subordinate in this case means designed in such a way that there is no distraction from original building features (see also the Standards and Guidelines for the Conservation of Historic Places in Canada for additional information). This overall philosophy should guide the integration of appropriate new features on properties within the Heritage District.

The purpose of these guidelines for private properties is to protect existing features which have cultural heritage value. These include features such as the masonry wall along the former Post Office parking lot, the street pattern and scale, and the detailed nature of the space between the buildings and the public sidewalks which create a special pedestrian environment.

The conservation guidelines also seek to ensure that the pedestrian environment remains richly detailed and comfortable enhancing the vitality of the Heritage District. This will be accomplished with the addition of trees and other landscape features to be located along the edges of private property that will screen views of garbage and storage areas that do not add to the visual character of the area. The guidelines focus on the area of the private realm which is visible from the street, and are intended to complement public realm enhancements.

4.11.1 Historical landscape features

Historically, the residential portion of the core area centred on Randall and Church streets. The characteristic of this residential area was that the lot coverage occupied by the building was a smaller percentage of the entire lot leaving more open space available for landscape treatments. There was frequently a green landscape space between the front of the building and the public sidewalk; parking was generally found in driveways, in garages or behind the front line of the building. In the 20th century as residential buildings were converted to commercial uses, more parking on site was required and there has been a general increase in the percentage of lot coverage that is covered by buildings and hard landscaping. This has meant that the conservation guidelines should ensure that the remnant lands available for landscaping are taken advantage of to reduce the impact of the increased parking and building areas.

The overall guidelines for private property are as follows:

a) There should be maximizing of soft landscapes particularly along the sidewalk frontages. This means that parking should be limited within the front yards and that the front entrance should remain visible from the street, following the historic pattern.

b) Trees should be added on private property along the frontage where there is no conflict with buildings or with servicing or overhead wires or street trees in the public right-of-way. This will enhance the pedestrian environment.
4.11.2 Fencing, walls and steps

a) Where possible use historical photographs or documentation to guide the addition of these types of landscape features.

b) Where historical documentation cannot be found, similar patterns may be created by studying historical photographs of the adjacent residential areas for guidance and inspiration.

c) In order to define the edge of the property and separate private from public lands, ornamental wood fences or hedging of deciduous shrub material are recommended.

4.11.3 Screening and buffering

a) Similar devices, such as ornamental wood fences or hedging of deciduous shrub material, may also be used to complete the screening or buffering of garbage storage areas or service areas that are visible from the public right-of-way.

b) Screening using fencing or evergreen material may be used to block the views whereas the buffering is defined as allowing filtered views through the material such as deciduous shrub border.
4.11.4 **Surface treatments**

a) The selection of materials for walkways and driveways should be undertaken to enhance and complement the pedestrian environment.

b) Consideration for providing accessibility should be considered in the selection of materials and its installation.

c) From the mid-19th century on, concrete was a building material that was widely used for walkways and steps and is an appropriate material to be used now. Other suitable materials include flagstone or pavers that do not overwhelm or compete visually with the cohesive appearance of the frontage of the structures.

4.11.5 **Trees and other plant materials**

a) Historical tree species found in the area have been varied. There are remnants of tree plantings within the residential area that consist of evergreen selections, primarily Norway spruce and White Spruce and these are appropriate for replanting.

b) In the past there was little consideration for using native plant material only. In the 19th century when many of these properties were developed, there was in fact a widespread use of the latest horticultural introductions in the residential landscape. As a result, a variety of both native and non-native plant materials would be appropriate for replanting in the area. Appropriate species include Sugar Maple, Silver Maple, Mountain Ash, Norway Spruce, White Spruce, Catalpa, Horse Chestnut, Honey Locust, Gingko, Tulip tree, Basswood and Blue Beech.

c) Other plant materials for residential properties should include a wide palette of materials suitable for the narrower planting locations available. Hedging and shrub borders should include a range of historically smaller plant materials. These include Lilac, various types of Viburnum, Fragrant currant, Deutzia, Mock Orange, Japanese Quince, Rose of Sharon, Smoke Bush, Spindle Tree, Weigela, Dogwood, Privet, Alpine Currant and Flowering Almond.

d) In addition to these trees and shrubs, a wide variety of perennials, bulbs and vines may be added to provide a seasonal accent. This is in keeping with the late 19th and 20th century pattern of residential landscaping which celebrated a range of horticultural introductions.

e) The selection of trees should also be guided by current environmental considerations. For example, Norway Maple and Ash species are no longer planted because of the presence of the emerald ash borer and concerns about the spread of Norway Maples into natural areas which has a potential to negatively impact on the native vegetation.

4.11.6 **Parking areas**

Within the Downtown Oakville Heritage Conservation District there are several locations where properties are currently occupied by asphalt parking lots. These locations were formerly building sites and have been used as parking lots for several years. Many of these lots provide parking for commercial properties and are well used.
The parking lots along Church Street, allow a view across the lot from Church Street towards the back of the buildings fronting on Lakeshore Road East. In cases such as this, the definition of the parking lot edge along the public sidewalk can be enhanced by adding masonry walls, street trees and hedging material to provide landscape features in the foreground to buffer the view of the rear of the buildings.

The corner of Randall Street and George Street, looking west along Randall Street.

The addition of low, ornamental walls or hedging located on private property (within a planting bed or sod verge) screens parked cars from the pedestrian view and defines the edge of the road allowance.
Again, the addition of low, ornamental walls or hedging located on private property (within a planting bed or sod verge) screens parked cars from the pedestrian view and defines the edge of the road allowance.
This treatment has been employed at the former Post Office property where a low standing masonry wall has provided a clear definition of the parking lot and blocks a large part of it from view from the sidewalk. Extending this design feature around the remainder of the site will complete the enhancement of the adjacent pedestrian area.

Lot edges along the public sidewalk can be enhanced by adding masonry walls, street trees and hedging material.

The residences and other buildings with residential uses frequently have parking associated within the lot and because the sites tend to be smaller, particularly on Randall Street, it is important that the parking be accommodated as much as possible within the property behind the building front.

4.11.7 Protection and enhancement of views: Sixteen Mile Creek and Lake Ontario

Protection and enhancement of views of the Sixteen Mile Creek and Lake Ontario (both from private and public property) are important elements of the Downtown Oakville Heritage Conservation District Plan and specific Town initiatives are discussed further in Section 5 of “Part B: Municipal Initiatives, Planning and Implementation” and should be read in conjunction with the guidance described in the following:

a) The view of Lake Ontario terminates the view corridors from all the north - south streets. These views including the one on George Street allow for a strong visual connection between Lake Ontario and the commercial core of Oakville. These should be retained and not obstructed with the replacement of any structures, street furniture or street trees.

Views to the Sixteen Mile Creek should be protected and enhanced.
b) The addition of street trees is an acceptable enhancement on the north-south streets, since once they are placed in the sidewalk right-of-way, they will frame the views.

c) At the furthest western end of Lakeshore Road East, there is a view over the Sixteen Mile Creek to the area across the bridge and the Sixteen Mile Creek Valley. This view is an important one from the interior of the District, looking out from the District and similarly it is an important view looking into the District as one enters the core from the west.

d) The addition of streetscape elements that enhance this gateway entrance to the District are encouraged in order to frame the view. No enhancements should be undertaken that restrict or limit the views into and out of the area from that side.

e) On the eastern side of the District the view remains consistent as pedestrians and vehicles move along Lakeshore Road East. The street wall on either side frames the view and the view continues off into the distant neighbourhoods.

4.12 LANDSCAPE CONSERVATION AND DESIGN GUIDELINES FOR THE PUBLIC REALM

The public realm within the District has undergone considerable change from the earliest period of settlement, and although there have changes to the historic fabric, the uses have remained constant. The road right-of-way has consistently accommodated sidewalks, providing a pedestrian focus and allowing pedestrians easy access to store fronts. The sidewalks have also served to separate pedestrians from vehicles using the travelled portion of the road. It is important that any alterations or additions to the streetscape ensure that there is accommodation and safety for pedestrians as well as for a wide variety of other users and in particular cyclists, people with mobility limitations as well as visual challenges and the wide range of vehicles needed for supporting the commercial core such as delivery trucks, couriers and public transit. It is also important that the cultural heritage characteristics of the area are not compromised by inappropriate contemporary urban design trends (such as roofing over streets or implementing woonerf). Specific strategic courses of action for the Town of Oakville are contained in Part B and these are the preferred ways to address some of the inevitable, overlapping urban design and heritage matters.

Notwithstanding this strategic approach there are potential improvements and enhancements that are reversible and could be included within the public realm with little challenge, such as the addition of bike racks and improved medians with planting and defined by curbs and additional turning lanes protection. All of these are designed to ensure safety for the pedestrian as well as accommodate through traffic.

The linkage of the Heritage Conservation District to the areas north and south of Lakeshore Road is an important consideration and so any alterations or additions to the street grid should ensure that there is ease of access for both vehicles and pedestrians from the surrounding areas.

Traditional road building and sidewalk materials used in the nineteenth century include plank construction for sidewalks and macadamised gravel and stone surfaces for road surfaces. These are clearly unsuitable and inappropriate for today’s traffic. The use of concrete is appropriate for pedestrian areas and asphalt is appropriate in the travelled portion of the road. In the late 20th century decorative paving, “historic” light standards and a range of new site furniture were added to the street.
as part of an urban revitalization design strategy. These types of enhancements have a predictable life cycle. Their renewal is implemented through a wholesale streetscape improvement vision. It is important that alterations or additions including the removal of existing streetscape features are undertaken so as to not detract from the overall cohesive streetscape character.

This is where the development of any new streetscape plans should ensure the following:

- Urban design changes should ensure pedestrian comfort and interest through the use of building scale, maintenance of the continuous active street wall, and provision of safe transition areas between the street and the sidewalk;
- Accommodation for pedestrians, vehicles, and cyclists should continue to be balanced so that each use is provided for separately;
- Street parking should continue to be provided;
- Commercial uses should continue to be an important part of the streetscape.

The key part of the walkway system within the core area is that it acts as a neutral backdrop to the colour and vitality visible on the storefronts with their signage, colours, awnings and window displays.

One area where improved separation from vehicles can be accommodated for pedestrians is the addition of crosswalks and bump-outs or islands that have a distinctive texture and colour and some amount of low contrast paving to assist visually challenged visitors and those in wheelchairs and scooters with crossing the street in safety.

The intention of any additions or alterations to the streetscape is to support the pedestrian environment and not compete with the visual character of the commercial core.

Surface parking lots are located on Randall Street, George and Thomas Street, north of Lakeshore Road East, providing an important amenity for shoppers and residents. Linkages to these surface lots are important and should be retained and enhanced.

**4.12.1 Sidewalks within the road right-of-way**

a) The underlying principle for additions and alterations to the sidewalks is that they should sustain accessibility and barrier free travel for pedestrians with a variety of challenges. Intersections may be altered with the addition of low contrast surface textures.

b) There is a balance to be made between the smooth surface required by wheelchairs and the identification of landings at intersections for those with visual challenges. It is important that the choice of materials for alterations or additions complements the traditional streetscape now found within the District and which dates back to the streetscape revitalization plans of the mid-20th century. Concrete continues to be well suited for the continuation for sidewalks, curbs, landings and other features in the streetscape accented with decorative pavers.
4.12.2 Street Furniture

There is a range of site furniture found within the pedestrian environment including benches, trash / recycling receptacles, bike racks, and information kiosks. Many of these have been acquired at the same time and are of a similar design and material and colour. Others have been added at different periods in some case resulting in a cluttered streetscape.

It is expected that street furniture will continue to change in the future, as streetscape plans are revisited and further developed.

a) In addition to public street furniture, there are other private additions that may be present, such as mailboxes, newspaper boxes, cafés with barriers and moveable furniture. These will be permitted, subject to ensuring that there is minimal obstruction to pedestrian flow, and that visual clutter is not increased.

b) As part of the ongoing management of the streetscape and in the absence of a streetscape management plan, alterations and additions of street furniture should aim at creating a cohesive pedestrian environment using similar materials and colours in the choice of street furniture.

c) The placement of furniture should not impede pedestrian movement or block the entrances or façade signage of the adjacent buildings.
4.12.3 Signage

a) Traditionally the buildings in the commercial core contained a wide range of signage types. Signs were located on building façades, awnings, projecting at right angles from façades and on sidewalks in the form of temporary sandwich signs. Subsequently, there have been additional types of signs added in the commercial core such as banners.

b) The range of signage is part of the vitality of the commercial area and signs may be altered or added in the area subject to the heritage permit process as described previously.

c) It is preferred that signs be located in traditional locations such as on the sign board on the façade of the building or on the projecting awnings. It is also preferred that the signs not be back lit but be lit from above by separate light fixtures that direct light directly on the sign with little spill over to the adjacent area.

d) Pylon signs shall be prohibited within the District as they are visually intrusive and may limit the pedestrian space.

e) Regulatory signs such as traffic control signs will be permitted within the District.

f) Other guidelines, such as Highway Traffic Act requirements, and the Town’s Sign By-law may also require consideration.

4.12.4 Parking areas

a) It is important that existing visitor parking areas within the District continue to be identified with appropriate signage.

b) Any alterations to the signage should include directions from Lakeshore Road East to the nearest lot operated by the Town.

c) Parking lots should be well lit with edges clearly defined with hedges or low walls and any additions to parking lots should consider introduction of pedestrian routes through the lot where a visitor can be collected after exiting their car and walk safely to the nearest sidewalk.

d) As parking lots are redeveloped in the future, the addition of sustainable design features should be considered, including infiltration beds and water quality improvements such as stormwater settlement chambers (storm scepters).

e) Bicycle parking may be accommodated in the future, in locations where they are not intrusive to the pedestrian environment. If bicycle shelters are proposed, they would be better-suited to side streets or parking lots, due to their space requirements.
4.12.5 Traffic calming measures

There is increasing interest in municipal traffic management practices to provide for better pedestrian safety by introducing traffic calming features to the streetscape that have dual purposes: one purpose is to introduce features or devices that require the motorist to reduce speed and the second purpose is to provide improved landings, bump-outs, ornamental medians, or cross walks that provide enhanced opportunities for pedestrians wishing to cross the street. These features did not traditionally form part of the historical streetscape.

There are several examples of bump outs and line painted medians within the District at the present time and similarly there are cross walks that consist of decorative paving or stencils within the asphalt roadway that highlight the place where a pedestrian will be travelling. In the absence of a streetscape management plan, traffic calming measures will require heritage permits and the following advice is provided:

a) Where traffic calming measures are to be installed in the road right-of-way, materials will be chosen that complement the neutral backdrop to the colour and vitality visible on the storefronts such as concrete.

b) Bump-outs may include the installation of planters and benches where pedestrian safety is not compromised.

c) The design of pedestrian crosswalks should be used consistently at all crossings and in materials that contrast with the road surface but avoid excessive colour schemes.

d) Preformed thermoplastic imprints into the roadway should be avoided as they appear to wear quickly.
4.12.6 Street lighting

The streetscape contains two types of lighting poles and luminaires: one is designed for vehicular traffic as it moves through the District and is generally set at a higher level and the other type is designed primarily for pedestrian enjoyment and safety. The pedestrian lighting generally consists of low level fixtures mounted on a range of poles, some of them late 20th century decorative metal with an acorn globe. This was a common light fixture introduced in the middle of the 20th century.

Over time, there have been lighting efficiencies and changes in the luminaires that have allowed these fixtures to be continued to be used but with more energy efficient fixtures. It is anticipated that there will continue to be improvements in energy efficient lighting and particularly with improvements to accurate colour rendering and this type of retrofit and continuance of pedestrian lighting is acceptable.

a) The current light system of fluted metal poles and acorn globes should continue and be maintained as the standard for lighting fixtures for the foreseeable future, appropriately retrofitted with glare shields.
One of the features of the area is that overhead wires have been buried in past streetscape improvements. In some of the areas, there are precast concrete poles that are mounted with the street light fixtures.

b) In the future as part of any streetscape improvements there may be an opportunity to introduce contemporary light poles that accommodate both high level street lighting and lower level pedestrian lights mounted on brackets.

c) Other guidance, such as the Town of Oakville Municipal Lighting Standards should also be consulted.

4.12.7 Public Art

Public art is an increasingly popular feature of downtown revitalization and streetscape improvements. There are opportunities for the addition of appropriate public art within the District. Public art should be strategically located at the entrances to Downtown District and at Town Square and where there are opportunities to add to encourage the sense of place of the commercial core.

In reviewing heritage permit applications for public art, concern should be focused less with the form of the art and its artistic merit, but should focus on the following:

a) The placement of the public art should be carefully planned so that there is no visual intrusion that would disrupt the setting of a heritage property or directly affect heritage fabric.

b) Materials that are selected should be durable and vandal resistant.

c) Pedestrian traffic flow is not impeded.

Other Town standards or policies may also be considered.

4.12.8 Street trees and boulevards

It is anticipated that street trees may require replacement at a regular intervals because of the challenging growing conditions found within the urban environment. Many of the trees that do well in this environment are horticultural introductions rather than native species. They are tolerant of the heat in the summer and limited soil conditions as well as pollution inherent in their road side location. As well they are more resistant to snow removal chemicals that are frequently used on the sidewalks. Therefore a mix of appropriate native and non-native trees may be added into the area. Where possible, the volume of soil that is provided for the root system should be generous and measures for structural soils or planting cells should also be included to encourage sustainability of the tree collection. In considering heritage permit applications the following shall be considered:

a) Historically, trees were planted in groups along the street rather than uniformly spaced apart, as is the current practice. This is an appropriate pattern for the addition of street trees.

b) Street trees should be monitored to ensure that they remain in healthy condition and when trees enter into a hazardous condition (i.e. die back on the overhanging branches), they should be removed.
Tree health should be monitored on a regular basis.

c) It is important from an appearance and marketing point of view that dead trees be removed and replanted in prompt succession. This is to ensure that the vitality of the streetscape is maintained.

Boulevards that once characterised the former residential portions of the streetscape remain as important contributors to the texture and colour of the Downtown District and assist in defining edges of both sidewalks and travelled lanes. As with trees it is important that:

d) Grassed boulevards should be monitored to ensure that they remain in healthy condition.

e) Grassed boulevards should be regularly inspected and maintained with any dead areas of grass removed and re-seeded or re-sodded promptly.

Grass boulevards are important elements of the streetscape and are to be protected.
4.13 PROVISIONS FOR PEOPLE WITH DISABILITIES, AND ENERGY RENEWAL PROJECTS: SPECIAL CONSIDERATIONS

Two pieces of provincial legislation make provisions that potentially affect heritage permit applications under the Ontario Heritage Act: The Accessibility for Ontarians with Disabilities Act, 2005, and An Act to enact the Green Energy Act, 2009 and associated regulations (Ontario Regulation 359/09 and Ontario Regulation 521/10).

The Accessibility for Ontarians with Disabilities Act became law on June 13, 2005. The Act’s overall intent is to make the province accessible by 2025 through establishing a variety of accessibility standards, (i.e., mandatory rules), for customer service, transportation, information and communication, employment and the built environment. It is intended that accessibility standards, will be phased in over time and are to be developed by people from the business and disability communities. The goal of the Accessibility Standards for the Built Environment is to remove barriers in public spaces and buildings. The standards for public spaces will only apply to new construction and planned redevelopment. It is anticipated that enhancements to accessibility in buildings will happen at a later date through Ontario’s Building Code, which governs new construction and renovations in buildings.

The issue of compliance for heritage properties, specifically those designated under the Ontario Heritage Act, have yet to be developed. Past practice suggests that greater accessibility must be met but with a lesser rigorous standard for designated heritage properties. This is intended to take into account the value of heritage building fabric, historical spaces and architectural features. The Downtown Oakville Heritage Conservation District Plan and Guidelines encourages accessibility to heritage properties, but attempts to ensure that, as with other alterations there is minimal or no intrusion into heritage building materials.

The Act to enact the Green Energy Act, is essentially focussed on promoting green energy projects and streamlining approval processes in order to expedite these projects. Certain exemptions are made to approvals and there are also procedures for self assessment. In seeking approvals under the Green Energy Act or related regulations, property designated under the Ontario Heritage Act retain their status and any proponent of an energy renewal project must satisfy the approval authority that they have all permits and met any conditions issued by a municipality.

The Downtown Oakville Heritage Conservation District Plan and Guidelines do not prohibit energy renewal projects. Installations, such as solar panels, are encouraged to be located in places that are generally out of view and that do not involve the loss of or damage to heritage fabric.

It is expected that in a five year review of this Plan some guidelines may have to be revised or modified to reflect changing legislative requirements.
5.0 EXEMPT ALTERATIONS AND CLASSES OF ALTERATIONS

5.1 INTRODUCTION

Under Section 42 of the Ontario Heritage Act, a permit is required for the erection, demolition, removal or external alteration of a building or structure within a designated heritage conservation district. The Act defines the term “alter” as meaning to change in any manner and includes to restore, renovate, repair or disturb. “Alteration” has a corresponding meaning.

While the need to require a permit for demolition or the construction of a new building or structure is clear, the requirement for a permit for an alteration to an existing building may be less clear. Typically, alterations or changes for which a Section 42 permit is required are those types of alterations that would materially affect the character or external appearance of a building. Those types of physical alterations, additions and conservation work that generally require a permit are described in the body of the plan.

Subsection 41.1 (5) of the Act also makes provisions for exempting some forms of alterations from regulation by providing that a heritage conservation district plan shall include:

(e) a description of the alterations or classes of alterations that are minor in nature and that the owner of property in the heritage conservation district may carry out or permit to be carried out on any part of the property, other than the interior of any structure or building on the property, without obtaining a permit under section 42. 2005, c. 6, s. 31.”

The following constitutes a description of those alterations that are considered to be “minor in nature” and that may be carried out without obtaining a permit under Section 42 of the Act. In some instances and for the purposes of clarification, a note is included on exceptions where a heritage permit would be required. Regardless of exemption from regulation, the guidelines provided elsewhere in this Plan should still be consulted for direction on carrying out changes and using methods that are the least destructive or have the least impact on building fabric or valued heritage attributes. The exempted minor alterations have been guided generally by the principles of either being undertaken within a small area, confined to areas that are generally out of sight from public view, constitute routine maintenance or are easily reversible.

If there is any doubt about whether a heritage permit is required consultation with Town of Oakville staff is recommended.
5.2 COMMERCIAL PROPERTIES: These comprise properties primarily located on Lakeshore Road East, George Street and Thomas Street.

Alterations that may be carried out without obtaining a permit under section 42 of the Act are:

- **Interior modifications:** The interiors of buildings or structures are not subject to regulation within the Heritage Conservation District, and no permit is required.

  **Exceptions:**
  Those interior features designated under Part IV of the Ontario Heritage Act or interior features that have an exterior presence, including but not restricted to windows and doors in building façades require a heritage permit.

- **Roof Materials:** Replacement of existing roof materials (such as asphalt shingles or rolled asphalt roofing) in kind and of the same colour does not require a permit.

  **Exceptions:**
  Replacing or removing original roofing materials including metal, slates, tiles or wood shingles with different roof coverings or asphalt shingles require a permit.

- **Skylights:** The installation of skylights located out of sight from street views and in the same plane as the roof (e.g. on the rear slope of a roof or on a flat or low pitched roof) would not require a permit.

  **Exceptions:** freestanding panels on poles or those requiring a structural frame for support require a permit.

- **Solar panels:** The installation of solar panels located out of sight from street views and in the same plane as the roof (e.g., at the rear slope of a roof or on a flat or low pitched roof) would not require a permit.

  **Exceptions:** freestanding panels on poles or those requiring a structural frame for support require a permit.

- **Satellite dishes:** The installation of satellite dishes that are located in such a way that they are not visible from the street either at the front, side or rear of buildings does not require a permit.

- **Security lighting and alarm systems:** The installation of security lighting and/or alarm systems do not require a permit provided that the method of installation requires no removal of heritage fabric such as masonry units of fascia boards.

- **Eavestrough and downspouts:** The removal and/or installation of new eavestroughs and downspouts do not require a permit.

- **Landscaping, soft:** The removal and/or installation of vegetative landscaping, such as planting beds, shrubbery and small ornamental trees and the pruning and maintenance of trees or the removal of dead branches or limbs do not require a permit.
Exceptions:
The removal and/or installation of trees (with anticipated mature height of 5.5 metres or greater) and/or greater than 20 centimetres diameter at breast height (dbh) require a heritage permit. The Town’s Private Tree By-law may also apply.

- Landscaping, hard: The removal and installation of hard landscaping, such as driveways, entranceways, paths and parking areas in the same materials and of the same area and dimension do not require a permit.

Exceptions:
The removal and/or installation of any hard landscaping, such as driveways, entranceways, paths and parking areas in any new material require a permit.

- Maintenance or small repairs: Ongoing maintenance or small repairs to buildings, structures or small areas of paving that do not significantly affect the appearance of the outside of the property and do not involve the permanent removal or loss of heritage attributes do not require a permit.

Exceptions:
The removal and/or installation of any cladding materials require a permit.

The cleaning of any building façade surface (using any method of cleaning such as sandblasting, chemical cleaning, and pressurized water) requires a permit.

Carrying out test patches in any location for any cleaning method requires a permit.

The removal of any paintwork from a masonry building façade surface requires a permit.

- Painting: The painting of doors, window frames, muntins and mullions, trimwork, eavestroughs, downspouts and minor architectural detailing does not require a permit.

Exceptions:
The painting of any unpainted or previously painted masonry materials or synthetic cladding materials requires a permit.

- Canopies and awnings: The installation of new canopies and awnings that are replacing existing and are of an equal size and scale do not require a permit.

Exceptions:
Canopies and awnings that are larger than existing or require additional fastenings to a building require a permit.

- Amenity Lighting: The installation of porch lighting or other amenity or seasonal lighting does not require a permit.

As with any modifications being contemplated, it is beneficial to contact Town of Oakville Heritage Planning staff to discuss proposals before commencing work. Some of the above modifications may also require a Building Permit, and appropriate staff should be consulted.
5.3 **RESIDENTIAL PROPERTIES:** These comprise properties located at 156 Randall Street, 209 Randall Street, 210 Randall Street and 213 Randall Street.

Alterations that may be carried out without obtaining a permit under section 42 of the Act are:

- **Interior modifications:** The interiors of buildings or structures are not subject to regulation within the Heritage Conservation District, and no permit is required.
  
  **Exceptions:** Those interior features designated under Part IV of the *Ontario Heritage Act* or interior features that have an exterior presence, including but not restricted to windows and doors in building façades.

- **Roof Materials:** Replacement of existing roof materials in kind and of the same colour does not require a permit.
  
  **Exceptions:** Replacing or removing original roofing materials including metal, slates, tiles or wood shingles with other materials requires a permit.

- **Skylights:** The installation of skylights located out of sight from street views and in the same plane as the roof (e.g. on the rear slope of a roof or on a flat or low pitched roof) would not require a permit.
  
  **Exceptions:** Freestanding panels on poles or those requiring a structural frame for support require a permit.

- **Solar panels:** The installation of solar panels located out of sight from street views and in the same plane as the roof (e.g., at the rear slope of a roof or on a flat or low pitched roof) would not require a permit.
  
  **Exceptions:** Freestanding panels on poles or those requiring a structural frame for support require a permit.

- **Satellite dishes:** The installation of satellite dishes that are located in such a way that they are not visible from the street either at the front, side or rear of buildings does not require a permit.

- **Security lighting and alarm systems:** The installation of security lighting and/or alarm systems do not require a permit.

- **Amenity Lighting:** The installation of porch lighting or other amenity or seasonal lighting does not require a permit.

- **Eavestrough and downspouts:** The removal and/or installation of new eavestroughs and downspouts do not require a permit.

- **Landscaping, soft:** The removal and/or installation of vegetative landscaping, such as planting beds, shrubbery and small ornamental trees and the pruning and maintenance of trees or the removal of dead branches or limbs do not require a permit.
Exceptions:
The removal and/or installation of trees (with anticipated mature height of 5.5 metres) and/or greater than 20 centimetres diameter at breast height (dbh) require a heritage permit. The Town’s Private Tree By-law may also apply.

- Landscaping, hard: The removal and installation of hard landscaping, such as driveways, entranceways, paths and parking areas in the same materials and of the same area and dimension do not require a permit.

Exceptions:
The removal and/or installation of any hard landscaping, such as driveways, entranceways, paths and parking areas in any new material require a permit.

- Fencing: The removal and/or installation of fencing in the rear yard of a property and behind the mid-point of the side façade of building, does not require a permit. Requirements of the Town’s Fence By-law will also have to be met.

Exceptions:
The removal and/or installation of fencing in the front yard of a property require a permit.
The removal and/or installation of fencing in the side yard but not beyond the mid-point of the side façade towards the front of a building require a permit.

- Porches, verandahs and decks: The installation and/or removal of single-storey porches, verandahs and decks located within the rear yard and away from views from the street do not require a permit.

Exceptions:
The removal and/or installation of porches, verandahs and decks in the front and side yards of a property require a permit.

- Storm windows and doors: The installation and/or removal of storm windows and screen doors do not require a permit.

- Stairs or steps: The removal of stairs or steps and replacement in kind (same dimensions and materials) do not require a permit.

- Signage: The installation of number and name signage on building façades or on free-standing supports does not require a permit.

- Maintenance or small repairs: Ongoing maintenance or small repairs to buildings, structures or small areas of paving that do not significantly affect the appearance of the outside of the property and do not involve the permanent removal or loss of heritage attributes do not require a permit.

Exceptions:
The removal and/or installation of any cladding materials require a permit.
The cleaning of any building façade surface (using any method of cleaning such as sandblasting, chemical cleaning, and pressurized water) requires a permit.

Carrying out test patches in any location for any cleaning method requires a permit.

The removal of any paintwork from a masonry building façade surface requires a permit.

**Painting:** The painting of doors, window frames, muntins and mullions, trim, eavestroughs, downspouts and minor architectural detailing does not require a permit.

**Exceptions:**
The painting of any masonry materials or synthetic cladding materials requires a permit.

**Canopies and awnings:** The installation of new canopies and awnings that are replacing existing and are of an equal size and scale does not require a permit.

**Exceptions:**
Canopies and awnings that are larger or require additional fastenings to the building require a permit.

As with any modifications being contemplated, it is beneficial to contact Town of Oakville Heritage Planning staff to discuss proposals before commencing work. Some of the above modifications may also require a Building Permit, and appropriate staff should be consulted.

5.4 **INSTITUTIONAL PROPERTIES:** These comprise properties located at 181 Church Street (The Old Fire Hall), 193 Church Street (Former Canada Post Office), 216 Lakeshore Road East (The Fifth Post Office), 165 Randall Street (The Boy Scout Hut), 125 Thomas Street (Masonic Temple Lodge) and 139 Thomas Street (Radial Station).

Alterations that may be carried out without obtaining a permit under Section 42 of the Act are:

**Interior modifications:** The interior of buildings or structures are not subject to regulation within the Heritage Conservation District, and no permit is required.

**Exceptions:**
Those interior features designated under Part IV of the Ontario Heritage Act or interior features that have an exterior presence, including but not restricted to windows and doors in building façades.

**Roof Materials:** Replacement of existing roof materials in kind and of the same colour does not require a permit.

**Exceptions:**
Replacing or removing original roofing materials including metal, slates, tiles or wood shingles with asphalt roof shingles or other materials requires a permit.
- **Skylights:** The installation of skylights located out of sight from street views and in the same plane as the roof (e.g. on the rear slope of a roof or on a flat or low pitched roof) would not require a permit.

- **Solar panels:** The installation of solar panels located out of sight from street views and in the same plane as the roof (e.g., at the rear slope of a roof or on a flat or low pitched roof) would not require a permit.

  **Exceptions:** freestanding panels on poles or those requiring a structural frame for support require a permit located anywhere on the property.

- **Satellite dishes:** The installation of satellite dishes that are located in such a way that they are not visible from the street either at the front, side or rear of buildings does not require a permit.

- **Security lighting and alarm systems:** The installation of security lighting and alarm systems do not require a permit.

- **Amenity Lighting:** The installation of porch lighting or other amenity or seasonal lighting does not require a permit.

- **Eavestrough and downspouts:** The removal and/or installation of new eavestroughs and downspouts do not require a permit.

- **Landscaping, soft:** The removal and/or installation of vegetative landscaping, such as planting beds, shrubbery and small ornamental trees and the pruning and maintenance of trees or the removal of dead branches or limbs do not require a permit.

  **Exceptions:**
  The removal and/or installation of trees (with anticipated mature height of 4.5 metres or greater) and/or greater than 20 centimetres diameter at breast height (dbh) require a heritage permit.

- **Landscaping, hard:** The removal and installation of hard landscaping, such as driveways, entranceways, paths and parking areas in the same materials and of the same area and dimension do not require a permit.

  **Exceptions:**
  The removal and/or installation of any hard landscaping, such as driveways, entranceways, paths and parking areas in any new material require a permit.

- **Signage:** The installation of number signage on building façades or on free-standing supports does not require a permit.

- **Maintenance or small repairs:** Ongoing maintenance or small repairs to buildings, structures or small areas of paving that do not significantly affect the appearance of the outside of the property and do not involve the permanent removal or loss of heritage attributes do not require a permit.
Exceptions:
The removal and/or installation of any cladding materials require a permit.

The cleaning of any building façade surface (using any method of cleaning such as sandblasting, chemical cleaning, and pressurized water) requires a permit.

Carrying out test patches in any location for any cleaning method requires a permit.

The removal of any paintwork from a masonry building façade surface requires a permit.

Painting: The painting of doors, window frames, muntins and mullions, trim, eavestroughs, downspouts and minor architectural detailing does not require a permit.

Exceptions:
The painting of any masonry materials or synthetic cladding materials requires a permit.

Canopies and awnings: The installation of new canopies and awnings that are replacing existing and are of an equal size and scale do not require a permit.

Exceptions:
Canopies and awnings that are larger or require additional fastenings to the building require a permit.

As with any modifications being contemplated, it is beneficial to contact Town of Oakville Heritage Planning staff to discuss proposals before commencing work. Some of the above modifications may also require a Building Permit, and appropriate staff should be consulted.

5.5 PUBLIC REALM PROPERTIES: These comprise lands that are primarily located in road rights-of-way, parking lots or lands associated with the public library.

Alterations that may be carried out without obtaining a permit under Section 42 of the Act are:

Maintenance or minor repairs: Ongoing maintenance or minor repairs to road or sidewalks surfaces and areas of paving that do not significantly affect the appearance of the surface and that are exempt from review or approval under the Municipal Class Environmental Assessment do not require a permit.

Exceptions:
The installation of any traffic calming device (not including signage), new road or sidewalk surfaces, new crosswalk surfaces or motifs and new boulevards requires a permit.

Installation and/or repair of underground utilities or services: Subsurface excavation for the installation and repair of utilities (water, sewage, gas, or communications) does not require a permit.

Repair of above-ground utilities or services: Work undertaken for the repair of above-ground utilities (hydro, communications and lighting), including conduits, poles and associated boxes
or covers and installation of non-permanent or non-fixed street furniture including but not restricted to seating, planters, tree grates, banners, hanging baskets, garbage receptacles and bike racks do not require a permit.

**Exceptions:**
The installation of any new luminaires and/or poles including any directional or warning signage for vehicular traffic or pedestrians requires a permit.

- **Landscaping, soft:** The installation of any soft or vegetative landscaping confined to boulevard installation and associated planting beds does not require a permit.

  **Exceptions:**
The removal and/or installation of trees (with anticipated mature height of 4.5 metres or greater) and/or greater than 20 centimetres diameter at breast height (dbh) require a heritage permit.

- **Landscaping, hard:** The removal and installation of hard landscaping, such as driveways, entranceways, paths and parking areas in the same materials and of the same area and dimension do not require a permit.

  **Exceptions:**
The removal and/or installation of any hard landscaping, such as driveways, entranceways, paths and parking areas in any new material require a permit.

As with any modifications being contemplated, it is beneficial to contact Town of Oakville Heritage Planning staff to discuss proposals before commencing work.
Appendix A:

Description of designated Part V Downtown Oakville heritage conservation district properties
Description of designated Part V Downtown Oakville heritage conservation district properties by classification, architectural style and prior heritage status

<table>
<thead>
<tr>
<th>Number</th>
<th>Street</th>
<th>Classification</th>
<th>Property Name</th>
<th>Architectural Style</th>
<th>Heritage Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>159</td>
<td>Church Street</td>
<td>Heritage</td>
<td>N/A</td>
<td>Gothic Revival/Italianate</td>
<td>Part IV</td>
</tr>
<tr>
<td>181</td>
<td>Church Street</td>
<td>Heritage</td>
<td>The Old Fire Hall</td>
<td>Arts and Crafts</td>
<td>Part IV</td>
</tr>
<tr>
<td>193</td>
<td>Church Street</td>
<td>Heritage</td>
<td>Former Post Office</td>
<td>International</td>
<td>Register</td>
</tr>
<tr>
<td>115</td>
<td>George Street</td>
<td>Non-heritage</td>
<td>N/A</td>
<td>Contemporary</td>
<td>Inventory</td>
</tr>
<tr>
<td>117-119</td>
<td>George Street</td>
<td>Heritage</td>
<td>N/A</td>
<td>Edwardian Classicism</td>
<td>Inventory</td>
</tr>
<tr>
<td>131</td>
<td>George Street</td>
<td>Non-heritage</td>
<td>N/A</td>
<td>Contemporary</td>
<td>Inventory</td>
</tr>
<tr>
<td>125</td>
<td>Lakeshore Road East</td>
<td>Non-heritage</td>
<td>N/A</td>
<td>Contemporary</td>
<td>Register</td>
</tr>
<tr>
<td>126-132</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>Barclay Building</td>
<td>Italianate</td>
<td>Part IV</td>
</tr>
<tr>
<td>131-137</td>
<td>Lakeshore Road East</td>
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<td>Vernacular</td>
<td>Inventory</td>
</tr>
<tr>
<td>134-138</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>Anderson Block</td>
<td>Italianate</td>
<td>Part IV</td>
</tr>
<tr>
<td>140-142</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>N/A</td>
<td>Italianate</td>
<td>Part IV</td>
</tr>
<tr>
<td>141</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>N/A</td>
<td>Vernacular</td>
<td>Inventory</td>
</tr>
<tr>
<td>144-146</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>N/A</td>
<td>Edwardian Classicism/Contemporary</td>
<td>Inventory</td>
</tr>
<tr>
<td>145</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>N/A</td>
<td>Italianate</td>
<td>Part IV</td>
</tr>
<tr>
<td>149</td>
<td>Lakeshore Road East</td>
<td>Non-heritage</td>
<td>N/A</td>
<td>Italianate/Contemporary</td>
<td>Inventory</td>
</tr>
<tr>
<td>150-152</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>O’Reilly’s Tavern</td>
<td>Classic Revival</td>
<td>Register</td>
</tr>
<tr>
<td>151</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>N/A</td>
<td>Classic Revival</td>
<td>Inventory</td>
</tr>
<tr>
<td>156</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>N/A</td>
<td>Contemporary</td>
<td>Inventory</td>
</tr>
<tr>
<td>159</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>Bank of Montreal</td>
<td>Beaux-Arts Classicism</td>
<td>Part IV</td>
</tr>
<tr>
<td>162</td>
<td>Lakeshore Road East</td>
<td>Non-heritage</td>
<td>Oakville Inn Hotel</td>
<td>Contemporary</td>
<td>Inventory</td>
</tr>
<tr>
<td>165</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>N/A</td>
<td>Vernacular</td>
<td>Register</td>
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<tr>
<td>166</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>Toronto Dominion Bank</td>
<td>Beaux-Arts Classicism</td>
<td>Part IV</td>
</tr>
<tr>
<td>167-171</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>N/A</td>
<td>Vernacular</td>
<td>Register</td>
</tr>
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<td>172</td>
<td>Lakeshore Road East</td>
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<td>N/A</td>
<td>Vernacular</td>
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<tr>
<td>174</td>
<td>Lakeshore Road East</td>
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<td>N/A</td>
<td>Italianate</td>
<td>Part IV</td>
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<td>179</td>
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<td>Lunau Block</td>
<td>Italianate</td>
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</table>
### Description of designated Part V Downtown Oakville heritage conservation district properties by classification, architectural style and prior heritage status

<table>
<thead>
<tr>
<th>Number</th>
<th>Street</th>
<th>Classification</th>
<th>Property Name</th>
<th>Architectural Style</th>
<th>Heritage Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>176</td>
<td>Lakeshore Road East</td>
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<td>Contemporary</td>
<td>Inventory</td>
</tr>
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<td>182</td>
<td>Lakeshore Road East</td>
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<td>Urquhart’s Medical Hall</td>
<td>Vernacular</td>
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</tr>
<tr>
<td>183</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>N/A</td>
<td>Italianate</td>
<td>Part IV</td>
</tr>
<tr>
<td>184-186</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>William Joyce Store</td>
<td>Classic Revival</td>
<td>Part IV</td>
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<td>187</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>Davis Block</td>
<td>Italianate</td>
<td>Part IV</td>
</tr>
<tr>
<td>188</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>N/A</td>
<td>Vernacular</td>
<td>Inventory</td>
</tr>
<tr>
<td>189</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>N/A</td>
<td>Italianate</td>
<td>Part IV</td>
</tr>
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<td>190-194</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>N/A</td>
<td>Vernacular</td>
<td>Inventory</td>
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<td>191-195</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>William Busby Store</td>
<td>Italianate</td>
<td>Part IV</td>
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<td>196</td>
<td>Lakeshore Road East</td>
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<td>Italianate</td>
<td>Register</td>
</tr>
<tr>
<td>197</td>
<td>Lakeshore Road East</td>
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<td>Mid-Century Modern</td>
<td>Part IV</td>
</tr>
<tr>
<td>198</td>
<td>Lakeshore Road East</td>
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<td>Vernacular</td>
<td>Inventory</td>
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<td>200</td>
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<td>Inventory</td>
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<td>207</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
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<td>Mid-Century Modern</td>
<td>Inventory</td>
</tr>
<tr>
<td>209</td>
<td>Lakeshore Road East</td>
<td>Heritage</td>
<td>N/A</td>
<td>Greek Revival</td>
<td>Register</td>
</tr>
<tr>
<td>211-213</td>
<td>Lakeshore Road East</td>
<td>Non-heritage</td>
<td>N/A</td>
<td>Contemporary</td>
<td>Inventory</td>
</tr>
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<td>215</td>
<td>Lakeshore Road East</td>
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<td>N/A</td>
<td>Vernacular</td>
<td>Part IV</td>
</tr>
<tr>
<td>216</td>
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<td>Heritage</td>
<td>Fifth Post Office</td>
<td>Beaux-Arts Classicism</td>
<td>Part IV</td>
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<tr>
<td>217</td>
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<td>Vernacular/Contemporary</td>
<td>Inventory</td>
</tr>
<tr>
<td>156</td>
<td>Randall Street</td>
<td>Heritage</td>
<td>Charles Davis House</td>
<td>Gothic Revival</td>
<td>Part IV</td>
</tr>
<tr>
<td>165</td>
<td>Randall Street</td>
<td>Heritage</td>
<td>The Boy Scout Hut</td>
<td>Vernacular</td>
<td>Register</td>
</tr>
<tr>
<td>209</td>
<td>Randall Street</td>
<td>Heritage</td>
<td>N/A</td>
<td>Vernacular</td>
<td>Inventory</td>
</tr>
<tr>
<td>210</td>
<td>Randall Street</td>
<td>Heritage</td>
<td>N/A</td>
<td>Regency Cottage</td>
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<tr>
<td>213</td>
<td>Randall Street</td>
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<td>N/A</td>
<td>Arts and Crafts</td>
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<tr>
<td>103-107</td>
<td>Thomas Street</td>
<td>Heritage</td>
<td>N/A</td>
<td>Vernacular</td>
<td>Register</td>
</tr>
<tr>
<td>109</td>
<td>Thomas Street</td>
<td>Heritage</td>
<td>N/A</td>
<td>Mid-Century Modern</td>
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</tbody>
</table>
### Description of designated Part V Downtown Oakville heritage conservation district properties by classification, architectural style and prior heritage status

<table>
<thead>
<tr>
<th>Number</th>
<th>Street</th>
<th>Classification</th>
<th>Property Name</th>
<th>Architectural Style</th>
<th>Heritage Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>116</td>
<td>Thomas Street</td>
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<td>Contemporary</td>
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<tr>
<td>118</td>
<td>Thomas Street</td>
<td>Non-heritage</td>
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<td>Contemporary</td>
<td>Inventory</td>
</tr>
<tr>
<td>120</td>
<td>Thomas Street</td>
<td>Heritage</td>
<td>John A. Williams Policeman House</td>
<td>Italianate</td>
<td>Register</td>
</tr>
<tr>
<td>125</td>
<td>Thomas Street</td>
<td>Heritage</td>
<td>Masonic Temple Lodge</td>
<td>Beaux-Arts Classicism</td>
<td>Part IV</td>
</tr>
<tr>
<td>130</td>
<td>Thomas Street</td>
<td>Non-heritage</td>
<td>N/A</td>
<td>Contemporary</td>
<td>Inventory</td>
</tr>
<tr>
<td>134</td>
<td>Thomas Street</td>
<td>Heritage</td>
<td>John Brown House</td>
<td>Gothic Revival</td>
<td>Part IV</td>
</tr>
<tr>
<td>139</td>
<td>Thomas Street</td>
<td>Heritage</td>
<td>Radial Station</td>
<td>Vernacular</td>
<td>Part IV</td>
</tr>
<tr>
<td>140</td>
<td>Thomas Street</td>
<td>Non-heritage</td>
<td>N/A</td>
<td>Contemporary</td>
<td>Inventory</td>
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Appendix B:

Listing of exemptions from applying for Heritage Permits
<table>
<thead>
<tr>
<th>REQUESTED CHANGE TO BUILDING ENVIRONMENT</th>
<th>COMMERCIAL</th>
<th>RESIDENTIAL</th>
<th>INSTITUTIONAL</th>
<th>PUBLIC REALM</th>
<th>EXCEPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>INTERIOR MODIFICATIONS</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>N/A</td>
<td>YES. REQUIRED IF FEATURES ARE DESIGNATED UNDER PART IV</td>
</tr>
<tr>
<td>ROOF MATERIALS</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>N/A</td>
<td>YES. IF REPLACING EXISTING MATERIALS WITH A DIFFERENT MATERIAL</td>
</tr>
<tr>
<td>SKYLIGHTS</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>N/A</td>
<td>YES. IF SKYLIGHTS ARE VISIBLE FROM THE STREET</td>
</tr>
<tr>
<td>SOLAR PANELS</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>N/A</td>
<td>YES. IF PANELS ARE FREESTANDING ON POLES OR REQUIRING STRUCTURAL FRAME FOR SUPPORT</td>
</tr>
<tr>
<td>SATELLITE DISHES</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>N/A</td>
<td>YES. IF SATELLITE DISH IS VISIBLE FROM THE STREET</td>
</tr>
<tr>
<td>SECURITY LIGHTING AND ALARM SYSTEMS</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>N/A</td>
<td>YES. IF REMOVAL OF HERITAGE FABRIC IS REQUIRED FOR INSTALLATION</td>
</tr>
<tr>
<td>AMENITY LIGHTING</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>EAVESTROUGH AND DOWNSPOUTS</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>LANDSCAPING, SOFT *REFER TO TREE BYLAW</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>YES. IF TREE TO BE REMOVED HAS AN ANTICIPATED MATURE HEIGHT OF 5.5 METRES OR A DIAMETER GREATER THAN 20 cm DBH.</td>
</tr>
</tbody>
</table>
### Listing of exemptions from applying for Heritage Permits

<table>
<thead>
<tr>
<th>REQUESTED CHANGE TO BUILDING ENVIRONMENT</th>
<th>COMMERCIAL</th>
<th>RESIDENTIAL</th>
<th>INSTITUTIONAL</th>
<th>PUBLIC REALM</th>
<th>EXCEPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landscaping, Hard</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>YES. IF REPLACING EXISTING MATERIAL WITH A DIFFERENT MATERIAL</td>
</tr>
<tr>
<td>Fencing</td>
<td>N/A</td>
<td>NO</td>
<td>N/A</td>
<td>N/A</td>
<td>YES. IF THE FENCE IS IN THE FRONT YARD OR IN THE FRONT HALF OF THE SIDE YARD</td>
</tr>
<tr>
<td>*Refer to Town Fence Bylaw</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Porches, Verandahs and Decks</td>
<td>N/A</td>
<td>NO</td>
<td>N/A</td>
<td>N/A</td>
<td>YES. IF THE STRUCTURE IS IN THE FRONT OR SIDE YARD</td>
</tr>
<tr>
<td>Storm Windows and Doors</td>
<td>N/A</td>
<td>NO</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Stairs or Steps</td>
<td>N/A</td>
<td>NO</td>
<td>NO</td>
<td>N/A</td>
<td>YES. IF REPLACING EXISTING STAIRS/STEPS WITH A DIFFERENT MATERIAL OR CHANGING DIMENSION</td>
</tr>
<tr>
<td>Address and Number Signage</td>
<td>YES</td>
<td>NO</td>
<td>NO</td>
<td>N/A</td>
<td>YES. FOR ALL OTHER SIGNAGE REFER TO SECTION 4.2.7</td>
</tr>
<tr>
<td>Maintenance or Small Repairs</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>YES. IF CHANGING CLADDING MATERIAL, CLEANING FACADE, CARRYING OUT TEST PATCHES, OR REMOVING PAINT FROM MASONRY. IF INSTALLING NEW TRAFFIC CALMING MEASURES, NEW ROAD/SIDEWALK SURFACES, MOTIFS OR NEW BOULEVARDS.</td>
</tr>
<tr>
<td>Painting</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>N/A</td>
<td>YES. IF THE FACADE IS PREVIOUSLY UNPAINTED, MASONRY OR SYNTHETIC CLADDING</td>
</tr>
</tbody>
</table>
### Listing of exemptions from applying for Heritage Permits

<table>
<thead>
<tr>
<th>REQUESTED CHANGE TO BUILDING ENVIRONMENT</th>
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<th>INSTITUTIONAL</th>
<th>PUBLIC REALM</th>
<th>EXCEPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>CANOPIES AND AWNINGS</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>N/A</td>
<td>YES. IF THE NEW STRUCTURE IS LARGER THAN THE EXISTING OR REQUIRES ADDITIONAL FASTENING TO THE BUILDING</td>
</tr>
<tr>
<td>INSTALLATION AND/OR REPAIR OF UNDERGROUND UTILITIES OR SERVICES</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>NO</td>
<td>N/A</td>
</tr>
<tr>
<td>REPAIR OF ABOVE-GROUND UTILITIES OR SERVICES</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>NO</td>
<td>YES. IF INSTALLING NEW LUMINAIREs OR POLES WITH DIRECTIONAL OR WARNING SIGNAGE.</td>
</tr>
</tbody>
</table>
Downtown Oakville
Heritage Conservation District Study

Part B:
Municipal Initiatives, Planning and Implementation
1.0 INTRODUCTION

Part B of the Downtown Oakville Heritage Conservation District Plan and Guidelines addresses those aspects of conservation that are not necessarily strictly related to the provisions of the Ontario Heritage Act. The successful implementation of a Heritage Conservation District Plan may often rely on other initiatives and planning policies that directly support or provide a framework for focussing and implementing conservation efforts. A number of initiatives are proposed in the following sections of Part B, (Downtown Oakville Heritage Conservation District Plan and Guidelines: Municipal Initiatives, Planning and Implementation), including matters relating to cultural heritage landscape recognition, building height and zoning by-law provision, signage and the Town’s sign by-law, delegation of heritage permit approvals and a municipal grants program.

This Heritage Conservation District Plan has identified initiatives for the Town’s consideration in the following areas:

- Initiative 1: Downtown Heritage Character Area
- Initiative 2: Height provision in the zoning by-law
- Initiative 3: Sign by-law provisions
- Initiative 4: Site Plan Control
- Initiative 5: Streetscape management plan
- Initiative 6: District wayfinding
- Initiative 7: District lighting
- Initiative 8: District street tree planting
- Initiative 9: District viewing locations
- Initiative 10: A western District entranceway
- Initiative 11: Heritage impact analysis
- Initiative 12: A Downtown Oakville Heritage Conservation District grants program
- Initiative 13: Refinement of delegated approvals
- Initiative 14: A Downtown Oakville Heritage Advisory Committee
- Initiative 15: Five-Year Review process
2.0 PLANNING POLICIES AND ISSUES

2.1 INTRODUCTION

The review of official plan policies in the Downtown Oakville Heritage Conservation District Study Heritage Assessment Report did not reveal any major conflicts between the goals of heritage conservation and those objectives for the Downtown area. Through the course of public dialogue and consultation it became apparent that if the proposed Heritage Conservation District did comprise an area that was reduced in size from the original study area, some consideration should be given to recognizing the original Downtown study area limits for its cultural heritage value. Recognition as an area having some heritage character or value as a cultural heritage landscape was one potential means of accomplishing this and is discussed further in the following section.

2.2 CULTURAL HERITAGE LANDSCAPES

The Downtown Oakville Heritage Conservation District Study Heritage Assessment Report recognized the grid plan of streets envisaged in Chisholm’s ambitious vision for a port settlement as being one of several features that contributed to the character of the Downtown area. It was also recognized that outside of the proposed Heritage Conservation District, there were other heritage buildings and structures distributed amongst the street grid that contributed to the notion of an identifiable Downtown area, distinct and separate from surrounding residential areas.

Under the Planning Act there is recognition of cultural heritage features as considerations in the planning process. Specifically Section 2 of the Planning Act establishes a number of matters of provincial interest that must be considered by appropriate authorities in the planning process.

Subsection 2(d) provides that

*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 matters, matters of provincial interest such as,...*

*(d)* the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;...*

In support of the provincial interest identified in Subsection 2 (d) of the Planning Act the Province has also refined policy guidance for land use planning and development matters in the 2005 Provincial Policy Statement (PPS) which provides for the following:

2.6 Cultural Heritage and Archaeology

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

A number of supporting definitions accompany the PPS that assist in the interpretation of these cultural heritage management policies:
Significant: means…(g) in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people.

Criteria for determining significance for the resources identified in sections (c)-(g) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Cultural heritage landscape: means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.

Conserved: means the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.

In applying the provisions of the Planning Act and the PPS it is anticipated that all planning and development activities subject to the Act, ranging from Official Plan policy preparation through to the consideration of variances, would all have to take into account the conservation of cultural heritage resources, including the conservation of significant cultural heritage landscapes.

Initiative 1: Downtown Heritage Character Area

Accordingly, the Town of Oakville will consider formally recognizing the original Downtown Oakville study area boundary (defined by Sixteen Mile Creek to the west and north, Dunn Street and Sumner Avenue to the north, Allan Street to the east and Robinson Street to the south) as a significant cultural heritage landscape, either by way of Council resolution or an Official Plan amendment. Any future planning applications that result in physical change to property would then have to take into account how such change assists in contributing to the conservation of the cultural heritage landscape, including the street grid network, the existing low-profile of many of the two-storey heritage buildings, (notably those existing prior to 1960 and described as designated, listed or inventoried as part of the Downtown Oakville Heritage Conservation District Study Heritage Assessment Report, Appendix B) and street trees.
3.0 ZONING BY-LAW

3.1 INTRODUCTION

The review of the Zoning By-law applicable in the Downtown Oakville Heritage Conservation District Study Heritage Assessment Report did not reveal any major conflicts between the provisions of the By-law and those anticipated objectives for the Downtown Oakville Heritage Conservation District area, except for the issue of height. The current Zoning By-law generally permits a maximum building height of four storeys (13.5 metres) for buildings within the C3R zone.

The Downtown Oakville Heritage Conservation District Study Heritage Assessment Report advised that any advice or initiatives emanating from the assessment report would assist in informing the Town’s comprehensive zoning update, namely the InZone project. Review of building heights in the Downtown Oakville Heritage Conservation District revealed that approximately 80% of commercial buildings were two storeys or less. The *Ontario Heritage Act* (Subsection 41.2(1)(b)) provides that where a heritage conservation district plan is in effect the council of a municipality may not “pass a by-law for any purpose that is contrary to the objectives set out in the plan”. The Act also provides that where there is a conflict between a heritage conservation district plan and a municipal by-law that affects the designated district, “the plan prevails to the extent of the conflict”.

In an effort to ensure that there is neither confusion nor conflict respecting the matter of building height within the District it may be addressed in a variety of ways:

- At the time of adopting the designating By-law and Heritage Conservation District Plan, the maximum building height permitted will be the existing height. No provisions would be made to allow any increase in height, either through a variance, by-law amendment or a Council approved heritage permit.

- At the time of adopting the designating By-law and Heritage Conservation District Plan, the maximum building height permitted will only be that height as allowed through a Council approved heritage permit under Part V of the *Ontario Heritage Act*.

- At the time of adopting the designating By-law and Heritage Conservation District Plan, it can be asserted both in the District Plan and through amendments to the existing zoning by-law (or through the new comprehensive update, the InZone project,) that a building setback will be allowed in any new construction above an existing second storey building in combination with a maximum building height set either at a third floor or the fourth floor in keeping with current provisions.
**Initiative 2: Height provision in the zoning by-law**

Given the alternative ways of addressing the matter of height within the Downtown Oakville Heritage Conservation District, the Town of Oakville will consider pursuing a course of action either through amendments to the existing zoning by-law or through the InZone project that results in the following provisions:

- The maximum building height will continue to be established at 13.5 metres or approximately four conventional storey heights.

- In any existing one-storey building a second story may be added with no set-back required.

- In existing two-storey buildings and in new infill building construction any addition to create a third floor will be set back 2.75 metres (9 feet) from the front building façade and any addition above a third floor will be set back 5.5 metres (18 feet) from the front building façade.

- In new building construction the same convention will be adopted with set-backs established above the second floor as for existing buildings.

- In those areas where commercial buildings may have limited depth and opportunities for set-backs may be restricted, the Town will seek to accommodate rear-ward expansions by encouraging variances to any required rear yard lot depth.

The above provisions are intended primarily for commercial building façades that comprise block or terraces with flat front façades. It is not intended for use with front gable, side gable, cross or multi-gabled roofs.

The two storey building height predominates within the Downtown Oakville Heritage Conservation District. Second storey additions may be added without a setback.
4.0 SIGN BY-LAW (BY-LAW NUMBER 2006-005)

4.1 INTRODUCTION

In reviewing the provisions of the Sign By-law in the Downtown Oakville Heritage Conservation District Study Heritage Assessment Report, as with the Zoning By-law provisions, there did not appear to be any major conflicts between the provisions of the By-law and those anticipated objectives for the Downtown Oakville Heritage Conservation District. The only matter that may need to be addressed is the issue of processing and managing permits under both the Town’s Sign By-law and through the heritage permit process, and any potential conflict that may arise.

![Image of signage](image1.jpg)  
Through its Sign By-law, the Town administers numerous provisions respecting the variety of type, design, size, area and location of signage.

By-law Number 2006-005 makes numerous provisions respecting the type, design, size, area and location of signage. Given the complexity of these provisions and the specific characteristics and idiosyncrasies of heritage buildings, historic storefronts and sign locations, either as fascia signs, or projecting signs, an approach should be adopted that gives the District Plan and guidelines the status of a higher standard and reduce potential for conflict. This would recognize the importance that signage has in contributing to the heritage character of the District.

**Initiative 3: Sign By-law provisions**

In order to rationalize the provisions of the Sign By-law and the process of heritage permit processing, the Town of Oakville considers the Downtown Oakville Heritage Conservation District Plan and Guidelines and the implementing by-law under the Ontario Heritage Act as an established higher standard in the consideration of heritage permits under Part V of the Ontario Heritage Act that supersede the provisions of the Sign By-law respecting signage.
Signage is an important element of any downtown commercial core but it should be appropriately scaled to the storefront and the streetscape environment.

Notwithstanding this interpretation, the Town will consider also amending By-law 2006-005 for the purposes of clarification by adding the following text provisions under Part IX, Miscellaneous, as follows:

“This By-law does not apply to the erection or display of any advertising device within the Downtown Oakville Heritage Conservation District designated by By-law Number 20XX-XXX wherein all such advertising devices shall only be permitted by the approval and issuance of a heritage permit pursuant to Part V of the Ontario Heritage Act.”

Any new signage would then be considered on its merits and district guidelines and on a case-by-case basis with respect to each building façade.

For the purposes of considering signage installation, the Town of Oakville will consider utilizing the current application for fascia and ground sign permits as an application under the Ontario Heritage Act. No charge will be levied for any application for the installation of signage within the Downtown Oakville Heritage Conservation District either under the sign by-law provisions or for a heritage permit application.
5.0 SITE PLAN CONTROL

5.1 INTRODUCTION

In some heritage conservation districts it has become practice to use site plan control provisions pursuant to the Planning Act to complement the development review mechanisms of the Ontario Heritage Act. Site plan control allows the municipality to require facilities or improvements to a subject site as permitted by the Planning Act.

The dual processes and differing time spans for processing applications under the Planning Act and Ontario Heritage Act and the overlapping of elements or components of a property that are subject to regulation, suggest that applications be considered consecutively. Pursuant to subsection 1.4.1.3 of Ontario Regulation 350/06 under the Building Code Act both heritage permit applications and site plan approvals are considered to be applicable law. A building permit may not be issued until any required approvals are given under the Planning Act and the Ontario Heritage Act.

The Ontario Heritage Act allows a fine-grain approach to the regulation of building fabric than permitted under site plan control. It is considered to be more appropriate to manage specific details of property alterations under the Ontario Heritage Act first. Accordingly, for the purposes of administering site plan and heritage permit approvals the Town of Oakville will consider a heritage permit application first followed by the consideration of a site plan application.

On the submission of a subsequent site plan application the accompanying plans and drawings may then be annotated with the specific heritage permit application file number and date of approval, e.g., “Facade materials and window details as per Town of Oakville approved heritage permit application HP23/13, December 18th, 2013”

Initiative 4: Site Plan Control

In administering changes and alterations to properties within the designated Heritage Conservation District, the Town of Oakville will only be process site plan applications under the Planning Act after the submission and approval of a heritage permit application under the Ontario Heritage Act.
6.0 STREETSCAPE MASTER PLANS, WAYFINDING AND PUBLIC IMPROVEMENTS

6.1 INTRODUCTION

The Downtown Oakville Heritage Conservation District, as has been noted elsewhere, is arranged around the central spine of Lakeshore Road, a historical transportation route linking Toronto and Hamilton. During the course of public consultation while undertaking the District assessment discussion arose around co-ordinating design initiatives along this corridor regardless of whether it was partially or wholly contained within a prospective District. One means of achieving a long term, co-ordinated strategy is by means of a streetscape master plan or management plan (that will also apply to the Downtown outside the defined District).

Streetscape management plans are used in many municipalities in Ontario as a means of providing a broad design strategy and context for future physical, above-ground, improvements in the public realm, i.e., the public road right-of-way and other publicly owned spaces. Usually management plans also contain urban design principles and guidance on design intent that together provide a bridge between the general policy provisions of the Official Plans and specific detailed design drawings and specifications necessary for implementation. In Oakville, for example, the Town has embarked upon a Streetscape Plan for Old Bronte Road in Palermo.

In addition to streetscape management plans there are also a number of other singular “improvements” that can enhance the heritage setting of streets and their component buildings and spaces. Ideally these are pursued as part of a co-ordinated strategy effected by adopting a streetscape management plan. Accordingly, the Town of Oakville may pursue the following initiatives.

Initiative 5: Streetscape management plan

In the specific context of Downtown Oakville and the Downtown Oakville Heritage Conservation District a streetscape management plan for Lakeshore Road should be able to assist in complementing heritage conservation initiatives by:

- articulating a long-term vision for enhancing the pedestrian amenity and civic image of the historical transportation route;
- strengthening linkages to the Lake Ontario shore front, the Sixteen Mile Creek, to surrounding residential neighbourhoods, and adjacent Heritage Conservation Districts;
- identifying key civic spaces and priority areas for specific streetscape treatment in order to enhance the character and sense of place within Downtown Oakville; and
- establishing a high standard of design within public spaces as a model for private sector initiatives.

A key administrative principle that should drive and accompany most streetscape management plans is the principle of undertaking streetscape improvements (typically above-ground work) in a co-ordinated manner at the same time as major infrastructural improvements (under-ground work) or
when other major public development is planned. This often assists in reducing implementation costs and unnecessary disruptions to adjacent property owners, business operations, vehicular traffic and pedestrians. Co-ordination of these activities should be undertaken as part of the Town’s annual capital improvements budget process. Due to the long term horizon of most municipal budgeting processes, anywhere from 10 to 15 years, most streetscape management plans should also adopt an equally longer-term approach.

A streetscape management plan is intended to serve as a design guide and future inspiration for preliminary, functional and detail design of most municipal capital projects within the Lakeshore Road corridor (from Navy to Allan Streets). It is also anticipated that Town priorities, financial capabilities and standards may well change or be modified over such a substantial period of time. The guidelines and recommendations of a streetscape plan are to be carefully reviewed on a case-by-case basis in conjunction with all applicable provincial laws and Town by-laws, policies and standards relating to the public road allowance. Additionally, some public improvements may have to fulfill requirements of Ontario’s Municipal Class Environment Assessment processes and these are guided by costs and magnitude and scale of anticipated environmental effects.

Typically a streetscape management plan in a downtown urban commercial core should address a variety of matters that fall within the public realm including, but not limited to:

- the type, width and materials for use in road and sidewalk construction such as concrete, imprinted asphalt and pavers,
- the appropriateness of installing grassed boulevards,
- the type of light poles and luminaires, especially in the consideration of “standard” or “off the shelf” units or the installation of special, custom designed for signature locations either of contemporary design or heritage motifs,
- the appropriateness of planting in-ground street trees and installing tree grates especially in areas where underground services may be affected,
- installation of traffic calming devices such as bump-outs or speed humps,
- the appropriateness of guard-rails, pedestrian fences or other safety features,
- planters,
- street signage,
- banners,
- kiosks,
- waste receptacles,
- bus shelters,
- bicycle racks, and
- public art.

Accordingly, the Town of Oakville will consider developing and implementing, as future municipal budget permits, a Lakeshore Road Streetscape Management Plan from Navy Street to Allan Street. The intent is to provide a coherent and strategic approach to managing an important historical, commercial corridor. The identification of design themes whether a contemporary approach or a cultural heritage based approach, or a combination of both must be left to further public consultation. An approach that ties the entire corridor together, as well as recognizes the uniqueness of the Downtown Oakville Heritage Conservation District, is to be encouraged.
The identification of priorities for a streetscape management plan and its implementation require a highly integrated approach amongst a variety of Town Departments. The Town will establish an implementation and co-ordinating committee comprising staff of the Planning Services Department, the Engineering and Construction Department, Parks and Open Spaces Department, and the Recreation and Culture Department.

Regardless of whether the Town proceeds to adopt and implement a streetscape management plan, there are three components of a streetscape management plan that are considered critical in establishing a successful streetscape dynamic: wayfinding, lighting and street trees. These three components can be addressed independently and are discussed in the following subsections.

### 6.2 WAYFINDING

One of the key principles of a streetscape management plan for Downtown Oakville is to strengthen connections from the Downtown to surrounding neighbourhoods and Heritage Conservation Districts, the Lake Ontario waterfront and the Sixteen Mile Creek. While investments in infrastructure are crucial in providing sound physical linkages it is also important to be able to complement these by fostering supportive features such as well designed signage or other wayfinding tools (e.g., sidewalk directional markings, pathway markings, icons or design motifs on lamp standards and kiosks.) to enable pedestrians and other users to navigate their way around Downtown Oakville and beyond to the lakefront, harbour and the Sixteen Mile Creek.

Wayfinding elements such as kiosks or directional signage is used sparingly within the Downtown area

Wayfinding, as one means of enhancing “active transportation” is important for a number of reasons:

- **Creation of meaningful links**
  The desire to create meaningful links from the Downtown to the lakefront, harbour and Sixteen Mile Creek is especially important to be able to guide tourists, visitors and local residents along safe and interesting pathways that showcase important places (such as adjacent Heritage Conservation Districts), heritage buildings, cultural features, streetscapes and parks.
• **Adopting a comprehensive approach**
  A comprehensive strategy is required for a co-ordinated approach that avoids “piece-mealing” and encourages a consistent design philosophy in a wayfinding system. The use of colour-coded street sign plates, icon or motif inspired directional signs (waves for the lake, sails for the harbor and so on), imprinted sidewalk patterns or colour-coded Town or BIA kiosks helps establish clarity in the urban environment.

**Initiative 6: District wayfinding**

Accordingly, either as part of a streetscape management plan or as a separate initiative, the Town will consider pursuing the implementation of a comprehensive wayfinding system for the Downtown Heritage Conservation District with particular attention given to establishing linkages with neighbouring Heritage Conservation Districts, the lake front and the harbor and Sixteen Mile Creek.

6.3 **LIGHTING**

Lighting within any community may serve a variety of purposes. Importantly it illuminates the path of travel either by vehicle or on foot and can heighten and contribute to a sense of safety and security. The style of light fixture, both poles and luminaires, can also contribute to a community’s or a specific locale’s identity providing an important urban design element in the streetscape.

Conventional belief has focussed on the notion that brighter was better with little consideration given to the effects of glare and light trespass into the night sky. Increased awareness of the environmental effects of lighting while attempting to achieve functional requirements, not only for vehicles but considerations for CPTED (Crime Prevention Through Environmental Design) continues to be a challenge in maintaining and improving the quality of urban life. In considering the initiation of a lighting strategy, it is important to coordinate and consider many of these issues by ensuring:

- Minimizing light pollution and trespass and preserving the experience of the night sky;
- Enhancing the urban environment during the day by using decorative light poles and fixtures that define a neighbourhood;
- Providing pedestrian lighting levels at night that promote improvement to safety and amenity;
- Enhancing selected landmark buildings, statuary or spaces;
- Complementing wayfinding initiatives;
- Deterring undesirable or illegal activities;
- Increasing public safety; and
- Minimizing power consumption in keeping with environmental sustainability and responsible use of energy.
Initiative 7: District lighting

As a means to complement the continuing enhancement of the Downtown Oakville Heritage Conservation District, the Town of Oakville, as future budget commitments permit, will consider undertaking a lighting study with the objective of improving the quality, consistency, safety and energy efficiency of night lighting in the streets, sidewalks and public spaces of the District with particular attention given to lighting the sidewalk in conjunction with wayfinding. Municipal lighting standards may also be taken into account.

6.4 STREET TREES

Historically, the streets of the downtown area of Oakville, particularly Lakeshore Road was characterised by its openness and the relative absence of continuous street tree plantings. Trees, where they were planted, appear to be predominantly located on the north side of the road allowing for pedestrian shade on the “sunny side” of the street. The particularly wide road right-of-way that now accommodates sidewalks and five lanes of vehicular traffic (two parking lanes, two travelled lanes and a turning lane) also prevented the establishment of over-arching tree canopies that help define and embellish nearby Heritage Conservation Districts. It is recognized that street trees while providing considerable public amenity (shade and visual interest) are also challenging to plant and continually maintain in compact urban cores: they compete with underground utilities for space within the public right-of-way and are often short-lived.

A variety of street tree planting conditions exist within the Downtown Oakville Heritage Conservation District
To date, street tree planting in the Downtown has followed an approach of continuous plantings in hard boulevards on Lakeshore Road. The trees comprise a variety of species and are located within a strip of brick or masonry pavers, without tree grates, and adjoining the concrete sidewalk. The spaces in between the trees tend to be taken up with garbage receptacles, benches and newspaper dispensers.

Elsewhere on Thomas, George and Church Streets, several of the street trees are planted within grass boulevards, likely the last remnants of the former residential uses that once predominated the area north of the Lakeshore Road commercial core.

**Initiative 8: District street tree planting**

Rather than continue to pursue a “traditional” approach of continuous street tree planting that is both unsustainable and historically inappropriate, the Town of Oakville will consider pursuing a District tree planting program that places and clusters trees strategically within the District using structural soil cells as a preferred means of planting with specific species suited to urban locations. Intervening spaces between individual clusters of trees will be designed to provide more pedestrian amenities, such as seating.

6.5 **VIEWING AREAS**

Viewing opportunities within the District are primarily focussed at the intersection of Thomas and Randall Streets with a viewing area comprising an interpretive kiosk and northward looking bench adjacent to the banks of the Sixteen Mile Creek. A key issue is that views from this viewing platform are obscured by tree growth.

![Scenic views of the Sixteen Mile Creek and treed valley are obscured from view](image)

**Initiative 9: District viewing locations**

The Town will consider maintaining an open, non-obscured viewing area of the Sixteen Mile Creek and its valley lands as well as views down Thomas Street through regular pruning of tree and vegetation growth as well as consider installing a circular seating bench or back-to-back seating benches to allow 360-degree viewing opportunities.
6.6 THE WESTERN DISTRICT ENTRANCE

The Lakeshore Road western entrance to Downtown Oakville and the District was historically heralded by a distinctive bridge crossing that, together with the terraces and blocks of commercial buildings announced entry into the downtown core.

Today, the south side of the Navy Street and Lakeshore Road intersection is marked by a multi-storey apartment building and the northwest corner of the intersection features low-profile, landscape plantings. There is an opportunity to enhance this corner with an entranceway feature either with some form of public art potentially depicting historical associations and motifs of past activities and functions, or enhanced landscape plantings incorporating wayfinding measures or accent lighting to provide some form of modest counterpoint to the building height opposite.

Opportunities for a western entrance

**Initiative 10: A western District entranceway**

The Town will consider initiating a design competition to solicit ideas and concepts for a western Downtown Oakville Heritage Conservation District entranceway feature, either as a public art or enhanced landscaping, to be implemented as the Town’s municipal budget allows.
7.0 HERITAGE IMPACT ASSESSMENTS AND ADJACENT LANDS

7.1 INTRODUCTION

Livable Oakville, The Town of Oakville’s Official Plan provides for the requirement to prepare a Heritage Impact Analysis (HIA) where the development or redevelopment of property is proposed adjacent to, or in the immediate vicinity of, the boundaries of a heritage conservation district (Policy 5.3.4). The term “immediate vicinity” is not defined in the Official Plan. Similarly Section 2.6.3 of the Provincial Policy Statement, 2005, (PPS) prepared pursuant to the Planning Act also provides for the evaluation and assessment of development adjacent to designated property as follows:

“2.6.3 Development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.”

Supporting definitions accompany the PPS that assist in the interpretation of these cultural heritage management policies and listed alphabetically as follows:

Adjacent lands: means...

b) for the purposes of policy 2.6.3, those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.

Heritage attributes: means the principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a protected heritage property.

Protected heritage property: means real property designated under Parts IV, V or VI of the Ontario Heritage Act; heritage conservation easement property under Parts II or IV of the Ontario Heritage Act; and property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

The PPS direction contained in 2.6.3 can be summarized as requiring the following activities to be undertaken:

An evaluation of the proposed development or site alteration that affects protected heritage property on adjacent lands;

A demonstration that the heritage attributes of the protected heritage property will be conserved as part of the proposed development and site alteration; and,
A commitment to **mitigative measures and/or alternative development** approaches in order to conserve the **heritage attributes** of the **protected heritage property** affected by the adjacent **development or site alteration**.

In order to address initial concerns during the course of public consultation related to the matter the matter of “adjacency”, the consultant team reconsidered the delineation of the heritage conservation District boundary at its eastern limit. This addressed an area that had been defined at the intersection of Dunn Street and Lakeshore Road East. Instead of including the extensions of Dunn Street (north and south of Lakeshore Road East) and the extension of Lakeshore Road East (to the east of Dunn Street), the boundary was reduced to only include a portion of Lakeshore Road East to the west of Dunn Street.

Given the definition of “adjacency” in both the Official Plan and the PPS it was indicated during public consultation that in order to assist in clarifying when a heritage impact assessment is required, it would be clearly stated that property owners with street addresses east of 216 and 217 Lakeshore Road East to Dunn Street will not be required to submit heritage impact analysis or assessments for development proposed for these properties as it pertains to effects upon the public road right-of-way. It was determined that any development of property subject to *Planning Act* applications will not have detrimental or adverse effects upon the Lakeshore Road East public realm street pavement or sidewalks as there is no remaining heritage fabric related to these surfaces. All other permits required by Town of Oakville policies would still be required.

**Initiative 11: Heritage impact analysis**

The Town will consider recognizing that the requirement for the preparation of an HIA on private property east of 216 and 217 Lakeshore Road East to Dunn Street will not be required to assess adverse effects on the road right-of-way. Where development, as defined in the PPS, is proposed on lands immediately adjacent to 216 Lakeshore Road (Fifth Post Office) and adjacent to 217 Lakeshore Road East an HIA may be required where the proposed development is of such a magnitude (demolition or substantial reconstruction) that it may result in physical impacts to the adjacent designated properties.

Elsewhere and in all other respects the requirements for HIAs would remain in full effect, that is, they would be required as per the direction in the Official Plan. In order to clarify the matter of “immediate vicinity” for the purpose of the Downtown Oakville Heritage Conservation District and the preparation of an HIA, “immediate vicinity” is defined here as those lands or properties located within 40 metres (131 feet) of the Downtown Oakville Heritage Conservation District boundary.
8.0 FUNDING: A GRANTS PROGRAM

8.1 INTRODUCTION

The Downtown Oakville Heritage Conservation District Study Heritage Assessment Report reviewed the matter of heritage funding programs and concluded that heritage grants are usually the most manageable of all financial incentives for the purposes of municipal implementation (Authority for establishing funding programs is found in Section 45 of the Ontario Heritage Act which requires the preparation of an enabling by-law). Typically, most programs rely on capital budget allocations being made in a municipality’s budgeting process with a program commitment of at least three to five years in order that the local community and property owners can plan within a known framework of time. Projects and work schedules can then be carefully planned by private property owners.

The first start-up year is usually a slow year with the final year of the program typically witnessing a rush of applications and demand on funds. Municipal heritage grants can be focused either on particular building types (residential, commercial institutional and so on), building features (roofs, foundations, or windows) or specific areas within a municipality such as heritage conservation districts.

The Downtown Oakville Heritage Conservation District Study Heritage Assessment Report noted that total program commitments and grant amounts may vary depending on municipal priorities but they must be of a sufficient amount to make applying worthwhile and be of benefit to the property owner in addressing substantial conservation efforts such as façade restoration project. Grants may be organized on a first come-first served basis or by way of an annual or semi-annual competition ideally synchronized with the relevant construction season. In comparing the benefits of tax incentives with those of grants or loans it is believed that heritage grants or loan programs that actually target conservation efforts are more effective at achieving the goal of protecting heritage properties.

Moreover, for ease of municipal administration a grants program is measurably easier to manage and monitor than a loans program. Financial incentive programs provided in the form of a grant gives the municipality control in what type of work is “eligible” and that the actual work is completed (to the municipality’s approval) and fully paid. Requiring the property owner to match (or be responsible for a percentage of the costs) also ensures the property owner’s commitment. This measurable return on investment and control of the use of municipal funds is not present in a tax rebate program for example.

Heritage grants or loans are not intended to provide financial assistance for routine maintenance of these properties or for costs incurred that are not directly tied to the heritage features. It should not be the intent of the municipality to provide financial assistance to property owners for generally maintaining their property – as all properties, heritage or not, should be maintained in accordance with the Town of Oakville’s property standards.
8.2 COMPONENTS OF A HERITAGE GRANTS PROGRAM

Establishing and administering the financial aspects of a heritage grants program should reside with an appropriate Department within the Town (Financial Services Department/Corporate Services Commission). Heritage staff should typically be involved only with examining, reviewing and assessing the scope of project work to ensure that the work proposed is eligible for grant assistance and consistent with the District Plan and Guidelines. Review and co-ordination of whether such work requires the processing of a heritage permit application would also fall within the scope of heritage staff interests.

The focus of a grants program should be intended to provide financial assistance for owners of heritage property contained within the Downtown Oakville Heritage Conservation District. Although it is beyond the scope of the Downtown Oakville Heritage Conservation District Plan and Guidelines to provide a detailed guide to a grants program, the following are advised as components of a successful funding program:

- A clear objective to encourage continuing long-term economic and physical investments in the conservation of heritage fabric of designated properties.

- An appropriate allocation of municipal funding should be made to assist heritage property owners in a meaningful way over a multi-year period, from three (3) to five (5) years.

- Maximum grant aid of $20,000 per property per year.

- A municipal allocation of funds ranging from $360,000 to $600,000 for a three (3) to five (5) year program with tentative yearly allocations of $60,000, (first year) $120,000, $120,000, $120,000 (intervening years) and $180,000 (final year).

- The program will be based on an annual competition to take place in the Fall allowing for Spring construction starts.

- Grant assistance will be based on a matching fifty per cent (50%) grant for eligible heritage conservation work.

- Eligible work comprises any work that conserves or enhances heritage elements on identified heritage properties in the District Plan or in the accompanying designating by-laws for property designated under Part IV of the Ontario Heritage Act.

- Grants should not be available for any form of abrasive cleaning, (e.g., sandblasting) or high-pressure water cleaning.

- Grants supporting work necessary to restore a building to structural soundness should be considered as being eligible, e.g., the correction of serious structural faults that threaten the building’s survival but should not include structural work to accommodate modern renovations or routine maintenance.
• All properties must be in conformity with relevant policy documents and by-laws of the Town, provisions of the Zoning By-law, must not be in municipal tax arrears and must satisfy the Town’s Property Standards By-law.

• Grants can be awarded on an annual or semi-annual cycle following a request for applications with a deadline(s) to be established by the Town.

• Town staff, e.g., a Building Inspector and Heritage Planner, should perform initial inspections and site visits of the heritage property intended to be conserved and subsequent final inspection to assure compliance with the original award of the grant and any permits pursuant to the Ontario Heritage Act.

• Proposed work should usually be completed within one (1) calendar year of the date of the Council award of a grant to be eligible for payment.

• Work completed must comply with estimates, and work proposed and identified within the application.

8.3 ELIGIBLE CONSERVATION WORK

If a grants program is initiated with appropriate levels of funding that Council has determined can be supported it is usual to establish in the program guidelines clear descriptions respecting what constitutes eligible conservation work.

Any work that conserves or enhances the heritage attributes of the District or identified in Part IV designating by-laws should be capable of being grant assisted. These typically include:

• The conservation of significant architectural features such as doors, windows, verandahs, cupolas, chimneys, bargeboard or other decorative trim, parapets, cornices, hood mouldings and any other features important to the overall composition of the structure as specified in the Reasons for Designation.

• The conservation or renewal of original siding and roofing materials including repair and replacement where necessary of wood cladding, repair and repointing of masonry buildings, stucco repair, repair or replacement of original roofing materials (slate, wood shingles, tile, etc.). Eligible work can also include removal of a modern material (synthetic siding, asphalt shingles, etc.) and replacement with documented original materials.

• The reconstruction of former architectural features for which the appearance can be clearly determined from documentary sources such as photographs, drawings, etc.

• The reconstruction of shop fronts which have been altered or replaced. The documentation should be in the form of historic photographs or drawings clearly showing the feature(s) to be reconstructed.

• Appropriate cleaning of masonry may be eligible if it is necessary for the building’s preservation.
• Work necessary to restore a heritage building to structural soundness, i.e., the correction of serious structural faults that threaten a building's survival, including work on foundations or roof replacement.

• The conservation of historical fences and outbuildings.

**Initiative 12: A Downtown Oakville Heritage Conservation District grants program**

The Town will consider establishing a Downtown Oakville Heritage Conservation District grants program with a program schedule, levels of funding and eligibility criteria as determined by Council in the context of prevailing municipal budget commitments.

Potentially eligible projects if a Town sponsored heritage funding program was established: refurbishing decorative features, stucco repairs, and shingle replacement.
9.0 EXPANSION OF DELEGATED APPROVALS TO STAFF

9.1 INTRODUCTION

The Town of Oakville has established a system of delegated approvals for heritage permits under the provisions of the Ontario Heritage Act (By-law 2011-115). The scope of the delegation is limited to certain types of approval that do not negatively impact any heritage features on the designated property or district as follows:

(a) exterior repainting of part or the whole of a building or structure;
(b) alterations to roofing material and colour;
(c) addition/removal of, or alterations to, permanent hard landscaping features, including but not limited to walkways, driveways, patios, planters, fences, gates, walls, trellises, arbours and gazebos;
(d) addition/removal of, or alterations to, signage;
(e) addition/removal of, or alterations to, exterior lighting;
(f) addition/removal of, or alterations to, basement windows and window wells;
(g) removal/replacement of, or alteration to, non-heritage features, including but not limited to doors, windows, trim, shutters, railings, stairs, porch, flooring, columns, brackets, and decorative features;
(h) addition/removal of, or alterations to, detached single-storey accessory buildings under 15 square metres;
(i) minor revisions to previously approved heritage permits; and
(j) temporary measures reasonably necessary to deal with an emergency which puts the security or integrity of a building or structure at risk of damage.

The Town of Oakville experience to date appears to have been successful for several reasons. Importantly greatly improved customer service is achieved by reducing waiting periods from anywhere from 60 days down to 10 business days or less. This enhances the notion of the Town as being open for business, “user friendly” and dispenses with the perception of unnecessary red tape.

The reduction of time in report preparation and agenda scheduling (Heritage Oakville and Council) also frees up staff time on other heritage activities including the processing of designation requests and commenting on development applications. There is also a “green” benefit with the reduction of costs for paper and photocopying. Heritage permit reports that still require formal consideration by Heritage Oakville typically use three to five pages for the staff report, 15 to 20 pages for permit application reproduction and one for the location map: 20 to 25 pages in total.

Delegation of heritage permit approvals has appeared to be successful. Further delegation of Council’s authority to staff is appropriate.
Initiative 13: Refinement of delegated approvals

In order to further expedite heritage permit approvals Town Council will consider amending delegation by-law 2011-115 to provide for the approval by staff of all alterations to properties within the Downtown Oakville Heritage Conservation District. Notwithstanding this delegation of approval authority it is intended that staff would be diligent in bringing forward to Heritage Oakville and Council those heritage permit applications that account for substantial alterations to heritage building fabric or those involving particularly complex conservation issues. It is expected or anticipated that these will be flagged by staff in consultation with the Chair of Heritage Oakville and that in the case of extraordinary applications these would be forwarded for full consideration to Heritage Oakville and Council for decision.
10.0 PROCESS AND THE HERITAGE ADVISORY COMMITTEE

10.1 INTRODUCTION

As part of public consultation and dialogue during the preparation of the Downtown Oakville Heritage Conservation District Study Heritage Assessment Report it became apparent that there were concerns expressed about how business interests may not be appropriately valued or recognized by those with a focus on cultural heritage interests. As potential delays in the permitting process under the *Ontario Heritage Act* may be perceived as a deterrent to business decision making, it was suggested in the preceding Section 8 that delegation of approval of the majority of all applications for alterations would be seen as a positive step in expediting approvals.

In order to address potential alternatives if a comprehensive system of staff delegation was not implemented the Town of Oakville could establish a Downtown Heritage Conservation District Advisory Committee comprising a varied membership of heritage, business and property owners. While primarily tasked with advising staff, Heritage Oakville and Council on heritage permit applications the committee could also address strategic and longer term matters related to marketing, tourism and partnering opportunities.

While this approach does have some positive outcomes there remain a number of potential drawbacks, including:

- There may be insufficient staff resources (heritage planning staff and municipal clerks) to fully support an additional Town committee which should be administered with an agenda and appropriately minuted when addressing matters under the *Ontario Heritage Act*; and,

- Potential for conflicts of interest as these tend to be greater in a small geographical area of property owners which may include memberships or representation in the Downtown Oakville Business Improvement Area (BIA) or the Oakville Chamber of Commerce.

**Initiative 14: A Downtown Oakville Heritage Advisory Committee**

The Town of Oakville will consider evaluating the merits of establishing and evaluating the role and membership of a Downtown Oakville Heritage Conservation District Advisory Committee.
11.0 FIVE-YEAR REVIEW

11.1 INTRODUCTION

It is not unusual for municipal plans and guidelines to be reviewed from time to time. Some reviews are required by statute, while others are more informal and undertaken as good municipal housekeeping. The Ontario Heritage Act makes no specific requirements for formal review and update. For the Downtown Oakville Heritage Conservation District, it is considered appropriate that a formal review be undertaken for this particular Oakville district given the several new initiatives that are associated with its implementation such as heritage permit application exemptions for certain types of alterations and the potential for grant assistance to heritage projects.

It is expected that over the next five years staff, as a minimum, will be annually monitoring activity within the District. In particular the following should be subject to review:

- The number of heritage permit applications submitted and approved,
- The types of alterations that are occurring within the District (such as signage, additions or window alteration), and
- The number, type and value of funding applications for eligible conservation work.

At the end of the five year monitoring period, the Town of Oakville should embark on a full scale review of the Downtown Oakville Heritage Conservation District Plan, related heritage permit activity and the achievements of the funding program.

It is advised that the following activities should form part of the review:

- Formal engagement and dialogue with the property owners, community and all interested parties;
- Development of a “score card” to check on what objectives have been achieved and those that have not been fulfilled;
- Recommendations for any potential revisions to the District Plan, based on past activities and heritage planning best practices.

**Initiative 15: Five-Year Review process**

The Town of Oakville will consider implementing a 5-year review process related to the Heritage Conservation District Plan, in order to help ensure that the document remains up to date with current heritage planning best practices, and that it reflects the needs of the community.